

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, July 17, 2006, at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

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

Staff: Ron Bottoms, City Manager
Delia Muñoz, City Secretary
Wallace Shaw, City Attorney
Gary Beverly, Financial Director
Larry Fansher, Public Works Director
Doug Caffey, Building Inspector
Mary Stotler, Main Street Director
Nat Hickey, Property Manager
John Stanford, Fire Chief
Richard Miller, Police Capt.
Cory Brinkman, Police Sgt.

Visitors: Roddy Mohler Barbara Mohler
Diane Williams Damon Rector
Ann Rector Edna Allan
Nat Hickey Chris Moore
Rosa McDonald Joyce Adkins
Louie Jones Jim McEntire
Angel Kent Ben Kent
Madison Kent Skip Pratt
Michelle Kent Lila Lloyd
Alfred Moreno Jerry Meeks
Pixie Floyd Eric Hayes
Joaquin Damian James Barnett
Sandra Barnett Larry McDonald
Dorothy Pirrung Jim Pirrung
Cyril Wilcox

Call to Order.

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

Invocation by Chris Moore from the Velasco Baptist Church.

Chris Moore offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the July 6, & 10, 2006 City Council Minutes.

On a motion by Councilman Saccomanno, seconded by Councilman Garcia, with all present voting “aye”, Council unanimously approved the minutes of July 6th & 10th 2006.

Attending Citizens and Their Business.

Eric Hayes of 1507 W. Broad received a certify letter concerning on high grass on his 10 acres. He drove around town and took pictures of other properties that had high grass. Mayor Phillips asked him to submit those pictures to the City Manager.

Jim McIntire of 727 West 12th Street has been trying for years to have his neighbors property cleaned. Mayor Phillips said that suit may have to be filed as the owner-Mr. Tommy Mitchell had received certified mail, but was not cooperating. He also complained about the Motel on Gulf Boulevard being in bad shape.

Joyce Adkins advised Council that the house on 406 E. 2nd Street had been there before the Sulfur Company and levee.

Skip Pratt of 1027 West 8th Street commended the City for the noise ordinance; much has improved in the neighborhood. A pit bull in his yard when an animal control officer was not available. He requested an animal control officer be on call in case of an emergency. He also complained that parking on both sides of the street is dangerous. He requested something be done before an accident happens. Also received a water bill with information about a 5 % discount if paid by a certain time. The City had discontinued this option, wanted to know why the city was still sending out this information and not complying.

Joaquin Damian of 915 W. 7th Street read on the “Facts” newspaper the word “blight”, not in favor of the city using this word. He thanked the Chief for the statement on the newspaper that our Freeport Police officers are not for sale.

Angel E. Kent had a copy of the lawsuit just recently filed by the City of Freeport. She voiced her disappointment to the Council members.

Proclamation: National Night Out – August 1, 2006

Mayor Phillips read out the proclamation, proclaiming August 1, 2006 as National Night Out in the City. Sgt. Cory Brinkman accepted the proclamation.

Consideration of the approval of Ordinance No. 2006-2127 amends the Comprehensive Zoning Ordinance of said City to change the zoning classification of 205.7 acres of land, more or less, out of parcels 27, 34 and 35A, Brazos River Harbor Navigation District, from its present zoning of R-1 to a new classification of W-3.

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting “aye”, Council unanimously approved Ordinance No. 2006-2127 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of 205.7 acres of land, more or less, out of parcels 27, 34 and 35A, Brazos River Harbor Navigation District, from its present zoning of R-1 to a new classification of W-3.

Consideration of the approval of Resolution No. 2006-2021 in opposition of a Strategic Petroleum Reserve at Stratton Ridge.

On a motion by Councilman Cameron, seconded by Saccomanno, with all present voting “aye”, Council unanimously approved Resolution No. 2006-2021 opposing of a Strategic Petroleum Reserve at Stratton Ridge.

Consideration of the approval of a request from Texas Gulf Engineering to place a 10 x 45 temporary office trailer at the American Rice facility for use in constructing the warehouse expansion packaging plant project, for 12 months.

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with present voting “aye”, Council unanimously approved a request from Texas Gulf Engineering to place a 10 x 45 temporary office trailer at the American Rice facility for use in constructing the warehouse expansion packaging plant project, for 12 months.

