

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met on Monday, March 2, 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

Staff: Jeff Pynes, Acting City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Mary Stotler, Main Street Director
Larry Fansher, Park Director
Bob Welch, Finance Director

Visitors: Annette Sanford Amanda Harrington
Wright Gore, III Cele Damian
Bill Rains Kenney Kouches
Mike Jones Rosa McDonald
Lance Olshovsky Chris Moore
Pixie Floyd Sandra W. Wicke
Allen Lawson Jerry Meeks
Larry Shaefer Judy Shaefer
Brenda Laird James Blalock
Louie Jones Manuel Bustos
Susie Wise Eric Hayes
Lila Diehl Jim Pirrung
Dorothy Pirrung Jim Luna

Call to Order.

Mayor McDonald opened the meeting to order at 6:00 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 17, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the February 17th, 2009, council minutes.

Attending Citizens and Their Business.

There were none.

Consideration of the approval of Ordinance No. 2009-2216 amending the budget for the fiscal year 2008-2009.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Mr. Welch recommendation to approve Ordinance No. 2009-2216 amending the budget for a decrease fund balance of \$29,482 for the fiscal year 2008-2009.

Consideration of the approval of the Scope of Work for the Central Lift Station and authorizing to begin emergency repairs.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved the Scope of Work for the Central Lift Station and authorized the project to be performed through Veolia with the cost passed to the City as the Operations and Maintenance Contract allows.

Consideration of the approval of closing and abandoning 1/4 of Wharton Street right of way between Blocks 788 and 811, adjacent to Lot 24 and authorize the city attorney to prepare necessary ordinance and deed for same.

On a motion by Councilman Saccomanno, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved closing and abandoning 1/4 of Wharton Street right of way between Blocks 788 and 811, adjacent to Lot 24 and authorizes the city attorney to prepare necessary ordinance and deed for same.

Consideration of the approval of accepting Block 183, Lot 8, Avalon 1st Addition, City of Freeport in lieu of out standing care of premises liens, known as 1721 W. 8th Street, Tax Id 4201-1860-000.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved to accept Block 183, Lot 8, Avalon 1st Addition, City of Freeport in lieu of out standing care of premises liens, known as 1721 W. 8th Street, and have the city attorney prepare the necessary paper work, tax Id 4201-1860-000.

Consideration of the approval of selling the City's interest on Block 7, Lot 15, Freeport Townsite, known as 514 West 8th Street, Tax Id 4200-0129-000.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved to table this item for an address correction.

Consideration of the approval of selling the City's interest in the undivided 1/2 interest in Block 718, Lots 21-22, Velasco Townsite, 1217-1219 North Ave. P. Tax Id 8110-3120-000.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling the City's interest in the undivided 1/2 interest in Block 718, Lots 21-22, Velasco Townsite, 1217-1219 North Ave. P. Tax Id 8110-3120-000.

Consideration of the approval of selling the City's interest on Block 779, Lot 23, Velasco Townsite, known as North Ave. R., Tax Id 8110-3890-000.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved selling the City's interest on Block 779, Lot 23, Velasco Townsite, known as North Ave R., Tax Id 8110-3890-000.

Consideration of the approval of selling the City's interest on Block 3, Lot 19, Section 2, Bridge Harbor Subdivision, Tax Id, 2190-0213-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 3, Lot 19, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0213-000. Councilman Saccomanno and Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 20, Section 2, Bridge Harbor Subdivision, Tax Id, 2190-0214-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 3, Lot 20, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0214-000. Councilman Saccomanno and Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 25, Section 2, Bridge Harbor Subdivision, Tx Id. 2190-0219-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 3, Lot 25, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0219-000. Councilman Saccomanno and Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 3, Lot 26, Section 2, Bridge Harbor Subdivision, Tx. Id 2190-0220-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 3, Lot 26, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0220-000. Councilman Saccomanno and Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 4, Lot 13, Section 2, Bridge Harbor Subdivision, Tx. Id 2190-0239-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 4, Lot 13, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0239-000. Councilman Saccomanno and Councilman Cameron opposed.

