

State of Texas
County of Brazoria
City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday August 3rd, 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 items:

City Council: Larry L. McDonald
Clan A Cameron
James W. Phillips
Ron Wise
Norma M. Garcia

Staff: Jeff Pynes, City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Bob Welch, Finance Director
Larry Fansher, Parks Director
Gary Pohl, Marshall

Visitors: Doug Calame Jim Pirrung
Judy Shaefer Larry Shaefer
Rosa McDonald Joyce Adkins
Eric Hayes Gary Bullard
Edna Allan Bill Rains
Pixie Floyd Mike Jones
Jerry Meeks Susie Wise
Kenny Kouches Wright Gore, III
Lila Diehl Annette Sanford
Dan Tarver Tom Pearl
Lila Lloyd Gary Bullard

Call to Order.

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

Invocation.

City Attorney Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the July 20th & 21st, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting “aye”, Council unanimously approved the July 20th & 21st, 2009 Council Minutes.

Attending Citizens and Their Business.

Pixie Floyd of 832 Leder Street, Clute voiced her opinion on the water feature at downtown Memorial Park. She said it was a good thing for the kids, but opposed the location. She had concerns on safety and the liability to the City. Lots of traffic on 4th Street, Broad Street and 2nd Street.

Tom Pearl of 1710 W. 10th, addressed Council on street lights that are not working, between 8th and 11th Street, speeding is out of control on 8th through 10th Street in the residential area. Light poles have for sale signs, garage sale signs, advertising businesses; bushes on Business Hwy. 288 need trimming.

Annette Sanford of 510 W. Broad complained that there are no lights on the 600 Block of West 1st Street.

Consideration of the approval of Resolution No. 2009-2196 appointing Joyce Adkins, Reuben Cuellar, Edward T. Garcia and Diane Williams for a full term to the Planning Commission.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2196 appointing Joyce Adkins, Reuben Cuellar, Edward T. Garcia and Diane Williams for a full term to the Planning Commission.

Consideration of the approval of Resolution No. 2009-2197 reappointing Joyce Girouard, Nancy Hughes, Margie Edwards, James Walker and June Strambler for a full term to the Library Board of said City.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2198 reappointing Joyce Girouard, Nancy Hughes, Margie Edwards, James Walker and June Strambler for a full term to the Library Board of said City.

Consideration of the approval of Resolution No. 2009-2198 appointing Clan Cameron for the remainder of the unexpired term of the Brazosport Water Authority Board.

On a motion by Councilman Phillips, seconded by Mayor McDonald, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2198 appointing Clan Cameron for the remainder of the unexpired term to the Brazosport Water Authority Board.

Consideration of the approval of Resolution No. 2009-2199 appointing William W. Rains, Jim Pirrung, John Greer and Tim Closs for a full term to the Board of Adjustment of said City.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2199 appointing William W. Rains, Jim Pirrung, John Greer and Tim Closs for a full term to the Board of Adjustment of said City.

Consideration of the approval of Resolution No. 2009-2200 appointing Sandra Barbree, Ken Tyner and one other person to be selected by the City Council for a full term to the Urban Renewal Board of said City.

This item reagendaed.

Consideration of the approval of Resolution No. 2009-2201 appointing Susan Pettijohn, Margaret L. McMahon, Nicolasa Mireles and Eddie Virgil for a full term to the Beautification/Parks and Recreation Committee of said City.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Resolution No. 2009-2201 appointing Susan Pettijohn, Margaret L. McMahon, Nicolasa Mireles and Eddie Virgil for a full term to the Beautification/Parks and Recreation Committee of said City.

Consideration of the approval of Resolution No. 2009-2202 appointing Lila Diehl, Sandra Wood-Wicke, William W. Rains and one other person to be selected by the City Council to the Economic Development Corporation of said City.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting 3 to 2, Council approved Resolution No. 2009-2202, appointing Lila Diehl, Sandra Wood-Wicke, William W. Rains, and Jack Taylor to be selected by the City Council to the Economic Development Corporation of said City. Councilman Phillips and Councilman Garcia opposed.

Consideration of the approval of Resolution No. 2009-2203 appointing one other person to be selected by the City Council to replace Johnny McQuaig to an expired term of the Economic Development Corporation of said City.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting 3 to 2, Council approved Resolution No. 2009-2203 appointing Larry Shaefer to replace Johnny McQuaig to an expired term of the Economic Development Corporation of said City. Councilman Phillips and Councilwoman Garcia opposed.

Consideration of the approval of Resolution No. 2009-2204 appointing Sandra Barbree, Joshua Pettijohn, Lila Lloyd and Sandra Leavey for a full term to the Historical Commission and Main Street Advisory Board of said City.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting "aye", Council unanimously approved Resolution No. 2009-2204 appointing Sandra Barbree, Joshua Pettijohn, Lila Lloyd and Sandra Leavey for a full term to the Historical Commission and Main Street Advisory Board of said City.

Consideration of the approval of Resolution No. 2009-2205 appointing Mary Darnell, Beverly Garrison, Martha Westbrook and Dana Glenn for a full term to the Senior Citizens Commission of said City.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Resolution No. 2009-2205 appointing Mary Darnell, Beverly Garrison, Martha Westbrook and Dana Glenn for a full term to the Senior Citizens Commission of said City.

Consideration of the approval of Ordinance No. 2009-2222 authorizing the Mayor to execute and the City Secretary to attest a professional services agreement with Perdue, Brandon, Fielder, Collins, & Mott, LLP for the collection of delinquent court fees and fines generated by the Municipal Court of the City.

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting 4 to 1, Council approved Mr. Pynes' recommendation to approve Ordinance No. 2009-2222 authorizing the Mayor to execute and the City Secretary to attest a professional services agreement with Perdue, Brandon, Fielder, Collins, & Mott, LLP for the collection of delinquent court fees and fines generated by the Municipal Court of the City. Councilwoman Garcia opposed.

Consideration of the approval of setting August 17th, 2009, 6:00 p.m. as the date for a Public Hearing on the propose budget for the fiscal year 2009-2010.

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting "aye", Council unanimously approved setting August 24, 2009, 6:00 p.m. as the date for a Public Hearing on the proposed budget for the fiscal year 2009-2010.

Consideration of the approval of updating and authorizing the Mayor to sign an Interlocal Agreement with TML Intergovernmental Employees Benefits Pool.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously approved updating and authorizing the Mayor to sign an Interlocal Agreement with TML Intergovernmental Employees Benefits Pool.

Mayor McDonald opened the work session at 6:34 p.m.

Work Session

Discussion regarding the Mexican Consular ID Card program.

This item was tabled.

Discussion concerning readopting a tax abatement and reinvestment zone policy and readopting guidelines and criteria.

Bob Welch, Finance Director reviewed the propose commercial and residential tax abatement application, reinvestment zone policy and guidelines and criteria. He cited the statute requiring that these guidelines be readopted every two years. The last amendment was in 2007, no changes were made at this time. Councilman Wise stated that he was not aware of the City offering tax abatement applications. He asked if the residents were aware and if they could be notified through the building department or the water department billing.

Discussion regarding contracting Perdue, Brandon, Fielder, Collins & Mott L.L.P., to collect delinquent court fees and fines.

Doug Calame from Perdue, Brandon, Fielder, Collins & Mott L.L. P. discussed and answered Councils questions. Mr. Pynes advised Council to contract with the firm for the collection of the fees and to impose an additional collection fee in the amount of 30% on each debt that is more than 60 days past due. Councilwoman Garcia objected to the additional fee and felt issuing a warrant had more power or success in collecting.

Discussion concerning Waste Management contract and alternate rates and service options.

Mr. Pynes said Waste Management's contracts ends October 31, 2009. It's a good time to think about what the City needs. Gary Bullard of Waste Management's Marketing and Sales personnel is looking on options to lower the cost. There are several options of pickup; each option has its own rate and depends on the number of times to pick per week. Stan Harrison with Waste Managements spoke on the last correspondence, describing the options and costs. The current rate is \$21.70.

Councilman Phillips also talked about the good and bad spells. Presently complaints were down significantly. Waste Management loses lots of carts. Some of the carts are going missing, destroyed or in the middle of the street and getting run over.

Mrs. Annette Sanford, senior citizen asked if she was charged when no trash was put out. She also asked about the heavy trash pickup and rate. Joyce Adkins said the reason for going with Waste Management was because the can system was supposed to be more efficient. Mr. Gary Bullard asked the City to meet and discuss the needs and rates.

Mayor McDonald closed the work session and opened the Executive Session at 7:23 p.m.

Executive Session

A. Section 551.074, Government Code

Deliberations concerning the duties and responsibilities, to wit:

- City Manager-Jeff Pynes

B. Section 551.087, Government Code
Deliberation Regarding Economic Development Negotiations, to wit:

- Marina Project Prospect(s)

No action taken on A and B

Adjourn

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting “aye”, the meeting was adjourned at 9:43 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor