

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, April 20<sup>th</sup>, 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 A. Cameron  
  Jim Saccomanno  
  Ron Wise  
  Norma M. Garcia

Staff:                                Jeff Pynes, Acting City Manager  
  Wallace Shaw, City Attorney  
  Delia Muñoz, City Secretary  
  Nat Hickey, Property Manager  
  Larry Fansher, Parks Director  
  Mary Stotler, Main Street Director

Visitors:                         Larry Shaefer                    Judy Shaefer  
  Jim Pirrung                     Dorothy Pirrung  
  Edna Allan                      Jimmy Allen  
  Brenda Laird                    V. L. Scott  
  Cele Damian                    Jerry Meeks  
  Troy Brimage                   Sebrina Brimage  
  Diane Williams                Pixie Floyd  
  Mark Cameron                 Mike Kouches  
  Mike Jones                     Lila Lloyd  
  Beverly Nixon                 Annette Sanford  
  James Blalock                 Annette Goodrum  
  Willie Garcia                 Lila Diehl  
  Rosa McDonald                Susie Wise  
  Percy Walker                  Eric Hayes  
  Danny Corder                 Sandra Wood-Wicke  
  Thompson Pearl                Eileen Koenig  
  Amanda Harrington         Dorothy Murphy  
  Jim McEntire                 Jeremy Garcia  
  Mark Alan                      Wright Gore, III

Call to Order.

Mayor McDonald called 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 April 6th, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the April 6th 2009, Council Minutes.

Attending Citizens and Their Business.

Thompson Pearl of 1710 W. 10<sup>th</sup> Street stated that cars were speeding in his neighbor and requested more patrol cars on Hwy. 288, south of Kroger’s and that landscaping was blocking traffic. He also said the cross walks lights to Hopper Field were not working.

Wright Gore, III of 301 W. Brazos, asked Council to set a time limit on those who were speaking on the scheduled public hearing.

Mayor McDonald read out a Proclamation proclaiming April 25<sup>th</sup>, 2009 as The Founders Garden Club Day. Beverly Nixon invited all to a reception at the historic Schuster Home Museum to celebrate the Founders Garden Club of Brazosport, 75th anniversary on Saturday, April 25<sup>th</sup>, 2009 from 2:00 to 5:00 p.m.

Consideration of the approval of calling a Joint Public Hearing with the Planning Commission to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinance of said City, changing the zoning classification of the following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light:

- Tract 4, containing 0.66 acres, S.F. Austin Survey, Abstract 33, Tax Id # 0033-0001-000, fronting on the right descending bank of the Old Brazos River near but upstream from the Velasco Boulevard Bridge in the City of Freeport, in Brazoria County, Texas.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved setting May 18<sup>th</sup>, 2009 for a Joint Public Hearing with the Planning Commission regarding the zoning classification of the

following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light.

Consideration of a request from Troy Brimage of SIG Insurance Services, 2005 N. Brazosport Boulevard, to place a temporary portable office on site to conduct insurance business, while a permanent building is constructed.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved a request from Troy Brimage of SIG Insurance, 2005 North Brazosport Blvd to place a temporary portable office on site for one year, to conduct insurance business, while a permanent building is constructed.

**Public Hearing:** A public hearing on the question of whether or not Chapter 110 of the code of Ordinances of said City should be amended to extend the hours during which beer and mixed beverages can be sold within said City to 2:00 o'clock a.m.

Mayor McDonald opened the Public Hearing at 6:16 p.m. and set a three minute time limit to receive comments from the audience whether or not Chapter 110 of the Code of Ordinances of said City be amended to extend the hours during which beer and mixed beverages can be sold within said City to 2:00 o'clock a.m.

V. L. Scott of 1703 W. 9<sup>th</sup> Street, stated that he did not drink. He said that the public must be protected from this addiction of alcohol, it has to be regulated and any attempt to relax the law is not in the best interest of the public and should be opposed.

Jim McEntire of 727 W.12<sup>th</sup> Street, stated that he lived in Freeport when late hour drinking was allowed, remembered the City had fights and problems during this time. He did not agree that extending the hour to 2:00 a.m. would bring new business. He would rather have other family businesses so that he would not have to drive to Lake Jackson.

Danny Corder of Brazoria asked about safeguards that would be implemented and asked what elements would not return to Freeport. He said he had a club in Freeport and wanted to hire a police officer but this was not allowed. If this ordinance does pass, and it is renewed again, he asked Council to give the club owners time to recoup their investment. He wants to make sure the voters are behind this and that they understand the repercussions.

Percy Walker owner of the Flamingo Club wants the 2:00 a.m. license back. He said that Freeport had gangs and drugs on the rise, and that is no longer a problem. He is hearing a lot of negative things that are not true. One of the problem bar owners had was not controlling the outside the premises.

Willie Garcia owner of Rumors Club said that 2:00 a.m. would help real estate values. He respected older people choice to stay home, but many younger people do want to go to clubs. This area has a lot of shift workers who would benefit from the late hours. People are driving to Houston for this type of entertainment and Freeport could use that revenue.

Annette Sanford of 510 W. Broad said that she did not drink. Designating a driver would have a better control and proper management could be a good thing. This late hour could benefit the marina project.

Thomas Pearl said that people will drink and it does not make any difference if its 12:00 or 2:00 a.m.

Stanley Burke of 1807 N. T., asked Council if they were having another meeting on this issue. Mayor McDonald said the other Public Hearing was scheduled for May 18, 2009.

Lila Lloyd of 1620 N. T., feels that the Building & Code Department is getting too relaxed. She feels that laws will not be enforced. The City had a lot of disturbances in the past with the late hour. She drove around town and observed construction without building permits, eighteen wheelers parked in a no parking.

Jimmy Allan, 118 Brazos Land Court, asked Council if they would vote or if it would be on the ballot for a city vote. Mayor McDonald said that after two public hearing, it would be on the November ballot for the voters.

Amanda Harrington owner of Freeport Ice House ask Mr. Pynes if he had any data on disturbances at bars.

There being no further comments, Mayor McDonald thanked the audience and closed the Public Hearing at 6:46 p.m.

Consideration of the approval of any action to be taken as a result of closed executive session.

Mayor McDonald opened the formal session at 8:30 p.m. No action taken as a result of the closed Executive Session.

#### Elected Official Report

Mayor McDonald and Nat Hickey observed a machine brought in from Texas Department of Transportation to check the clearance from the Pine Bridge.

#### Work Session

##### Administration Report

Chief Pynes and announced that Officer Jim Zinnell, 18 years of service, passed away on April 16th 2009. He and staff attended the service. He was a leader and an asset to the community.

Mayor McDonald opened the Executive Session at 6:50 p.m.

Executive Session

A. Section 551.074, Government Code

Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee, to wit:

- Acting City Manager

Adjourn

There being no further business to come before council, the meeting was duly adjourned by Councilman Cameron, seconded by Councilman Saccomanno at 8:30 p.m.

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Delia Munoz  
City Secretary

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Larry L. McDonald  
Mayor