

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, September 11, 2006, at 6:00 p.m. 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 – absent

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 Official
Mary Stotler, Main Street Director
Nat Hickey, Property Manger
Pinkey Hartline, Golf Course Director
John Stanford, Fire Chief
Jeff Pynes, Police Chief

Visitors:	Faia DeMain	Bill DeMain
	Roddy Mohler	Barbara Mohler
	Joyce Adkins	Edna Allan
	Larry McDonald	Rosa McDonald
	Pamela Starnes	Terry Starnes
	Cathy Williams	Eric Hayes
	Lila Lloyd	Skip Pratt
	Sandra Leavey	Paula Frugia
	Angel Edge Kant	Wright Gore, III
	Bobby Casale	Sandra Barbree
	Cyril Wilcox	Larry Schaffer
	Jim Pirrung	Dorothy Pirrung
	Jerry Meeks	John McQuaig

Call to Order.

Mayor Phillips called the meeting to order at 6:02 p.m.

Invocation by Jody Jones, Pastor from the West End Baptist Church.

Jody Jones of the West End Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor Phillips led the Pledge of Allegiance.

Approval of the August 21st & 28th, 2006 City Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved the minutes of August 21st, & 28th, 2006.

Attending Citizens and Their Business.

Bobby Casale of Bridge Harbor complained that real estate people were passing out door hangers in the Bridge Harbor subdivision. He asked Council to address this issue and enforce the code. Mayor Phillips said it had been done.

Joaquin Damian of 915 West 7th Street, stated that he was a landlord and that he usually spend an average of \$ 15,000 remodeling a house. He complained about the code requirements.

Sandra Barbree of 1502 N. Ave. R. thanked all for a wonderful weekend at the Summertime Blues Festival event. . A great turn out for the Labor Day weekend.

Angel Edge said she recognized the new flags at Memorial Park. She said that the Summertime Blues Festival was a success and complimented Mary Stotler for fine job. She asked for a copy of the new marina contract. Mr. Bottoms answered her that no new agreement had been executed.

Skip Pratt of 1027 West 8th Street agreed that the Summertime Blues Festival was very good and very well planned out, believes that the festival was larger than last year. He asked if a permit was required for a garage sale. He complained that too many garage sales around the neighborhood. He reminded Council of cars blocking the flow of traffic on 8th Street.

Juan Villalobos of 403 West 8th Street, reminded citizens to show their respect by removing their caps in the courtroom.

Abel Garcia thanked everyone in the City who helped with the Soccer Club. He has received many good comments from parents who have happy children. He said it was a blessing to have a City supporting the children.

Public Hearing: Consideration of the first public hearing to set a tax rate in excess of the effective tax rate for the 2006 tax year.

Mayor Phillips opened the public Hearing at 6:24 p.m.

Mr. Bottoms recommended keeping the current tax rate of .71/\$100 valuation, representing a total budget of \$14,438,147. This budget includes a ten year sewer replacement program, significant street rehabilitation, a new ambulance, three new police officers, one new jailer, tools for the employees that need replacing. The City received a CDBG grant that will be used for replacing streets, north of Jane Long Elementary School.

The City Secretary's office has a copy for examination of the proposed budget. Mr. Bottoms stated that upon approval, a copy of the budget will be at the Library.

Joyce Adkins asked where the EDC's funds were coming from. Mayor Phillips answered that it was from the ½ cent sales tax.

The 2nd Public Hearing is scheduled for next Monday - September 18, 2006.

There being no further question or comments, Mayor Phillips closed the public hearing at 6:35 p.m.

Consideration of the approval of Ordinance No. 2006- 2134 naming the section of the street that provides access from Second Street to the Brazosport High School baseball and softball complex as “Exporter Drive”.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2006-2134 naming the section of the street that provides access from Second Street to the Brazosport High School baseball and softball complex as “Exporter Drive”.

Consideration of the approval of Resolution No. 2006-2022 granting the Freeport Economic Development Corporation an interest free loan from the City to relocate Trico from its current location to a new location on the Old Brazos River.

Mr. Gore disagreed with public money being used to benefit a private business, when no one knows how much it’s going to cost.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting 3 to 1, Council approved Mr. Bottoms’ recommendation to approve Resolution No. 2006-2022 granting the Freeport Economic Development Corporation an interest free loan of \$300,000 from the City to relocate Trico from its current location to a new location on the Old Brazos River. Councilman Cameron opposed.

Consideration of the approval of Resolution No. 2006-2023 consent to assignment or transfer of control of cable television franchise from Time Warner to Texas and Kansas City Cable Partners, L.P.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Resolution No. 2006-2023 consent to assignment or transfer of control of cable television franchise from Time Warner to Comcast Corporation.

Consideration of the approval of the sale of the City’s interest in trust property on Block 6, Lot 6, Southview Gardens Subdivision, known as 807 W. 10th Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the sale of the City’s interest in trust property on Block 6, Lot 6, Southview Gardens Subdivision, known as 807 W. 10th, Street.

Consideration of the approval of sale of the City’s interest in trust property on Block 797, Lots 3 & 4, Velasco Townsite, known as 1718-1720 North Ave. H.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved the sale of the City’s interest in trust property on Block 797, Lots 3 & 4, Velasco Townsite, known as 1718-1720 North Ave. H.

Consideration of the approval of sale of the City’s interest in trust property on Block 26, Lots 11 & 12, Velasco Townsite, known as 524 South Ave. D.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved the sale of the City’s interest in trust property on Block 26, Lots 11 & 12, Velasco Townsite, known as 524 South Ave. D.

Consideration of the approval of signing a replat of Lot 1, a portion of Tract 190, BCIC 7, and a portion of tract 50, BCIC 10, as recorded 2005036910 Brazoria County Official Records, F.J. Calvit League, Abstract 51, approved by the Planning Commission on August 28, 2006.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved signing a replat of Lot 1, a portion of Tract 190, BCIC 7, and a portion of tract 50, BCIC 10, as recorded 2005036910 Brazoria County Official Records, F.J. Calvit League, Abstract 51, approved by the Planning Commission on August 28, 2006.

Consideration of the approval of calling a Joint Public Hearing with the Planning Commission to consider amending Section 155.999 of the Code of Ordinance to conform to Section 10.99 of said code; and changing the zoning classification of all of the land lying between the Mystery Harbor Subdivision and the Velasco Memorial Bridge and between the Old Brazos River and Mystery Harbor Lane and Front Street, from its present classification of R-2 to a new classification of W-1R.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 3 to 1, Council approved setting a joint public hearing date for October 2, 2006 at 6:00 p.m. to consider amending Section 155.999 of the Code of Ordinance to conform to Section 10.99 of said code; and changing the zoning classification of all of the land lying between the Mystery Harbor Subdivision and the Velasco Memorial Bridge and between the Old Brazos River and Mystery Harbor Lane and Front Street, from its present classification of R-2 to a new classification of W-1R. Councilman Cameron opposed.

Consideration of the approval of setting a bid date for the deck and fountain project at River Place.

On a motion by Councilman Saccomanno, seconded by Councilman Smith, with all present voting 3 to 1, Council approved Mr. Bottoms’ recommendation to set a bid date for October 12, 2006 at 2:00 p.m. and awarding the bid on October 16, 2006, for the deck and fountain project at RiverPlace. Councilman Cameron opposed.

Consideration of the approval of an Interlocal Cooperation Agreement between Brazosport Independent School District and the City of Freeport, Police Department to provide an additional school resource officers.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council approved Chief Pynes recommendation of an Interlocal Cooperation Agreement between Brazosport Independent School District and the City of Freeport, Police Department is to provide an additional school resource officer.

Elected Official Report

Councilman Smith thought the Summertime Blues Festival was fantastic. Out of towners are noticing the city’s changes and receiving very good comments.

Mayor Phillips attended the Brazoria County Alliance meeting. A call center will bring about 800 jobs to the City of Alvin; wages will run up to \$10.00 an hour. The Brazoria County Cities Association will be hosted by the City of Quintana on September 20, 2006. The animal shelter has not filled the position for executive director. The Summertime Blues fireworks were super. Some weekend visitors camped out at Bryan Beach, many thought it was the best kept beach in the State of Texas.

Work Session

Administration Report

Larry Fansher preparing the park for Fiesta Patrias this Saturday-September 16, 2006, hosted by the Brazosport LULAC # 4655. The city crews and county are overlaying three miles of street. This project is wrapping up.

Chief Pynes working with B.I.S.D on an agreement, adding a new school resource officer. Continuing to recruit for two vacancies.

Jerry Meeks of Veolia Water, sewer line replacement crew on Yellowstone Street. A pump failed at the Central Waste Station and is in the shop for repairs.

Doug Caffey in the Building Department busy with Port Freeport/American Rice expansion. Mr. Bottoms asked Mr. Caffey to invite Port Freeport to Council to discuss Verse 7. He reported 8 new houses are being built in Freeport.

Mary Stotler of Main Street said many people pulled together and made the Summertime Blues Festival happen. Thanked all the City employees and volunteers for their help. Hoping for a bigger event next year.

Pinkey Hartline reported the golf course in great shape. Getting ready for the Martin Luther King Tournament for September 16, 2006.

Ron Bottoms publicly acknowledged Mary Stotler for a successful event. A report on the West Nile Virus was positive in the area of First Street and water front. The county will be out spraying. He has scheduled a luncheon with the Board of Realtors for October 6, 2006 to update and promote the City.

Discussion concerning annexation along the Intracoastal Waterway North of Bridge Harbor.

Mr. Bottoms displayed a map showing the area of interest – Northwest of Intracoastal Waterway, North of Bridge Harbor. The area is wetlands and will not have any immediate impact. The idea is that in the future this will serve to supply utilities. This will put Freeport in a good position when area developers inquire.

Mayor Phillips closed the work session and opened the executive session at 8:20 p.m.

Executive Session

A. 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

B. 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;

(1) City Manager

Mayor Phillips reconvened the open session at 8:50 p.m.

Adjourn

On a motion by Councilman Saccomanno, seconded by Councilman Cameron, with all present voting “aye”, the meeting was adjourned at 8:50 p.m.

Delia Muñoz
City Secretary

James W. Phillips
Mayor