Consideration of the approval of selling the City's interest on Block 4, Lot 14, Section 2, Bridge Harbor Subdivision, Tx. Id 2190-0240-000.

On a motion by Councilman Wise, seconded by Councilwoman Garcia, with all voting 3 to 2, Council denied selling the City's interest on Block 4, Lot 14, Section 2, Bridge Harbor Subdivision, Tax Id. 2190-0240-000. Councilman Saccomanno and Councilman Cameron opposed.

Elected Official Report

No report.

Mayor McDonald opened the work session at 6:40 p.m.

Work Session

Discussion regarding amending Section 110.09 of the Code of Ordinances to extend hours during which beer and mixed drinks can be sold.

Bill Rains discussed that he and Dan Tarver of the EDC were in favor of changing the consumption rules.

Willie Garcia has been in the club business for 27 years in Freeport. He stated that late hours would benefit the City especially since the marina is coming in. It would also help because Freeport residents would not have to drive elsewhere. He talked to other businesses, and they too supported late hours. Freeport would start spending their money locally. When the law changed, he saw a 60% decrease in his business. All we got accomplished is sending customers out of town. He would like them to stay in Freeport instead of driving out of town or Houston.

Jim Luna owner of the Texas Multiplex Center spoke in favor of extending the late hours. Extending the hours would give employees extra hours. This type of business is difficult to compete when closing is at 1:00 a.m. on Saturdays. Opening on Thursday and Friday would benefit his business and Freeport. He reminded Council that the area has shift workers.

Eric Hayes felt that those citizens who do not want to frequent clubs of late hours should stay home.

Amanda Harrington said she starts losing business at 10:30 p.m. thru 11:00 p.m. She stated that the present ordinance is not keeping people from drinking, its just sending them somewhere else to spend their money. People are on the road and it is better to keep them close to home.

Chief Pynes said he understood the economics, said responsible club owners should take a proactive stand and implement a Drive Safe Program to take those who drink excessively.

Sandra W. Wicke, a potential bar owner downtown, said she had investors that did not like the early hours of closing.

Annette Sanford asked which days would be open till 2:00 p.m.

James Blalock suggested giving the option to bar owners. At times they would be closed and maybe be open some days, having the option to stay open till 2:00 a.m.

Teresa Goodwin moved in from Corpus Christi, said she was in favor of the late hours and this does not mean everyone goes out every night, but they have an option to go out. The late hours mean more restaurants; more gas, more groceries and more establishments would follow. A good way to generate revenue.

Lila Diehl stated that this is the reason “Kicks” left the City. They could not be successful by closing at 1:00 a.m. Freeport closed them down and they moved their business to Angleton, where they are very successful. Freeport lost all this revenue.

Mayor McDonald said he did not have any problem with the 2:00 late hour. He concern was getting the people home safely. He would like to see that bar owners step up to provide transportation to their customers and provide responsible service.

Councilman Wise said that the City of Freeport is losing 1.25 million dollars a year, and this is an option to increase the tax base. He said that the demographics had changed and it was time to change the ordinance. The City of Freeport has the Marina expense and other expenses to think about.

Councilman Cameron stated that this issue was voted by the voters of Freeport to close the bars at 1:00 a.m. He felt Council was going against the peoples wishes.

Councilwoman Garcia asked if there could be an ordinance drawn to extend the late hours then put in the ballot for November so the voters could vote.

Mr. Shaw was asked to do the research of having another election to extend the time when beer and mixed drinks can be sold in the City of Freeport.

Update by Mary Stotler on the Main Street Program.

Mary Stotler presented her annual program report. She presented to Council the boundaries for the proposed Historical Overlay District. The Historic District ordinance is already on the book; Council has to designate an area historic. Once this is done, we may be eligible to create tax incentives or request grants to support the area.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, the meeting was adjourned at 7:48 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor