

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, November 5th, 2007, 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
 Jim Saccomanno
 John Smith, III
 Norma M. Garcia

Staff: Gary Beverly, Acting City Manager
 Pat Taylor, Alt. City Attorney
 Delia Munoz, City Secretary
 Larry Fansher, Public Works Director
 Doug Caffey, Building Inspector
 Nat Hickey, Property Manager
 John Stanford, Fire Chief
 Jeff Pynes, Police Chief
 Mary Stotler, Main Street Director
 Larry Ellis, Building Inspector

Visitors: Genevieve Wilcox Sandra Barnett
 Cyril Wilcox Edna Allan
 Bobby Fuller Curtis Phillips
 Chris Moore Nicki Mireles
 Sam Reyna Rosa McDonald
 Joyce Adkins Joaquin Damian
 Jerry Meeks Stanley Gaul
 Dorothy Pirrung Jim Pirrung
 Humberto Rosas Kiki Rosas
 Larry Ballard Rosa McDonald

Call to Order

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

Invocation.

Bobby Fuller, from the Seaman's Center offered the invocation.

Pledge of Allegiance

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the October 15th, 2007 Council Minutes

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved the minutes of October 15th, 2007.

Attending Citizens and Their Business.

Sandra Barnett announced that Flue Shots will be administered at St. Mary Star of the Sea Catholic Church on Wednesday, November 7, 2007 from 8:30 a.m. to 11:30 a.m.

Pastor Chris Moore invited all to the dedication of the Veteran's Memorial on Saturday, 12:00 a.m. to 4:30 p.m., November 10th, 2007, at the Freeport Municipal Park. Hot dogs and refreshments will be served.

Joaquin Damian, a Freeport taxpayer feels he has a right to express his opinion. He voiced his opposition to the recall election of Mayor McDonald and that money used for the election could have been used better elsewhere. He asked for the amount spent on the election? Gary Beverly answered \$8,800.00.

Public Hearing: Regarding Chapter 370.002 of the Local Government Code and Division (A) of Section 130.99 of the Code of Ordinances of said City, to REVIEW THE JUVENILE CURFEW ORDINANCE of said City.

Mayor McDonald opened the public hearing at 6:07 p.m. He explained that the law required an evaluation of the Juvenile Curfew Ordinance by City Council with a public hearing to be held before the third anniversary of the readopting.

Chief Pynes stated a minor change to the ordinance on Section 130.24 A (5).

There being no further questions or comments, Mayor McDonald closed the public hearing at 6:10 p.m.

Consideration of the approval of Ordinance No. 2007-2179 amending Chapter 130 of the Code of Ordinances of said City, providing a curfew for minor.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved Ordinance No. 2007-2179 amending Chapter 130 of the Code of Ordinances of said City, providing a curfew for minors.

Consideration of the approval of a request by The Seaman's Center, 1103 Cherry Street, for two (2) recreational vehicles to be on site for security and ministry purposes.

Mr. Bobby Fuller explained the request for two recreational vehicles for the Seaman's Center. Councilman Smith asked if there were any future plans to the Seaman Center. Mr. Fuller said no. Joyce Adkins stated that the area was not zoned for recreational parking.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", Council approved the request for the Seaman's Center, 1103 Cherry Street, for two (2) recreational vehicles to be on site for security and ministry purposes.

Consideration of the approval of selling the City's interest at Block 11, Lot 4, Freeport Townsite, known as 415 East 6th Street.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved Mr. Nat Hickey's recommendation to sell the City's interest at Block 11, Lot 4, Freeport Townsite, known as 415 E. 6th Street.

Consideration of the approval of selling the City's interest at Block 12, Lot 6, Freeport Townsite, known as 423 East 5th Street.

On a motion by Councilman Cameron, seconded by Mayor McDonald, with all present voting "aye", Council unanimously approved Mr. Nat Hickey's recommendation to sell the City's interest at Block 12, Lot 6, Freeport Townsite, known as 423 East 5th Street.

Consideration of the approval of selling the City's interest at Block 52, Lot 10, 11, and 12, Velasco Townsite, known as 424 South Ave. G.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Mr. Nat Hickey's recommendation not to sell the City's interest at Block 52, Lot 10, 11, and 12, Velasco Townsite, known as 424 South Ave. G. Councilman Cameron opposed.

