

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met on Tuesday, February 17th , 2009 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas, for the purpose of considering the following agenda:

City Council: Larry L. McDonald
Clan Cameron
Jim Saccomanno
Ron Wise
Norma M. Garcia – Absent

Staff: Jeff Pynes , Acting City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager

Visitors: Larry Shaefer Judy Shaefer
Jim Pirrung Dorothy Pirrung
Annette Sanford Lila Lloyd
Wright Gore, III Patrick Gore
Brenda Laird Bobby Casale
Susie Wise Rosa McDonald
Jerry Meeks Edna Allan
Ron Damian Rene Damian
Cele Damian Tammy Davis
Russell Davis Joyce Adkins
Isis Ramirez Maria Ramirez
Nadia Lopez Loren Hayes
Elena Nieto Teresa Nieto
Roberto Casares Stoney Burke
Joel Hammond Moises Nieto
Allan Lawson Dave Knuckey
Dan Tarver Alonzo Martinez

Call to Order.

Mayor McDonald called the meeting to order at 6:01 p.m.

Invocation.

Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the February 2, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the February 2, 2009 council minutes.

Attending Citizens and Their Business.

No citizen's comments.

Consideration of the approval of Resolution No. 2009- 2216 authorizing the Mayor and the City Secretary of said City to execute and attest, a Joint Election Agreement and Contract for Election Services with the County Clerk of Brazoria, Texas, for the May 9, 2009, regular election.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Resolution No. 2009-2216, authorizing the Mayor and the City Secretary of said City to execute and attest, a Joint Election Agreement and Contract for Election Services with the County Clerk of Brazoria, Texas, for the May 9, 2009, regular election.

Consideration of the approval of revising the Consent to Use of Easements for the installation of a natural gas line for its tenants previously granted to Port Freeport by deleting the easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved revising the Consent to Use of Easements for the installation of a natural gas line for its tenants previously granted to Port Freeport by deleting the easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way.

Consideration of the approval of authorizing the City Manager to advertise for bids for an easement to install a natural gas pipeline to serve Port Freeport tenants in the existing easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way; and setting a bid date therefore.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved authorizing the City Manager to advertise for bids for an easement to install a natural gas pipeline to serve Port Freeport tenants in the existing easements on Lots 8 & 9, Block 8 of the Freeport Townsite and all of the Terminal Street right of way and setting March 16, 2009 at 5:00 p.m. for a bid date.

Consideration of the approval of a request from Veolia Water to purchase a belt press and required components (conveyor for transportation sludge from the belt press to a dumpster, building cover, and electrical work need) for the City's wastewater facility.

On a motion by Councilman Cameron, seconded by Councilman Saccamanno, with all present voting "aye", Council unanimously approved Jerry Meeks' of Veolia Water to purchase a belt press and required components (conveyor for transportation sludge from the belt press to a dumpster, building cover, and electrical work need) for the City's wastewater facility, estimate cost is \$250,000.

Consideration of the approval of Change Order No. 1, "Installation of metal guard rail along Dezavala Street Drainage Ditch" to the Velasco Blvd Pavement and Drainage project.

On a motion by Councilman Wise, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Change Order No. 1, "Installation of metal guard rail along Dezavala Street Drainage Ditch" to the Velasco Blvd. Pavement and Drainage project, a cost of \$22,617.00. At Council's request, Mr. Rene Damian of Damian Associates explained the Change Order, consisting of labor, equipment and material to install 500 feet of guard rail, 4 radius rails and 6 turn downs along Dezavala Street. The contractor is Matula & Matula Construction, Inc.

Elected Official Report

Councilman Saccomanno attended a Senior Citizens Commission meeting on Monday the 16th of February, 2009. Loretta Washington and Pat Sheldon from West Columbia presented a program on Black History Month. They have 40 signed up for a Galveston event.

Mayor McDonald thanked Mr. Stoney Burke for serving on the City Manager's Oral Interviews committee.

Mayor McDonald opened the work session at 6:42 p.m.

Work Session

Administration Report

No Report

Rene Damian of Damian & Associates reviews the Scope of Work for Central Lift Station Rehabilitation and authorizes the commencement of the design engineering.

Mr. Rene Damian discussed the scope of work at the Central Lift Station. The station is more than 50 years old. He showed pictures of the deteriorated condition. He also discussed the costs and the options for repair. Council tabled this item for further study.

Discussion regarding a no smoking ordinance.

Annette Sanford stated that she had talked to several business owners concerning a no smoking ordinance. Most felt that what we have now is a friendly atmosphere, smokers seat on a smoking area and non smokers on a no smoking area. She felt that most wanted to keep it as such.

Councilman Saccomanno said that Legislation filed this session would enact a comprehensive, statewide smoking ban, felt that a non smoking ban was on its way from the state.

There being a quorum with EDC, Bobby Casale left the council chambers.

Dan Tarver felt that citizens should choose their personal preference and not frequent business they find objectionable.

William Rains felt that Freeport had more important issues than a non smoking ordinance.

Stanley Burke stated that that Freeport needed a non smoking ordinance, smokers endanger others health.

Alonzo Martinez and Roberto Casares suggested that it should be at the business's discretion.

Elena Nieto said in her business, she had a non smoking sign and had no problems with customers coming back.

Bobby Casale of Bridge Harbor listed cities that had passed a "no smoking ordinance". He said that smoking in public is a nuisance issue and a health hazard. He wanted Freeport to be a smoke free environment city. He also discussed the need to reduce children's access to cigarettes. He talked about the time he spent in the hospital, due to second hand smoke.

Maria Ramirez allows smoking in her restaurant and has not been an issue. Very rare at times she has asked a customer to put out the cigarette.

Gloria Molina allowed smoking in her restaurant and felt that she had not lost any customers. She didn't mind having a section of non smokers and smoking areas.

Councilman Saccomanno suggested that council wait on the state's discretion and Council agreed. The matter closed for discussion.

Adjourn

On a motion by Councilman Saccomanno, seconded by Councilman Wise, with all present voting “aye”, the meeting was adjourned at 7:51 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor