

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, May 18th, 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:

City Council: Larry L. McDonald
 Clan A. Cameron
 Jim Saccomanno
 Ron Wise
 Norma M. Garcia

Planning Commission: Diane Williams
 Joyce Adkins
 Roberto Caceres
 Eric Hayes
 Alonzo Martinez
 Reuben Cuellar

Staff: Jeff Pynes, Acting City Manager
 Wallace Shaw, City Attorney
 Delia Munoz, City Secretary
 Nat Hickey, Property Manager
 Mary Stotler, Main Street Director
 Larry Fansher, Parks Director

Visitors: Bobby Casale Brenda Laird
 Edna Allan Lillian Travis
 Willie Rains Annette Sanford
 Mark Sanford Tobey Davenport
 Amanda Harrington Lila Lloyd
 Ken Green V. L. Scott
 Abel Garcia Dorothy Murphy
 Dell Phillips Willie Garcia
 Mark Cameron James Blalock
 Lorenzo Gomez Stanley Burke
 Yvette Ruiz Rosa McDonald
 Susie Wise Judy Shaefer
 Lila Diehl Eric Hayes
 Jim Pirrung Dorothy Pirrung
 Patrick Gore Jim McEntire

Call to Order.

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

Invocation.

Pastor Abel Garcia of the First Baptist Church offered the invocation.

Pledge of Allegiance.

Councilman Saccomanno led the Pledge of Allegiance.

Consideration of the approval of the May 4th, 2009 Council Minutes.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved the May 4th, 2009 Council Minutes.

Attending Citizens and Their Business.

Willie Rains talked about the taxi service in Freeport. One company and one car is very difficult to get a taxi service. He stated that there may be another taxi service in town that will be applying for a permit.

Toby Davenport of 201 E. Park, dissatisfied with the Quintana Bridge, that while traveling over the bridge to go to Quintana Beach, the bridge has metal plates that are a nuisance. Travelers are treating this as a speed bump. Also sand bags are on the bridge holding down an extension cord that is very distracting to travelers. He asked Council to contact the Texas Highway Department to correct this problem.

Consideration of the approval of Ordinance No. 2009-2219 canvassing the returns and declaring the results of the 2009 Annual Election .

On a motion by Councilman Wise, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2219 canvassing the returns and declaring the results of the 2009 Annual Election.

Administer Oath of Office to duly elected Mayor and Councilman for Ward B and Ward D.

Delia Munoz, City Secretary administered the Oath of Office to duly elected Larry L. McDonald for Mayor. Mayor McDonald then administered the Oath of Office to James W. Phillips for Ward B and Norma Garcia for Ward D. The newly elected officials took their seats.

Recognition of Councilman James Saccomanno for his service (2005-2009) to the City.

Mayor McDonald presented Mr. Saccomanno with a plaque.

Consideration of selecting the Mayor Pro Tem.

On a motion by Councilman Phillips, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved Councilwoman Norma M. Garcia as Mayor Pro Tem. Per charter, the longest service councilperson is appointed to Mayor Pro Tem.

Public Hearing: A 2nd public hearing on the question of whether or not Chapter 110 of the Code of Ordinances of said City should be amended to extend the hours during which beer and mixed beverages can be sold within said City to 2:00 o'clock a.m.

Mayor McDonald opened the 2nd Public Hearing at 6:13 p.m. to discuss and allow comments from the general public regarding the hours during which beer and mixed beverages can be sold within said City to 2:00 o'clock a.m.

Tobey Davenport of 201 E. Park spoke in favor of extending the hours to 2:00 a.m. He suggested to Council to take advantage of extending the hours, and if Charter did not require an election then council could pass an ordinance to extend the hours. Conventional wisdom is to attract tourist, golfers, beach goers, boaters for the marina and restaurants to the City.

Ken Green spoke in favor of extending the hours. He has been in the restaurant business and because of the daylight savings time, restaurants need the extended hours. The marina is an incentive to come to Freeport.

Stanley Burke of 1807 N. T., spoke against extending the hours to 2:00 a.m. He asked if anybody knew actually how much revenue would be collected by extending the hours. The State gets 11%, County gets 1 ½, City gets ½ cent. Revenues in 1993, 1994 were less than 40,000 over all budget. His appraised value of his home went up after the 2:00 license was removed. Council had the authority to call a Special Election.

Abel Garcia of 1751 W. 9th Street said he appreciated that Mayor McDonald and Councilman Cameron want the people of the City to make that decision and to vote as to whether extend the hours to 2:00 a.m. He said the bar owners are showing a lot of responsibility for extending the hours and the climate is different than in the past.

Councilman Phillips said he was here when it was voted in and when it was voted out. He knew of all the complaints that were coming in and some permits were denied and some were revoked because of problems, some even change owners. Councilman Phillips was in agreement to have the people vote on this issue.