Consideration of the approval of an administrative appeal from the New Jerusalem Baptist Church requesting a variance under the Sign Ordinance, Chapter 113, to change the distance of base of sign from ground 16 feet to 9 feet.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved an administrative appeal from the New Jerusalem Baptist Church requesting a variance under the Sign Ordinance, Chapter 113, to change the distance of base of sign from ground 16 feet to 9 feet.

Consideration of the approval of an administrative appeal from the Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to construct a temporary "coming soon" sign consisting of plywood panel with building rendering on face.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved an administrative appeal from the

Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to construct a temporary “coming soon” sign consisting of plywood panel with building rendering on face.

Consideration of the approval of an administrative appeal from the Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to erect 30 foot tall freestanding monument sign in advance of the building permit for the project.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved an administrative appeal from the Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to erect 30 foot tall freestanding monument sign in advance of the building permit for the project.

Consideration of the approval of an administrative appeal from the Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to erect a 60 square foot L.E.D. message display board in addition to the proposed 66 square foot “TDECU” sign.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved an administrative appeal from the Texas Dow Employees Credit Union requesting a variance under the Sign Ordinance, Chapter 113, to erect a 60 square foot L.E.D. message display board in addition to the proposed 66 square foot “TDECU” sign.

Consideration of the approval of Ordinance No. 2007-2180 to increase the charge and rate for containers and the collection and disposal of solid waste stored in such containers on residential premises within said City and the minimum charge and rate therefore on commercial or business premises within said City from nineteen and 70/100 (\$19.70) to twenty and 41/100(\$20.41) and increase the charge and rate for extra containers and disposal of solid waste stored in such containers with said City from nine and 75/100 (\$9.75) to ten and 10/100 (\$10.10).

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Gary Beverly’s recommendation to approve Ordinance No. 2007-2180 to increase the charge and rate for containers and the collection and disposal of solid waste stored in such containers on residential premises within said City and the minimum charge and rate therefore on commercial or business premises within said City from nineteen and 70/100 (\$19.70) to twenty and 41/100 (\$20.41) and increase the charge and rate for extra containers and disposal of solid waste stored in such containers with said City from nine and 75/100 (\$9.75) to ten and 10/100 (\$10.10) to take effect immediately.

Elected Official Report

Councilman Smith reported that the Freeport Senior Citizen's Commission, Thanksgiving Luncheon will be Monday, November 19, 2007 at River Place.

Councilwoman Garcia invited all to the Veteran's Memorial on Saturday, November 10, 2007 at the Freeport Municipal Park.

Councilman Saccomanno reported that Main Street received national recognition three consecutive years.

Mayor McDonald attended a Planning Commission meeting, also attended a meeting on "Walk for Humanity". He was not able to attend the demolition of the old Saving & Loan building by the Texas Employees Credit Union. Also thanked Chief Pynes for facilitating the Turkey Shoot for the Eagle's on Hwy. 332. The construction on 9th & 10th Street is ready for rebar and preparing for concrete.

Work Session

Administration Report

Gary Beverly reported on various events:

October 31, 2007 - Halloween Bash on October 31, 2007 at the Freeport Recreation Center, went well. Also a very good turn out for the First Assembly of God, Fall Festival.

November 1st, 2007 - Brazosport's Homecoming Bon Fire and Parade.

November 2, 2007 – Tailgate Party on 2nd Street and Hwy. 288 next to Kroger's/Hopper Field.

November 7, 2007 – Free Flue Shots will be administered at St. Mary Star of the Sea church, from 8: 30 a.m. to 11: 00 a.m.

November 7, 2007 – Meeting at Jane Long Elementary School to update residence on 9th and 10th Street construction.

November 10, 2007 – Veteran's Memorial dedication on Saturday, November 10th, 2007, at the Freeport Municipal Park.

November 14, 2007 – the City of Freeport will be hosting the Brazoria Counties Cities Association at River Place.

Sgt. Lawson attending a three week Advance Command Level training in Huntsville, Texas.

Councilman Smith and Councilwoman Garcia attending the Texas Municipal League Conference in Dallas on November 7th thru 9th, 2007.

Mayor McDonald closed the formal session and opened the Executive Session at 6:39 p.m.

Executive Session:

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

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", the meeting was adjourned at 7:26 p.m.

Attest:

Delia Muñoz
City Secretary

Larry L. McDonald
Mayor