

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, October 2, 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

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

Staff: Ron Bottoms, City Manager
Delia Munoz, City Secretary
Wallace Shaw, City Attorney
Gary Beverly, Finance Director
Larry Fansher, Public Works Director
Doug Caffey, Building Official
Nat Hickey, Property Manager
John Stanford, Fire Chief
Mary Stotler, Main Street Director
Allen Lawson, Police Sergeant
Pinkey Hartline, Golf Course Director

Visitors:	Louie Jones	Edna Allan
	Jim Pirrung	Dorothy Pirrung
	Lila Lloyd	Sandra Barnett
	Eric Hayes	Lila Diehl
	William DeMain	Faia DeMain
	Cele Damian	Pixie Floyd
	Angel Kent	Paul Frugia
	Jerry Meeks	Gary Bullard
	Larry McDonald	Rosa McDonald
	Mary Darnell	Cathy Williams
	Joyce Adkins	Ann Rector
	Damon Rector	Chris Moore
	Tino Dennis	Kathy Dennis
	Paul Kellie	Jim McEntire

Call to Order

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

Invocation

Pastor Chris Moore, from the Velasco Baptist Church offered the invocation.

Pledge of Allegiance

Mayor Phillips led the Pledge of Allegiance.

Approval of the September 25, 2006 Council Minutes.

On a motion by Councilman Saccomanno, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved the minutes of September 25, 2006.

Attending Citizens and Their Business.

Sandra Barnett of the Freeport League announced that Brazosport Memorial Hospital will be administering free flu shots on October 25, 2006 at St. Mary Star of the Sea Church, Parish Hall, from 8:30 a.m. to 12:00 noon.

Pastor Chris Moore of 1867 Acacia Circle, invited the community to the Homecoming Tailgate party on October 13th, 2006, between Kroger’s and the Hopper Field. A great opportunity for all citizens to come together to support our kids.

Cathy Williams of 112 Brazos Landing, said she had lived in Freeport for 44 years and was embarrassed at the September 25, 2006, Council Meeting. She didn’t think they were that rowdy to have an armed guard at City Council meetings.

Angel Kent of 115 West Broad, thanked Mr. Shaw for bringing it to her attention that she had violated the Texas Open Meeting Act on September 25, 2006 and is turning her self in to the Texas Rangers along with video tapes and emails for evidence.

Lila Lloyd of 1620 N. Ave. T., said that only a few people fill that way and that most of the citizens support the Council. A lot of issues and complaints do not need to come to Council, they should follow proper procedure. These people are just attacking Council.

Joyce Adkins of 102 North C., said she rides around town and sees the City crews working, but only on certain parts of the City, coming to Council is the only option they have. She said that Council members did not return phone calls, but did say that Mayor Phillips always returned phone calls.

PUBLIC HEARING: 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.

There being a quorum of the City Council and the Planning Commission, Mayor Phillips opened the public hearing at 6: 20 p.m.

Mr. Shaw explained this public hearing had two (2) issues. The first part was to amend Section 155.999, the provision penalty of \$200.00 of the Code of Ordinance to conform to Section 10.99 general penalty of \$2,000.00.

Diane Williams, spoke on behalf of the Planning Commission and recommended amending Section 155.99 of the Code of Ordinance to conform to Section 10.99 of said code.

The second part of the public hearing is to change the zoning classification of all 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.

No recommendation from the Planning Commission to rezone because of mapping discrepancy in the city zoning maps. This item was reagendaed.

There being no further questions or comments, Mayor Phillips closed the public hearing at 6:40 p.m.

Consideration of the approval authorizing the City Attorney to prepare an Ordinance to amend 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 the motion of Councilman Saccomanno, seconded by Councilman Smith, with all present voting 4 to 1, Council approved authorizing the City Attorney to prepare an Ordinance to amend Section 155.999 of the Code of Ordinance to conform to Section 10.99 of said code. Councilman Cameron opposed.

Due to may map discrepancy on the present zoning classification this item will be reagendaed.

Consideration of the approval of calling a Joint Public Hearing with the Planning Commission to consider a proposed amendment to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155, Section 155.022 and 155.030 of said ordinance to change the minimum lot area in the R-1 District, Single Family Residential, from 7, 500 to 7,000 square feet.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved to set a public hearing date for November 6, 2006 at 6:00 p.m. to consider a proposed amendment to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155, Section 155.022 and 155.030 of said ordinance to change the minimum lot area in the R-1 District, Single Family Residential, from 7,500 to 7,000 square feet.

Consideration of the approval of Ordinance No. 2006-2140 amending Chapter 71 of the Code of Ordinances of said City to add a new section 71.31 requiring southbound traffic traveling in the right hand lane on Velasco Boulevard, at its intersection with West Fourth Street, to turn Right and go West on West Fourth Street and a new Section 71.08 providing for four marked lane, two in either direction, for Velasco Boulevard between its intersection with Gulf Boulevard and its intersection with Fourth Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Ordinance No. 2006-2140 amending Chapter 71 of the Code of Ordinances of said City to add a new section 71.31 requiring southbound traffic traveling in the right hand lane on Velasco Boulevard, at its intersection with West Fourth Street, to turn Right and go West on West Fourth Street and a new Section 71.08 providing for four marked lane, two in either direction, for Velasco Boulevard between its intersection with Gulf Boulevard and its intersection with Fourth Street.

Consideration of the approval of awarding a contract for residential solid waste services.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Mr. Bottoms' recommendation to award the residential solid waste contract to Waste Management, the lowest bidder.

Consideration of the approval of hiring Damian/Gallion & Associates for Engineering Services regarding the reconstruction of a portion of 9th & 10th Streets.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Mr. Bottoms' recommendation to hire the services of Damian/Gallion & Associates for Engineering Services regarding the construction of a portion of 9th and 10th Street in the amount of \$57,000. This will be a turn key bid ready specification.

Elected Official Report

Councilman Cameron reported that he plans to attend the Library Board on October 3, 2006. He encourages all to attend the Freeport youth football games.

Councilman Saccomanno reported that Main Street meeting On October 3, 2006.

Mayor Phillips reported that the SBCA hired Mr. Ramsey from Sweeny, for executive director for the animal shelter. The Economic Development Alliance meets October 3, 2006 at RiverPlace. Corporate leaders in the area saw RiverPlace for their first. They were very impressed with the facility.

Work Session

Discussion concerning CenterPoint Entex rate increase.

Roy Villarreal of CenterPoint Entex explained that service charges had not been changed since 1976 and an update is needed to align the charges with costs to the customer. He reviewed the schedule of miscellaneous service charges.

Councilman Saccomanno questioned the financial difficulty the increase could have on people who already have problems paying their gas bill. Mr. Villarreal said the company works with customers in extreme cases.

Diane Williams asked why the increases weren't done incrementally. It would be a burden because some people are on fixed incomes.

Councilwoman Garcia questioned the cost of disconnecting the service of rental property.

Mayor Phillips closed the work session and opened the executive session at 7:50 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

Mayor Phillips reconvened the open session at 8:05 p.m.

Adjourn

On a motion by Councilwoman Garcia, seconded by Councilman Cameron, with all present voting "aye", the meeting was adjourned at 8:05 p.m.

Delia Munoz
City Secretary

James W. Phillips
Mayor