Lillian Travis of 1931 North Ave. G., said that when Kicks Club was open, it had a lot of disturbances. Cars were parked along the street making it difficult to get by. She said it was nice that the club was closed. She has traveled all over the state, all major cities and no major restaurants are open late, only fast foods places are open.

Joyce Adkins said that because of the marina, the City is going into an entertainment mode. Other cities now have bars and clubs so Freeport will not attract all the drunks.

Willie Garcia said he has been very vocal and there has been some issues in the past but that was then, we are here today to make a decision that extending the hour to 2:00 a.m. would benefit the City. The marina is a big investment and it would benefit the whole City.

Percy Walker of the Flamingo Club stated that he did not like the work "drunk". His club it is not just a drinking establishment, that there are billiards teams and dart tournaments that take place. He does not serve liquor to those that appear to have had too much to drink. He said if he makes more money, he can spend more money here in Freeport.

Amanda Harrington owns the Freeport Ice House, she asked if crime and calls were up in Freeport and if stats were available. Chief Pynes said crimes and call were very low at bars. At the present she starts losing business around 10:00 p.m. She asked Council to make a decision on the current climate, not the past.

D. C. Smith recently moved here from Alabama and just purchased commercial property on Gulf Boulevard and wants to open a dance club. He hopes Freeport does not limit its progression and keeps an open mind. He is bringing a concert venue to Freeport but fears that the time limitation keeps people away.

Roy Henry, a retired police officer from Austin, supports extending the hours. He is somewhat dissatisfied with the failure of the city to progress, hopes that Freeport becomes a destination place.

Jim McEntire opposes the late hour. He suggested on cleaning up the Motel on Gulf Boulevard. He feels Freeport would fare better if it were cleaned up.

Alonzo Martinez said the issue is supply and demand.

Bobby Casale asked for a cost of an election. Mayor McDonald said it would cost approximately \$7,000.

Mayor McDonald felt that if Council approved the late hour, a public petition could overturn the decision and businesses and investors would lose their investment. The consensus of council is to have a November Election and let the citizens vote.

There being no further questions or comments, Mayor McDonald closed the 2nd public hearing at 7:06 p.m.

Public Hearing: The City Council and the Planning Commission of said City will conduct a Joint Public Hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, changing the zoning classification of the following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light:

Tract 4, 0.66 acres, S.F. Austin Survey, Abstract 33, Tax Id No. 0033-0001-000, fronting on the right descending bank Of the old Brazos River near but upstream from the Velasco Boulevard Bridge in the City of Freeport, in Brazoria County, Texas.

There being a quorum with the Planning Commission and Council, Mayor McDonald opened the joint public hearing at 7:07 p.m. to discuss and hear comments from audience and staff on the following described real property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light.

Diane Williams, Chairperson for the Planning Commission stated that on April 7, 2009 on a 3 to 2 vote, recommends that the Council change the zoning classification of the following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light.

Councilman Phillips discussed the history of the said property.

There being no further questions or comments, Mayor McDonald closed the Joint Public Hearing at 7:18 p.m.

Consideration of the approval of Ordinance No. 2009-2220 changing the zoning classification of the following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light:

Tract 4, 0.66 acres, S.F. Austin Survey, Abstract 33, Tax Id No. 0033-0001-000, fronting on the right descending bank Of the old Brazos River near but upstream from the Velasco Boulevard Bridge in the City of Freeport, in Brazoria County, Texas

On a motion by Councilman Cameron, seconded by Councilman Phillips, with all present voting "aye", Council unanimously approved Ordinance No. 2009-2220 changing the zoning classification of the following described property from its present classification of R-2 Single Family Residential to a new classification of W-2 Waterfront Light.

Consideration of the approval of setting a bid date for lease of the following property:

Tract 4, 0.66 acres, S.F. Austin Survey, Abstract 33, Tax Id No. 0033-0001-000, fronting on the right descending bank Of the old Brazos River near but upstream from the Velasco Boulevard Bridge in the City of Freeport, in Brazoria County, Texas

On a motion by Councilwoman Garcia, seconded by Councilman Cameron, with all present voting "aye", Council unanimously approved June 15th, 2009 at 2:00 p.m. to set a bid date for lease of the following described property.

Consideration of the approval of granting a variance of the Sign Ordinance, (Chapter 113) for a wall sign for Super S Foods, 301 S. Brazosport Boulevard, Freeport, Texas.

On a motion by Councilman Cameron, seconded by Councilman Wise, with all present voting "aye", Council unanimously granted a variance of the Sign Ordinance, (Chapter 113) for a wall sign for Super S Foods, 301 S. Brazosport Boulevard, Freeport, Texas.

Adjourn

There being no further business to come before council, the meeting was duly adjourned by Councilman Cameron, seconded by Councilman Phillips at 7:33 p.m.

Delia Munoz
City Secretary

Larry L. McDonald
Mayor