Consideration of the approval of a request from Pastor, Behling & Wheeler, LLC to place an 8 x 24 temporary field trailer at 906 Marlin Lane for storage, former Gulfco Marine Maintenance Superfund Site for 12 months.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved a request from Pastor, Behling & Wheeler, LLC to place an 8 x 24 temporary field trailer at 906 Marlin Lane for storage, former Gulfco Marine Maintenance Superfund Site for 12 months.

Consideration of the approval of a request from St. Mary Star of the Sea Catholic Church, celebrating its 80th anniversary, to block off Seventh Street between Velasco and Beech Street for a free street dance on Saturday, August 19, 2006 from 6:30 p.m. to 10 00 p.m.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council approved a request from St. Mary Star of the Sea Catholic Church, celebrating its 80th anniversary, to block off Seventh Street between Velasco and Beech Street for a free street dance on Saturday, August 19, 2006 from 6:30 p.m. to 10 00 p.m.

Consideration of the approval of sale of the City’s interest in trust property on Block 797, Lot 3 and the West 1/2 of Lot 4, Velasco Townsite, known as North Ave. H.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting 3 to 1, Council approved the sale of the City’s interest in trust property on Block 797, Lot 3 and the West 1/2 of Lot 4, Velasco Townsite, known as North Ave. H. subject to liens being paid first to the City of Freeport. Councilman Cameron opposed.

Consideration of the approval of setting a bid date to sale, Block 4, Lot 16, Brazos Terrace, Section 3, known as 1108 Riverview Drive.

Mr. Bottoms used the internet to display the property to the audience. He explained that the property belongs to the city and has had a history of sewer and flood problems. Mr. Shaw’s concern was the on going problem with the lift station next to the property. Unless this problem can be repaired the City will be liable for any damages. Every time it overflows, it creates a new lawsuit. Councilwoman Garcia recommended it be demolished. Mr. Shaw recommended this item be reagendaed for an action item.

Elected Official Report

Councilman Cameron attended a Library Board meeting. He and his daughter attended a Summer Time Reading program, an excellent turn out. The Brazoria County and Freeport Library trying to come up with ways to advertise on their website.

Councilman Saccomanno reported on Main Street’s progress. Registrations for vendors are beginning to come in for Summertime Blues Festival. The sound system at Memorial Park is complete. He attended a well attended Senior Citizens bingo.

Mayor Phillips attended a SPCA meeting today. They are advertising local for a new director for the SPCA facility. He reminded the audience to register their animals and get rabies shots. Registration forms are available at the water department.

There is also no charge for dropping strays at the shelter, if you live in a participating City. The shelter operating at the highest capacity with 500 animals on board.

Work Session

Administration Report

John Stanford conducting employee testing for two positions, following with interviews this week. A house fire on 1300 West 8thth Street.

Jerry Meeks finished sewer work on Old River for the county and moving back to Yellowstone. Two man holes on North Ave. J. need work. The water leaks are still standing.

Larry Fansher iterated Council Saccomanno work on Main Street. The electrical upgrade continues at Memorial Park. Lots of logistics planning. Planning for the Summertime Blues Festival and the Triathlon at Memorial Park scheduled for September 1, 2, 3, 2006. Lots of interest being generated from out of town prospects. The Senior Citizens held a 4th of July event. The County continues to do aerial spraying for mosquitoes. Trying to get back on schedule on mowing right of ways after the rains.

Doug Caffey's building department continues to be busy. School construction has more people working, trying to meet deadlines. Lots of air condition (HVAC) permits and inspections in the summer time. It doesn't seem to be slowing down.

Gary Beverly announced budget workshops are July 25 & 27, 2006. Each meeting will begin at 5:00 p.m. at the City Hall, Conference Room, and 2nd Floor.

Capt. Richard Miller talked about the July 14, 2006 raid on five convenience stores in Freeport; Shamrock Mini Mart, Diamond Food Mart, Stop and Shop, Exxon Handy Stop and Diamond Food Mart for illegal gambling. The Police Department seized about \$81,000 and 48 eight-liner machines. Fifty four arrest warrants were issued for the twelve people involved. The Freeport Police Department, Sheriff Department, F.B.I, Department of Public Safety, and District Attorney Office all assisted in the raid.

