

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met with the Planning Commission, in a joint public meeting on Monday, April 16, 2007, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: James W. Phillips
Clan A. Cameron
Jim Saccomanno
John Smith, III
Norma M. Garcia

Planning Commission: Diane Williams
Abel Garcia
Linda Allen
Roddy Mohler
Robert Leffingwell
Mitchell Kent

Staff: Ron Bottoms, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Gary Beverly, Finance Director
Larry Fansher, Public Works Director
Doug Caffey, Building Inspector
Nat Hickey, Property Manager
Mary Stotler, Main Street Director
John Stanford, Fire Chief
Jeff Pynes, Chief of Police

Visitors: Rosa McDonald Larry McDonald
Joyce Adkins Cathy Williams
Willie Rains Mike Muñoz
Jessica Saldana Christopher Koole
Jaime Hernandez Dorothy Pirrung
Jim Pirrung Carmen Bottoms
Lila Lloyd Larry Kirkland
Abel Garcia Patsy Waddy
Clara Davis Mark Wessels
Barbara Mohler Sandra Barbree
David Knuckey Edna Allan

Charles Senecal
Kimmy Wessels

Sandra Barnett

Call to Order.

Mayor Phillips called the meeting to order at 6:00 p.m.

Invocation

Pastor Abel Garcia with the First Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the April 2, 2007 Council Minutes.

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved the minutes of April 2, 2007.

Attending Citizens and Their Business.

There were no citizen comments.

Recognition of students and sponsors from the Freeport Intermediate School for competing in the National Science Bowl.

Councilman John Smith, III proudly introduced students and sponsors from the Freeport Intermediate School for competing in the National Science Bowl in Orlando, Florida. The team brought back 2nd place. Pasty Waddy and Coach Waddy introduced the team:

- Joey Strambler
- Esteban Cantu
- Joshua Waddy
- Cameron Hobbs
- Xavier Strambler
- Steven Volz
- Ashley Waddy

A special recognition to Councilman John Smith, III, sponsors, and parents for making this a successful event.

Recognition of the Brazosport High School art students who participated in the 2007 Houston Livestock Show and Rodeo.

Charles Senecal, Brazosport Art Instructor, introduced the Brazosport High School art students who participated in the 2007 Houston Livestock Show and Rodeo. The participants were recognized.

- Jaime Hernandez – Grand Champion Winner drawing: “Mammas Don’t Let Your Babies Grow Up to be Cowbirds”
- Jessica Saldana – drawing named: “Them old Jeans”
- Christopher Koole – drawing named: “True Love Never Ages”
- Joe Steel – Not present, drawing named: Lunch on the Lawn”

Joint Public Hearing: To consider a proposed amendment to the comprehensive Zoning Ordinance and map of said city, changing the zoning classification of Lots 10, 11, 12, 13, 14, 15, and 16 of the Bridge Harbor Subdivision, also known as 10 Kingfish Lane, from its present classification of C-2 General Commercial District to a new classification of W-2 Waterfront-Light District.

There being a quorum with the Planning Commission and City Council, Mayor Phillips opened the joint public hearing at 6: 35 p.m. He read out to audience the proposed amendment.

Councilman Saccomanno asked if it was the six pack capabilities of the W-2 zoning that was driving the change of zoning. Mr. Ron Ford the developer answered no.

Mr. Ron Ford said that seven homes will be built and that the zoning change was requested to allow smaller lot sizes for residential use.

Doug Caffey stated that the W-2 rezoning would be consistent with the rest of the property at Bride Harbor.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved the Planning Commission’s to recommendation to change the zoning classification of Lots 10, 11, 12, 13, 14, 15, and 16 of the Bridge Harbor Subdivision, also known as 10 Kingfish Lane, from its present classification of C-2 General Commercial District to a new classification of W-2 Waterfront-Light District. Councilman Cameron opposed.

There being no further questions or comments, Mayor Phillips closed the public hearing at 6: 45 p.m.

Public Hearing: Conduct the 1st public hearing on proposed annexation of an additional 122 acres of land adjoining the existing Bridge Harbor Subdivision and fronting on the Gulf Intracoastal Waterway.

Mayor Phillips opened the public hearing at 6:46 p.m. The 1st public hearing on proposed annexation of an additional 122 acres of land adjoining the existing Bridge Harbor Subdivision and fronting on the Gulf Intracoastal Waterway. He explained this proposed annexation is northeast along the Intracoastal Waterway. There are no habitants and it is all wetlands at the present time. This additional mile would extend our city limits and E.T.J. along the Intracoastal Waterway.

Mr. Bottoms' anticipates the proposed annexation for future development. With quality development occurring from Galveston coming towards this area. The City needs to be pro-active.

Joyce Adkins asked about the cost for supplying utilities to the proposed annexation. Mr. Bottoms answered that if a developer is interested, he would have to participate with the cost of utilities. She asked who would provide water. Mayor Phillips answered that it would be BWA water.

Mr. Jim Pirrung asked what the proposed annexation zoning class. Mayor Phillips answered in R-1.

There being no further questions or comments, Mayor Phillips announced the 2nd public hearing on April 30, 2007 at 6:00 p.m. He closed the public hearing at 6:54 p.m.

Consideration of the approval of authorizing the Mayor to sign contracts with Perdue, Brandon, Fielder, Collins & Mott LLP for the collection of delinquent taxes, and mowing, demolition and paving liens assessments.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved authorizing the Mayor to sign contracts with Perdue Brandon, Fielder, and Collins & Mott LLP for the collection of delinquent taxes, mowing, demolition and paving liens assessments.

Consideration of the approval of Ordinance No. 2007-2160 amending existing Section 113.01 and 113.02 of the Code of Ordinance regarding distribution of printed material.

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Ordinance No. 2007-2160 amending existing Section 113.01 and 113.02 of the Code of Ordinance regarding distribution of printed material. Councilman Cameron opposed.

Consideration of the approval of Ordinance No. 2007-2161 amending Ordinance No. 2007-2151 calling for the annual general election for the City of Freeport for May 12, 2007, to clarify the polling places on the day of such election and the places for early voting.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting, “aye”, Council unanimously approved Ordinance No. 2007-2161 amending Ordinance No. 2007-2151 calling for the annual general election for the City of Freeport for May 12, 2007, to clarify the polling places on the day of such election and the places for early voting.

Consideration of the approval of a request by Port Freeport for installing three (3) modular office units, approximately 10’ x 44’ to be on site for temporary offices.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Mr. David Knuckey’s request for installing three (3) modular office units, approximately 10’ x 44’ for temporary offices.

Consideration of the approval of a bid and awarding the sale of Block 588, Lot 1, Velasco Townsite and Block 600, Lots 19, 22, 23 and 24, Velasco Townsite, known as 619-623 North Ave. F.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Mr. Nat Hickey’s recommendation to approve the only bid and award the sale of Block 588, Lot 1, Velasco Townsite and Block 600 Lots 19, 22, 23 and 24, Velasco Townsite, known as 619-623 North Ave. F. to HED properties for \$1,505.00.

Consideration of the approval of selling the City’s interest on Block 28, Lot 16 thru 23, Velasco Townsite, known as 503-507 South Ave. C.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Mr. Hickey’s recommendation to sell the City’s interest on Block 28, Lot 16 thru 23, Velasco Townsite, known as 503-507 South Avenue C.

Consideration of the approval of setting a bid date for a CDBG project to rehabilitate sewers and streets on 9th and 10th Streets.

Mayor Phillips expressed concern on the reconstruction of 9th & 10th Street. A community hearing was scheduled at Jane Long Elementary School, to receive comments on possibility of having one way traffic streets and to advise the residents that the streets will be closed during construction causing a temporary inconvenience. A sewer line runs in the middle of the road that will require the residents to park elsewhere.

On a motion by Councilman Cameron and seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved setting a bid date for May 17, 2007 at 2: 00 p.m. for a CDBG project to rehabilitate sewers and streets on 9th and 10th Streets.

Consideration of the approval of appointing Kennemer, Masters, & Lunsford LLC as the City’s auditor for the fiscal year ending September 30, 2007.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Mr. Beverly recommendation to approve Kennemer, Masters, & Lunford LLC as the City’s auditor for the fiscal year ending September 30, 2007. Councilman Cameron opposed.

Consideration of the approval of bids and awarding the contract to purchase and install hurricane shutters for the Fire Department and the Police Department.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Chief Stanford’s recommendation to approve the bids and awarded the contract to Coastal Storm & Security Shutters for \$76,788.20.

Consideration of the approval of a request from the Freeport League to waive the carnival and vendor permit fees, have a public dance and have fireworks display for Riverfest on April 27th & 28th, 2007.

On a motion by Councilman Cameron, seconded by Councilman Smith with all present voting “aye”, Council unanimously approved the Freeport League’s request to waive the carnival and vendor permit fees, have a public dance, and have fireworks display for Riverfest on April 27th & 28th, 2007.

Consideration of the approval of a request from the Freeport Host Lions Club to sell alcohol for Riverfest on April 27th thru April 29th, 2007 at the Freeport Municipal Park.

On a motion by Councilman Smith, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved the Freeport Host Lions’ Club request to sell alcohol for Riverfest on April 27th thru April 29th, 2007 at the Freeport Municipal Park.

Consideration of the approval of a request from the Brazosport Lulac Council # 4655 to waive the vendor permit fees and close East and West Park between 2nd and Broad Street and intersecting side streets on 2nd street for the Annual Cinco de Mayo Celebration Parade on Saturday, May 5, 2007 from 3:00 p.m. to 5:30 p.m.

On a motion by Councilman Cameron, seconded by Councilman Smith with all present voting “aye”, Council unanimously approved the Brazosport Lulac Council # 4655 to waive the vendor permit fees and close East and West Park between 2nd and Broad Street and intersecting side streets on 2nd street for the Annual Cinco de Mayo Celebration Parade on Saturday, May 5, 2007 from 3:00 p.m. to 5:30 p.m.

Consideration of the approval of a request from the Freeport Host Lions Club to waive the vendor permit fees, sell alcohol, have a public dance, erect temporary fencing, have fire works display in conjunction with the 60th Annual Fishing Fiesta on July 4th thru July 8th, 2007 at the Freeport Municipal Park.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved the Freeport Host Lions Club request to waive the vendor permit fees, sell alcohol, have a public dance, erect temporary fencing, have fire works display in conjunction with the 60th Annual Fishing Fiesta on July 4th thru July 8th, 2007 at the Freeport Municipal Park.

Elected Official Report

Councilman Smith, reported the Senior Citizens planning a five (5) year anniversary celebration. The committee is planning a surprise guest for the occasion.

Councilman Cameron attended the Library Board meeting on April 3, 2007. Looking forward to a very busy year, lots of summer reading for children and adults. Lots of programs, support and pamphlets are available at the Library.

Mayor Phillips attended the Brazoria County Alliance meeting today and looking for a new executive director. Also attended a SBCA meeting, still have large numbers of dogs running at large. The dog problems will have to be addressed. The construction permits are up and permits for homes are being issued. New homes are going up on 1700 & 1800 block on West 4th Street.

Mayor Phillips opened the work session at 8:19 p.m.

Work Session

Administration Report

Mr. Bottoms traveled to Austin on April 12, 2006, in opposition of Texas House Bills 1311 & 1312. The item was posted with a very short notice; usually there is a four day notice. The meeting did not happen until 4:30 p.m. on the 12th of April. At that time eight out of ten senators left. He made his presentation and so did Port Freeport, asked if the public comment period could be left open. A lot of people could testify on behalf of Freeport. April 30th, 2007 is the 2nd public hearing meeting on the latest annexation. The Velasco Drainage District is on line with expanding the levy for relocating Trico. Fountains at RiverPlace are getting installed. RiverPlace is heavy being utilized, with the deck addition to RiverPlace; the facility will be very nice. He will be revisiting with the architect in an attempt lower the cost; concrete was driving the cost up.

May get some help with Shintech that makes a synthetic wood product. Mayor Phillips and Mary Stotler will be making a presentation to Shintech next week. Oprah Winfrey group was in town today. Tony Hawk, the famous skateboarder made an appearance. All the kids of Velasco Elementary received gifts and computers for their class rooms. The program will be air later this year. Take a Child Fishing Tournament took place April 14th, 2007, at the Freeport Municipal Park., was a good turn out. Riverfest is scheduled for April 27th, 28th, 29th, 2007. May 2, 2007 is the softball game between the City Employees and the Police Department.

Discussion concerning ownership and widening of FM 1495 off ramp.

Mr. Bottoms discussed the ownership and widening of FM 1495 off ramp. Freeport Welding has offered to pay for materials. The County will supply the labor to widen the two way feeder road. Dorsett Brothers, Con Rock and Hydo-Chem will be asked to contribute material for the project. The Dow Chemical plant will donate the off ramp to the City. Tx Dot will turn in the design to Damian & Gallion.

Discussion concerning appointing qualified person (s) on the Main Street Board and Historical Commission.

Sandra Barbree and Sandra Leavey are renewing their application to the Main Street Board. Mayor Phillips suggested that the Main Street Board and the Historical Committee be combined. The Historical Committee requires that members live in Freeport. Mr. Shaw said the requirements would have to be changed.

Quarterly financial report by Gary Beverly.

Gary Beverly presented Financial Statements for the Quarter Ending 03/31/07. He reported that revenues are 6.1% above last year totaling \$8,021,000. Expenses are currently 2.7% above last year's expenditures. On a consolidated basis there is \$11,366,000 in cash, with approximately \$900,000 of this in reserves. Overall, there has been \$584,000 spent in capital purchases. There are three outstanding instruments of debt, totaling \$6,043,000. He expects cash to be around \$3,800,000 at the end of the fiscal year. We are also currently running on track with revenues and expenses compared to budget.

Adjourn

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting "aye", the meeting was adjourned at 8:58 p.m.

Delia Munoz
City Secretary

James W. Phillips
Mayor