

State of Texas

Brazoria County

City of Freeport

BE IT REMEMBERED, that the City of Freeport, met in a regular meeting on Monday, November 19th, 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
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Larry Fansher, Public Works Director
 Doug Caffey, Building Inspector
 Nat Hickey, Property Manager
 John Stanford, Fire Chief
 Gus Flores, Police Captain
 Mary Stotler, Main Street Director
 Larry Ellis, Building Inspector
 Juanita Cordoza, Police Sergeant
 Laura Tolar, Public Works Secretary

Visitors: Eric Hayes Joaquin Damian
 Gilbert Lucky Dan Tarver
 Roddy Mohler Barbara Mohler
 Rosa McDonald Patrick Gore
 Wright Gore, III Jim Pirrung
 Dorothy Pirrung V. L. Scott
 Lila Lloyd Ed Garcia
 Mary Garcia Louis Barrientes
 Sandra Barnett Jim Barnett
 Jerry Meeks Faia DeMain
 Bill DeMain Richard Turner
 Loren Smith Cathy Williams
 Will Brook

Call to Order.

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

Invocation.

Chris Moore, Velasco Baptist Church offered the invocation.

Pledge of Allegiance.

Mayor McDonald led the Pledge of Allegiance.

Consideration of the approval of the November 5th, 2007 Council Minutes and the re-approval of the October 1st, 2007 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", Council unanimously approved the November 5th, 2007, Council Minutes and the re-approval of the October 1st, 2007 Council Minutes, as corrected.

Attending Citizens and Their Business.

Joaquin Damian requested that the committee “Freeport Forward” stop trying to recall Mayor McDonald. He said the city business would continue and that Freeport would improve. The Code Department had given citations to the poor, elderly and none English speaking residents. Residents with problems need to contact their councilman or Mayor. Mayor McDonald listens to everyone’s problems and is proud of him.

V. L. Scott, 1703 W. 9th Street, suggested that a recycling system be setup for old newspapers. The City could install dumpster to collect recyclable trash.

Wright Gore, Jr. asked if he could address council on items 9 & 10 on the agenda.

Recognition of the Veteran’s Memorial Steering Committee for their efforts.

Larry Fansher introduced the Veterans Memorial Steering Committee for their efforts. He complemented the City’s workers on their hard work and commitment.

Norma Garcia	Dan Tarver	Chris Moore
Carole Bensley	Gilbert Lucky	Shannon Everett
Roy Everett	Ben White	Nat Hickey
Richard Turner	Wes Hudgins	Frank Dietz
Louis Barrientes	Ed Garcia	Tim Pettigrew

Ed Garcia, Post Commander of the Veterans of Foreign Wars Post 4341, read a letter of thanks to the City of Freeport for the Veterans Memorial, a first class monument.

Consideration of the approval of Ordinance No. 2007-2181 canvassing the returns and declaring the results of the November 6, 2007 Recall Election of Mayor McDonald.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved Ordinance No. 2007-2181 canvassing the returns and declaring the results of the November 6th 2007, Recall Election of Mayor McDonal

Proposition

“Shall Larry McDonald, Sr., be removed from the office of Mayor of the City of Freeport, Texas by recall?

“yes”	479
“no	652

Consideration of the approval of Ordinance No. 2007-2182 amending the definition of “Sexual Offender” contained in Section 131.15 of the Sexual Offender Ordinance, codified as Chapter 131 of said Code of Ordinances, correcting reference to the Health and Safety Code contained in Sections 131.16 and 131.17 of said ordinance, and adding to said ordinance a new Section 131.18 requiring the posting of signs each October 31 through November 1.

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting “aye”, Council unanimously approved Ordinance No. 2007-2182 amending the definition of “Sexual Offender” contained in Section 131.15 of the Sexual Offender Ordinance, codified as Chapter 131 of said Code of Ordinances, correcting reference to the Health and Safety Code contained in Sections 131.16 and 131.17 of said ordinance, and adding to said ordinance a new Section 131.18 requiring the posting of signs each October 31 through November 1.

Consideration of the approval of Supersedeas Bond in the amount of \$395,019.65 in Cause No. 01-07-00074-CV, Freeport Economic Development Corporation v. Western Seafood Company, in the First District Court of Appeals in Houston, Texas, and authoring and directing the Mayor to sign the same.

