

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF BRAZORIA

The City of Brazoria convened in a Regular Meeting on March 10, 2020 at 6:00 p.m. with the following to-witt:

Roger Shugart	Mayor
Marcus Rabren	Council Position #1
Gail Logsdon	Council Position #2
Gary Kersh	Mayor Pro-Tem
Roschelle Hicks	Council Position #4
Susan Swanner Parker	Council Position #5

City Personnel:	
R.C. Stevenson	City Attorney
Neal Longbotham	Police Chief
Derrell Travis	Public Works Director
Sheila Williams	City Secretary
Duane Stahl	Fire Chief

Others:	
Frank Quinty Jr.	Citizen
Tina Watts	Citizen
Linda Frost	Citizen
Sissy Moffett	Citizen
Jesse Knight	Citizen
Irv Eddy	Citizen
Donald Parker	American Legion
Tammy Massingill	City Manager Spouse
Frank Hilson	Fleur Properties
Paul Guilbeau	Fleur Properties
Marlon Jones	Citizen
Alejandro Cruz	Citizen
Gabriela Cruz	Citizen
Stevan Cravey	Citizen
John Elkins	Citizen
Sheila James	Citizen
Nick Irene	Brazosport Facts

A. CALL TO ORDER REGULAR MEETING.

Mayor Shugart called to order regular meeting at 6:00 p.m.

B. INVOCATION TO BE GIVEN BY PASTOR JOHN ELKINS OF SOVERIGN GRACE CHURCH AND THE PLEDGE TO THE AMERICAN AND TEXAS FLAGS BY ALL.

Pastor John Elkins of Sovereign Grace Church gave the invocation and Councilwoman Hicks led the pledges to the American and State flags.

C. CONSIDERATION/ACTION TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS: REGULAR MEETING, FEBRUARY 11, 2020.

Motion was made by Councilwoman Logsdon to approve the following meetings, Regular Meeting February 11, 2020. A second was made by Mayor Pro-Tem Kersh. Motion carried unanimously.

D. CITIZENS COMMUNICATION.

No Comments

E. CONSIDERATION/ACTION TO APPROVE MANUFACTURED HOME PERMIT AND RV FOR GABRIELA CRUZ AT 309 E. CAMP.

Motion was made by Mayor Pro-Tem Kersh to approve manufactured home permit for Gabriela Cruz at 309 E. Camp. A second was made by Councilwoman Logsdon. Motion carried unanimously.

F. CONSIDERATION/ACTION TO APPROVE BUILDING A STORAGE SHED AT AMERICAN LEGION HALL BY VANCE VERBECK.

Donald Parker presented the plans for the storage building. Mr. Parker explained there would be no cost to the city. Motion was made by Mayor Pro-Tem Kersh to approve building a storage shed at American Legion with no cost to the city. A second was made by Councilwoman Parker. Motion carried unanimously.

G. CONSIDERATION/ACTION TO APPROVE VARIANCE FOR STEVAN CRAVEY AT 405 W. TEXAS.

Stevan Cravey explained he started project and three days later he had set poles. He explained it was going to be open instead of closed in. Mayor Pro-Tem Kersh explained if the variance is given then Mr. Cravey would be responsible for cost of moving his project. Motion was made by Mayor Pro-Tem Kersh to approve variance for Mr. Cravey at 405 W. Texas with the understanding if city had a reason to move it then it would be at his cost. A second was made by Councilwoman Parker. Motion carried unanimously.

H. CONSIDERATION/ACTION TO APPROVE ORDINANCE #20-004 APPROVING CLOSING ROAD EASEMENT FOR FRANK HILSON WITH FLEUR PROPERTIES.

Mr. Hilson explained they are building a 12-16 unit apartment building. Motion was made by Councilwoman Hicks to approve Ordinance #20-004 approving closing road easement for Frank Hilson with Fleur Properties. A second was made by Mayor Pro-Tem Kersh. Motion carried unanimously.

I. CONSIDERATION/ACTION TO APPROVE RE-PLAT FOR KRISTEN WATSON IN THE CITY OF BRAZORIA ETJ.

Ms. Watson explained they are buying the property in the City's ETJ. Motion was made by Mayor Pro-Tem Kersh to approve re-plat for Kristen Watson in the City of Brazoria ETJ. A second was made by Councilwoman Logsdon. Motion carried unanimously.

J. UPDATE ON UNDERGROUND CONSTRUCTION COMPANY WITH SANITARY SEWER REPLACEMENT UNDER HIGHWAY 36.

City Manager Massingill explained the engineers and contractor foreman had a conference call and the plan set up is that BTEL has fixed all there fiber optics. Contractor is going to come in and do a back fill around manholes where water line was broke. Then he will come back and do a bucket width trench and replace our water line the feet between the two valves and 90 ft. of pipe. They will flush out and pressure test. They will chlorinate it and block it in to let it set for so many hours. Then they will test it. They are not shutting the water system down. They will finish up the sanitary sewer line and dress up from repairing our water line. Mayor Pro-Tem asked about scooping up the dirt in the ditch on Hwy. 36 because that could be a drainage issue. City Manager Massingill explained he talked to TXDOT and they are going to have a man here and they will have to put ditch to their standards. Mayor Pro-Tem Kersh said they tore trees down and went on people's yards in Magnolia Gardens. City Manager Massingill explained they are going to have it in writing where it will be made back smooth. Mayor Pro-Tem Kersh explained they left cans and trash which as much as we paid them should not happen. City Manager Massingill explained they are reimbursing us for what we paid out in water, overtime and vehicle use and materials used.

K. CONSIDERATION/ACTION TO APPROVE ORDINANCE #20-002 AMENDING THE MOBILE HOME ORDINANCE #97-006.

City Manager Massingill explained that all the changes requested have been put in ordinance in red. Councilwoman Parker asked on Section 4 that the skirting should be matching and travel trailers with insurance and tags was not in there. Fire Chief Stahl said they don't have to have insurance to get tags on RV. If they have a RV sitting on their property then it has to be inspected and tagged. Mayor Pro-Tem Kersh asked to add under Section #7 the changes discussed. City Attorney Stevenson suggested adding "Any permitted travel trailer must have current registration and license tags. Motion was made by Councilwoman Hicks to approve Ordinance #20-002 amending Mobile Home Ordinance #97-006 with changes discussed.

L. CONSIDERATION/ACTION TO APPROVE PURCHASE OF TRANSFER SWITCH AT POLICE DEPARTMENT.

City Manager Massingill explained the Police Dept. generator needs the transfer switch to work properly. It has to be started and shut down manually. We are waiting on a grant to replace this one. Police Chief Longbotham said he would like to have this done before hurricane season. Motion was made by Councilwoman Parker to approve purchase of transfer switch at Police Dept. A second was made by Mayor Pro-Tem Kersh. Motion carried unanimously.

M. CONSIDERATION/ACTION TO APPROVE SOUND MASKING WITH DATA VOX FOR \$3,543.11. IN CITY MANAGER OFFICE, CITY SECRETARY OFFICE AND COUNCIL ROOM.

City Manager Massingill explained how the system works for sound proofing the council room, City Manager office, City Secretary office and maybe kitchen. Mayor Pro-Tem Kersh asked where money would come from. Maybe it could come from Court Security fund. Councilman Rabren would like to see where we are in budget before we purchase. Motion was made by Councilman Rabren to take no action at this time to approve sound masking with Data Vox for \$3,543.11. A second was made by Councilwoman Logsdon. Motion carried unanimously.

TWO PREVIOUS ACTION ITEMS:

N. CONSIDERATION/ACTION TO APPROVE STREET LIGHT FOR BRUCE CRECY AT 500 BLOCK OF W. FRONT STREET.

City Manager Massingill explained TNMP looked at it and explained it would be more of a security light than a street light since there are already two on that street. Councilwoman Hicks said they can put up their own security light. Motion was made by Councilman Rabren to not approve street light for Bruce Crecy at 500 block of W. Front Street. A second was made by Councilwoman Logsdon. Motion carried unanimously.

O. CONSIDERATION/ACTION TO DISCUSS THE TRASH AND DUMPSTER NOT BEING PICKED UP ON W. ALABAMA AND THE WASHATERIA.

Public Works Director explained he went to laundry mat to talk to owner and he was not in. He gave the worker a card and asked her to have him call. He never called. He also went to the convenience store and the owner was not in. He explained they need a bigger dumpster or pick another spot for the dumpster. Police Chief Longbotham explained the trash is blowing across the highway so he thinks they need a fence around the dumpster. City Manager Massingill said they will have to solve the problem. He said he will make sure there is contact with the owner tomorrow.

P. REVIEW OF BILLS PAID IN FEBRUARY 2020.

Councilwoman Parker said it looks like we are paying bills from 2018. City Manager Massingill explained that the title to the C/O's are 2018 because that is the year it was purchased. Councilwoman Parker asked if David Jordan and Richard McLaren was under contract with the city. Richard McLaren is under contract because of his license for water. David Jordan was paid once for consulting during line break. But David Jordan was billed back to the contractor who broke the line.

Q. CITY DEPARTMENT HEADS REPORT.

1. COURT DEPARTMENT- Judge James explained Police Dept. is keeping court busy. He also explained they moved court too day court on Tuesday's at 9:00 a.m. They had about the same turn out. The first one went well. Councilwoman Parker asked about billboard people showing up for court. Judge James said no but they will get a warrant.
2. POLICE DEPARTMENT – Police Chief Longbotham gave report on council packet. Citations went up from 150 -235. Mayor Shugart asked if he was running a two man crew. Police Chief Longbotham said yes part of the time because he has a man still in training. Judge James said they give a lot of warnings also. He complimented they are pretty liberal. Councilwoman Logsdon said that do a good job. She likes the lights.
3. PUBLIC SERVICE DEPARTMENT – Public Works Director said report is in packet. Councilwoman Parker asked if the ACO is doing and code training. Public Works

Director Travis explained she just came back from a euthanasia school. He has been looking for a code class. We have to work under someone with code enforcement license for two years. Since we don't have that then we can only be in code compliance.

4. FIRE DEPARTMENT – no report

R. CITY MANAGERS REPORT.

City Manager Massingill explained the water line and railroad line are finished on the C/O's and the trunk line is in design review. The water tower and groundwater tank are at 80% design now. Of the 41 meters worked on there are 37 that have been replaced. He went to Incode training that was free and very informative. We are at 41.6% of budget. He explained the pool cash report and how he can input writing showing the accounts instead of typing. He learned time saving things that will help out the employees.

Mayor Pro-Tem asked if there is a report showing how much more money is brought in since changing the meters. City Manager Massingill explained it will take a few months because some meters weren't working at all and we had to estimate but we can do that after a few month's bills.

S. REPORTS FROM MAYOR, CITY COUNCIL AND CITY ATTORNEY.

Councilman Rabren said it's a good crowd tonight. Sorry he wasn't able to make it last month. Councilwoman Logsdon said it was a good crowd at parade on Saturday. Nice to see turn out. Mayor Pro-Tem Kersh announced from Lion's Club that Celebrate America will be July 5th. If anyone has money they want to donate. Glad American Legion is moving forward and looking for the day they want to take the whole building.

Councilwoman Hicks thanked the Police Dept. for their diligence on traffic control in town. Good job Derrell on meters. Kudos to the American Legion that came in and saw improvements needed to be made and taking measures to make those improvements. Thank everyone for coming out. Councilwoman Parker thanked everyone for coming.

T. ADJOURN REGULAR MEETING AND CALL TO ORDER ORDINANCE WORKSHOP.

Mayor Shugart adjourned regular meeting and called to order workshop at 7:24 p.m.

W. DISCUSS AN ORDINANCE FOR GREASE INTERCEPTORS.

Mayor Pro-Tem Kersh asked what we have on grease traps now. City Manager Massingill explained all we have is what is in plumbing code. He would like to put in that we can go and inspect because we are getting a lot of grease in our sanitary sewer system so we can regulate the size of grease traps. They would need to send us a copy of their documentation. Councilman Rabren said the RV's have their own self maintenance. City Manager Massingill said this will also regulate them on what they are doing. Councilwoman Hicks asked who is regulating the businesses when they don't send a report in. City Manager Massingill said our code compliance person would get those reports and know that. If they are not meeting our ordinance then they will get a citation with a fine. Councilman Rabren said he would like to take some time to read it. Public Works Director said that they would install or shut down. Another restaurant didn't clean and they were shut down. Councilwoman Logsdon would like to see a surprise visit. City Manager Massingill said we have never had a food establishment ordinance and he feels we need one.

U. DISCUSS ORDINANCE #05-004 FOR JUNKED, ABANDONED, WRECKED PROPERTY.

City Manager Massingill explained the problem in the past has been if they get cited for a junk vehicle on their property then they move it to another property in the city. We go through a procedure and when they move it to another property we have to start that process all over again. He would like to put in the ordinance that when they receive a citation then they have to move the vehicle outside the city limits or bring it up to code. Councilwoman Hicks asked about a previous ordinance that dealt with mechanics shop with cars sitting for months. Mayor Pro-Tem Kersh said that is different from cars sitting in yard. Councilman Rabren asked if we have self-reporting. City Manager Massingill said the employees are out and see them. Councilwoman Parker asked if we keep it in a data base or excel file. It would be a way to manage. Public Works Director said we keep in paperwork. Mayor Pro-Tem Kersh said it should have a time limit on it. Marlon Jones asked what about the antique cars. City Manager Massingill said there is a provision in ordinance for antiques.

V. DISCUSS ORDINANCE #18-006 FOR MANUFACTURED HOME PARKS OR RECREATIONAL VEHICLE PARKS.

City Manager Massingill explained we would add the clause about RV's and tags along with the manufactured home outside of park no older than 10 years old. Mayor Shugart asked if there will be any RV's grandfathered. City Attorney Stevenson said no that it would not be grandfathered. Councilman Rabren said they would have to break down the RV and take and get inspected to get tags. If they are living in it that would be a problem. He was thinking if they are living in one temporarily then it needs to be licensed. Councilwoman Parker asked if they hauled the trailer out that wasn't permitted. City Manager Massingill said it had all the paperwork for the trailer. It moved into the trailer park. Marlon Jones said he had a trailer sit on his property that he used once in a while. It may go six months without being licensed. Mayor Pro-Tem Kersh explained if you are living in your RV while your home is being built it has to be tagged. Not any others need to be tagged. City Manager Massingill said when the ordinances are done we will e-mail them out to everyone.

X. ADJOURN ORDINANCE WORKSHOP AND CALL TO ORDER EXECUTIVE SESSION.

Mayor Shugart adjourned Ordinance Workshop and called to order Executive Session at 7:44 p.m.

Y. EXECUTIVE SESSION: THE COUNCIL MAY ENTER INTO CLOSED DOOR TO DISCUSS THE FOLLOWING:

A. PERSONNEL UNDER GOV. CODE SECTION 551.074:

1. CITY MANAGER REVIEW

Z. RECONVENE IN REGULAR MEETING AND TAKE ANY ACTION NEEDED ON ITEMS DISCUSSED IN EXECUTIVE SESSION.

Mayor Shugart adjourned Executive Session and reconvened Regular Meeting at 8:38 p.m.
No action was taken at this time.

AA. ADJOURN REGULAR MEETING.

Mayor Shugart adjourned Regular Meeting at 8:39 p.m.

ATTEST:

Roger Shugart, Mayor

Sheila Williams, City Secretary