

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF FREEPORT

BE IT REMEMBERED, that the City of Freeport, met in regular meeting on Monday, October 16, 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

Staff: Ron Bottoms, City Manager
Delia Muñoz, 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
Jeff Pynes, Police Chief
Pinkey Hartline, Golf Course Director

Visitors: Bill DeMain Faia DeMain
Roddy Molher Barbara Mohler
Jim McEntire Lila Lloyd
V. L. Scott Tracy Copeland
Jan Huisman Bob Walker
Lila Diehl Larry Schafer
Abel Garcia Chris Moore
Larry LeCompte Roy Villarreal
Jim Pirrung Dorothy Pirrung
Jerry Meeks Sandra Barnett
Sandra Leavey Eric Hayes
Marcus Stephenson

Call to Order.

Mayor Phillips called the meeting to order at 6:05 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 October 2, 2006 Council Minutes.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved the minutes of October 2, 2006. Councilman Cameron opposed.

Presentation by Dow Chemical Company

Bob Walker, Vice President of Dow Texas Operations presented the City of Freeport a \$200,000 donation /check for RiverPlace deck and foundation improvements. Dow Chemical supports the vision of Freeport to improve RiverPlace facility.

Announcement by the Texas Dow Employees Credit Union

Marcus Stephenson , Chairman of the Dow Employees Credit Union announced that they would be opening a full service branch in Freeport. The bank will be located at the corner of Gulf Boulevard and Hwy. 288.

Attending Citizens and Their Business

Larry LeCompte of 1115 W. 9th Street thanked the Council for continuing the Marina project. He requested that 9th, 10th, 11th Street have new curbing, one way traffic signs, too narrow for commercial traffic, and that the elevation not be raised.

Chris Moore of 1867 Acacia Circle stated his church is planning an Appreciation Luncheon on October 25, 2006 for the city and citizens.

Consideration of the approval of allowing British Petroleum to use the City's Right-of-way for the installation of a fiber optic communications cable.

City Manager will negotiate with British Petroleum to use the City's Right-of-Way for the installation of a fiber optic communications cable and report back to Council.

Presentation on improvements and outlook for the City of Freeport.

Mr. Bottoms presented a PowerPoint presentation on Freeport's highlights; Clean Up, Invest in our future, Great Natural Assets and Opportunities, Community Oriented, New Development, Great Investment Potential, School Renovations, Sewer – 10 year Replacement Plan, Parks Department, Freeport's Bryan Beach, River Place Improvements. , Recreational Activities, Freeport's Municipal Golf Course, New Homes, New Businesses, Future Growth, Marina Development in Progress, Annexation to Follet Island, Freeport GIS Web Access.

Consideration of the approval of calling a Joint Public Hearing with the Planning Commission to consider changing the zoning classification of any or 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 zoning classifications to a new classification of W-1R.

On a motion by Councilwoman Garcia, seconded by Councilman Smith, with all present voting 4 to 1, Council approved to set a public hearing date for November 20, 2006, at 6:00 p.m. to consider changing the zoning classification of any or 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 zoning classification to a new classification of W-1R. Councilman Cameron opposed.

Consideration of the approval of Ordinance No. 2006-2141 amending Section 155.999 of the Code of Ordinance to conform to Section 10.99 of said code, a general penalty not to exceed \$2,000.

On a motion by Councilman Smith, seconded by Councilman Saccomanno, with all present voting 4 to 1, Council approved Ordinance No. 2006-2141 amending Section 155.999 of the Code of Ordinance to conform to Section 10.99 of said code a general penalty not to exceed \$2,000. Councilman Cameron opposed.

Consideration of the approval of Ordinance No. 2006-2142 amending Division (A) of Section 71.21 of the Code of Ordinances of said City to designate the speed limit for State Hwy 36 within the Corporation limit of said City as sixty (60) miles per hour, from the West City limits to a point 4018 feet East of the West City limits and at fifty-five (55) miles per hour from 4018 feet East of the West city limits to the centerline of FM 1495; providing for the posting of signs.

On a motion by Councilman Cameron, seconded by Councilman Saccomanno, with all present voting "aye", Council unanimously approved Ordinance No. 2006-2142 amending Division (A) of Section 71.21 of the Code of Ordinances of said City to designate the speed limit for State Hwy 36 within the Corporation limit of said City as sixty (60) miles per hour, from the West City limits to a point 4018 feet East of the West City limits and at fifty-five (55) miles per hour from 4018 feet East of the West city limits to the centerline of FM 1495; providing for the posting of signs.

Consideration of the approval of a request by Seaman's Center, 1103 Cherry Street for two recreational vehicle to be on site for security purposes.

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

Consideration of the approval of approving CenterPoint Entex rate schedule.

Roy Villarreal from CenterPoint Entex presented the propose fee revisions. No action was taken on this item.

Consideration of the approval of naming old County Road 723 and directing the city attorney to draw up an ordinance to that effect.

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", Council unanimously approved naming old County Road 723 and 741, "J. P. Bryan Road" and directed the city attorney to draw up an ordinance.

Elected Official Report

Councilman Cameron attended a Library Board meeting. Their budget was approved. They will be replacing several computers. A book sale in January is scheduled. All of the Libraries will be WIFI Hot Spots.

Councilman Saccomanno announced a Main Street meeting is scheduled for tomorrow at 4: 00 p.m. at the City Hall and opened to the public.

Councilwoman Garcia attended a Beautification/Parks meeting. They are requesting to do a presentation on Veteran's Memorial in November. Mayor Phillips stated that this item will be in the November 6, 2006 agenda.

Councilman Smith also attended the Beautification/Parks meeting. They discussed that the Veteran's Memorial project will be done in affordable phases. He attended a Realtors Luncheon on October 6, 2006 at RiverPlace and also the Tail Gate party between Hopper Field and Krogers.

Mayor Phillips attended a Brazoria County Economic Alliance meeting, have two new members. He had the opportunity the see the preliminary plans of the new super mall going up at CR 518 and Hwy. 288. The SBCA met this afternoon and was very pleased to meet Mr. Christian Ramsey, the new executive director for the SPCA. Also involved with outside people wanting to invest in Freeport. He reported that plans to reopen "Lee's Jewelry" on Broad Street, at a new location later this year. Mayor Phillips thanked Mr. Bottoms' for efforts in bringing in \$2000,000 from Dow Chemical and for getting Texas Dow Employee Credit Union to locate a branch in the City. He requested that Mr. Walker and Stephenson Marcus receive a letters of appreciation.

Mayor Phillips announced that flu shots will be administered on October 25, 2006, at St. Mary Star of Sea, from 8:30 a.m. to 12:00 o'clock.

Work Session

Administration Report

Pinkey Hartline reported the Golf Course is very wet. A good Saturday, but closed Sunday and Monday. Too much rain on the course.

Larry Fansher recorded 4" of rain. The City crews busy due to isolated ponding. Street flooding on Yaupon, 2nd, 4th Street. Velasco Drainage District has pumps running moving water, completing work at Oak Street.

Mary Stotler, working on upcoming Mardi Gra, Flap Jack Run and next year's Summer Times Blues Festival. Hoping to have quorum to address membership. She will be attending the Texas Down Town Association Annual Conference in November. A strong application has been submitted and winners of the cities selected for national recognition will be announced.

Jerry Meeks reported still working on Yellowstone, water leaks are being repaired. They will be hanging door notices to residence on 8th Street.

John Stanford will be doing employee testing on October 28, 2006. About to institute a new volunteer recruiting program. The fire department participated in the bon-fire. He visited with Freeport LNG to discuss cost sharing for Freeport services. Doing some specing out new ambulance and fire truck.

Chief Pynes sent officers to do recruiting for the Police Department. He has received 7 application, will do interviews with new cadets from the academy.

Doug Caffey proudly announced that boat wreckage is being removed out of the water. Reviewing American Rice plans for a large expansion. He has been evaluating patio homes for urban development. The communication tower on Gulf Boulevard is expanding by adding electrical services.

Gary Beverly reported on closing out last year budget. The city will be audited November 13, 2006.

Discussion concerning radio interoperability between the City of Freeport and the Department of Energy.

Chief Pynes stated that Port Freeport is buying a ACU1000 Patch system for the Police Department which is a radio dispatch system. The Department of Energy will be able to access the frequency during emergency situations.

Discussion concerning the rezoning of waterfront property on the north side of the Old Brazos River, west of Velasco Blvd.

Nat Hickey, displayed a map to the Council, showing the current zoning classifications of old Brazos River, parts of the Old River are zoned as W-1R, R-3, W-1, R-3. This item was discussed and referred to the Planning Commission for a Joint Public Hearing on changing the zoning classification.

Mayor Phillips closed the work session and opened the executive session at 8:10 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 8:45 p.m.

Adjourn

On a motion by Councilman Smith, seconded by Councilwoman Garcia, with all present voting "aye", the meeting was adjourned at 8:45 p.m.

Delia Muñoz
City Secretary

James W. Phillips
Mayor