Ron Bottoms pointed out the Code Enforcement and Animal control do work evenings to have better coverage.

Discussion concerning the master plan for the downtown study core area.

Mr. Bottoms reviewed the Maritime Trust study initiated in September 2001. Regarding the plan Mr. Bottoms wanted to review what was implemented and what was not. The study has received lots of use and abuse. The Maritime Trust looked at the City for its strength and weakness. The plan was to guide the city for economic recovery. Two major areas the plan identified were a recreational boat marina and administration offices. The offices would be located at the end of Park Street and a marina on the other. The down town would be the catalyst for revitalizing the City.

The boundaries of the study are Old Brazos River, Terminal, and Eighth Street, West of Velasco Boulevard. The team determined that Freeport has the following key existing attributes:

- Proximity to the Water
- Proximity to the Houston Market
- Employment Base
- Size of Freeport
- Protected environment

Also naming three deficiencies: Physical Condition, Scarcity of Services, and Lack of sense of place. The City has done tremendous improvements:

- Drainage work, street repairs, parks improvements.
- Councils concern was to step up Code Enforcement; priority is to clean up the City. Knowing it would create a hardship on citizens. The Council provided the mechanism for those hardships. Building Block project was implemented and still exists for those that want to come on board.
- The downtown park – Memorial Park streets were widening, and irrigation installed. Palms trees were planted. The park installed a electrical and sound system.
- Building Block implemented, for those who desire to improve their properties.
- The Red Tide and the Treasure Hunt event creating a sense of community.
- Focused on the main gateway – Phase 2 is in the works, continuing down 2nd Street.
- Directional signage installed on Hwy. 288, one later on Hwy. 36 and Navigation Street.
- Parking – city has purchased property for future parking.
- RiverPlace facility built beside the Old Brazos River.
- New Business in town:
CVS Pharmacy, New High School, Palais Royal, Sub-Way, Jack in the Box, McDonald, Capt. Ken Restaurant, Shipley Donuts.
- Improvements on 2nd Street; planted trees, a Building Block on 2nd Street, cut grass, painted, repaired windows, porch.
- Renovating the quads on Cherry Street, Building Block project.
- Railroad trestle on 2nd Street, Building Block project.
- White's Café storefront renovated.
- Ten Year sewer replacement plan.
- Street Department now has machines/tools for replacing streets.
- Drainage program with Velasco Drainage District in place.

The Maritime study provided data needed to the City. It has received bad press. The study talked about blight areas in the City. Blight was defined in the master plan as a figure of the appraisal value, divided by square foot.

The Maritime study nor the City of Freeport has ever suggested taking homes for the marina through eminent domain. Senate Bill 7 passed by the Legislation prevents taking homes for the marina. Mr. Bottoms explained that the master plan is just a plan, subject to change. Part of the plan was used and some was not because it just didn't fit. The master plan has been very beneficial and provided guidance to the City. The City has been very busy improving conditions in the City. The Maritime report says that the success of the plan will be entirely up to the City to embrace change.

Mayor Phillips said a company – Western Seafood placed door hangers on every house using the word “blighted” using scare tactics, telling people that the City was going to bull doze homes and take property for the marina, which is not true. The terminology “blighted” came from Western Seafood. The City does not and will not take homes that deemed blighted. The City identifies homes that do not meet code, that are unsafe, unfit for human use, are either brought to code/repared or demolished.

Discussion concerning Business Regulations, Chapter 119 Taxicabs.

This itemed reagendaed.

Mayor Phillips closed the work session and opened the executive session at 8:05 p.m.

Executive Session

Section 551.071 Government Code

Consultation with City Attorney concerning pending or contemplated litigation settlement offers or other matter in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

(1) Marina

Mayor Phillips reconvened the open session at 8:15 p.m.

Adjourn

On a motion by Councilwoman Garcia, seconded by Councilman Saccomanno, with all present voting “aye”, the meeting was adjourned at 8:15 p.m.

Attest:

Delia Muñoz
City Secretary

James W. Phillips
Mayor