Loren Smith of the law firm Olson & Olson, L.L.P explained the purpose of the Supersedeas Bond.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved to approve the Supersedeas Bond in the amount of \$395,019.65 in Cause No. 01-07-00074-CV, Freeport Economic Development Corporation v. Western Seafood Company, in the First District Court of Appeals in Houston, Texas, and authoring and directing the Mayor to sign the same.

Consideration of the approval of Supersedeas Bond in the amount of \$62,390.83 in Cause No. 01-07-00698-CV, Freeport Economic Development Corporation v Western Shellfish Company, in the First District Court of Appeals in Houston, Texas, and authorizing and directing the Mayor to sign the same.

Mr. Wright Gore asked if the amount of the bonds covered attorney fees and court costs and how early could the bond be posted.

Mr. Loren Smith stated he would have to verify the amount and that as soon as the bond was executed and posted at the Brazoria County, in Angleton, a copy would be available.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved to approve the Supersedeas Bond in the amount of \$62,390.83 in Cause No. 01-07-00698-CV, Freeport Economic Development Corporation v Western Shellfish Company, in the First District Court of Appeals in Houston, Texas, and authorizing and directing the Mayor to sign the same.

Consideration of the approval of selling the City’s interest at Block 178, Lot 11, Freeport Townsite, known as 1746-1748 West 5th Street.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting “aye”, Council unanimously approved Mr. Nat Hickey recommendation to sell the City’s interest at Block 178, Lot 11, Freeport Townsite, known as 1746-1748 West 5th Street.

Consideration of the approval of setting a Joint Public Hearing with the Planning Commission to consider its recommendation that the zoning classifications of some of the waterfront land within or adjacent to the Bridge Harbor Subdivision be changed.

This item was reagendaeed to December 3, 2007.

Consideration of the approval of a request for a street closure on East and West Park between Cherry and side streets intersecting with 2nd Street for the 22nd Annual Dr. Martin Luther King, Jr. Celebration Parade on Monday, January 21, 2008, from 10:00 a.m. to 12:00 noon.

On a motion by Councilman Cameron, seconded by Councilwoman Garcia, with all present voting “aye”, Council unanimously approved a request for a street closure on East and West Park between Cherry and side streets intersecting with 2nd Street for the 22nd Annual Dr. Martin Luther King, Jr. Celebration Parade on Monday, January 21, 2008, from 10:00 a.m. to 12:00 noon.

Elected Official Report

Mayor McDonald attended the Veterans Memorial on November 10, 2007 and the Brazoria Counties Cities Association (BCCA) was hosted by the City of Freeport , on November 14th, 2007. He also attended the Seniors Citizens Annual Luncheon at River Place today.

Councilman Saccomanno attended the Main Street meeting on November 13th, 2007, planning on Mardi Gra Dance and a proposing a Historic Overlay District downtown. The committee is planning a Mardi Gra Dance. Educating the public and getting support for a Historic Overlay District, downtown Freeport.

Councilwoman Garcia attended the Veterans Memorial on November 10th, 2007 and the Brazoria County Cities Association (BCCA), on November 14, 2007. City of Freeport was hosting the event, with John Smith, III president of the BCCA. A well attended event, received compliments of the River Place facility. Some of the other surrounding cities had not seen River Place. Also attended the Senior Citizens Annual Thanksgiving Luncheon on November 19, 2007. She and Councilman Smith attended a three day conference in Dallas.

Councilman Smith took lots of pictures of the Veteran Memorial on November 10, 2007. A very well attended event, lots of people came to see their memorial pavers. He attended the Senior Citizen's Annual Thanksgiving Luncheon at River Place and the Brazoria County Cities Association. He is very proud of the Senior Citizens Committee, for the past five year, they continue to make a great impact on the citizens of Freeport.

Work Session

Administration Report

Gary Beverly announced that a public calendar will be posted on the city's website. He met with the residents of 9th 10th street to discuss the project. Waiting another week for the curing of concrete. Center Point is working on lighting for corner streets and should be working by Dec. 2, 2007. Notices of increase garbage rates were sent. Holiday on the Brazos is scheduled for December 7, 2007 at the Freeport Municipal Park. The Christmas Party for the City will be December 7, 2007 at River Place. Mayor and City Council members are invited.

Adjourn

On a motion by Councilman Cameron, seconded by Councilman Smith, with all present voting "aye", the meeting was adjourned at 7:02 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor