

**STATE OF TEXAS**

**COUNTY OF BRAZORIA**

**CITY OF BRAZORIA**

**The City of Brazoria convened in a Regular Meeting & Budget Workshop on August 8, 2017 at 6:30 p.m. with the following to-witt:**

BobbyJo Newell	Mayor
Stephanie Cribbs	Council Position #1
Gail Logsdon	Council Position #2
Gary Kersh	Mayor Pro-Tem
Roger Shugart	Council Position #4
Susan Swanner Parker	Council Position #5

City Personnel:	
Teresa Borders	City Manager
Sheila Williams	City Secretary
David Jordan	Public Works Director
R.C. Stevenson	City Attorney
Neal Longbotham	Police Chief
Duane Stahl	Fire Chief
Bill James	City Judge

**A. CALL TO ORDER.**

Mayor BobbyJo Newell called the regular meeting to order at 6:30 p.m.

**B. INVOCATION TO BE GIVEN BY PASTOR MELVIN JOHNSON OF HEART OF CHRIST COMMUNITY CHURCH AND THE PLEDGE TO THE AMERICAN AND TEXAS FLAGS BY ALL.**

Invocation was given by Bill Lott and the pledge to the American & Texas flags was led by Mayor Newell.

**C. CONSIDERATION/ACTION TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS; REGULAR MEETING, JULY 11, 2017 AND SPECIAL MEETING & BUDGET WORKSHOP, AUGUST 1, 2017.**

Motion was made by Councilman Gary Kersh to approve the minutes of the following meetings; Regular Meeting, July 11, 2017 and Special Meeting & Budget Workshop, August 1, 2017. A second was made by Councilman Roger Shugart. Motion carried unanimously.

**D. CITIZENS COMMUNICATION.**

No comments.

**E. CONSIDERATION/ACTION TO HEAR REPORT FROM MICHAEL DARLOW WITH PERDUE, BRANDON, FIELDER, COLLINS & MOTT L.L.P.**

Michael Darlow with Perdue, Brandon, Fielder, Collins & Mott L.L.P. presented the report on collections of default property taxes, warrants and bad debt accounts. Councilman Kersh thanked Mr. Darlow for all he does in giving back to the community also.

**F. CONSIDERATION/ACTION TO HEAR AND DECIDE ON REQUEST FROM SHANNON SCHNEIDER FOR THE DRAINAGE PROBLEM AT 208 W. ALABAMA AND NEED FOR STOP SIGN OR SPEED BUMPS ON HER DEAD END STREET.**

Shannon Schneider was not in attendance. Chief Longbotham said there are already 2 stop signs on that street. It is not considered a dead end street because it just curves and goes on. He can put the Radar trailer there. Mayor Newell asked him to contact Shannon Schneider and let her know what was talked about with the radar trailer.

**G. CONSIDERATION/ACTION TO APPROVE TEMPORARY PERMIT FOR R.V. TRAVEL TRAILER FOR TERRY GOODE AT 1305 N. MARKET.**

Terry Goode was not in attendance. David Jordan explained they had sold their home and they are building a home on N. Market. They would like to live in their R.V. while doing the construction. Motion was made by Councilman Kersh to approve a 90 day Permit for Terry Goode at 1305 N. Market. A second was made by Councilman Shugart. Motion carried unanimously.

**H. CONSIDERATION/ACTION TO REVIEW GOLF CART ORDINANCE.**

Marlon Jones at 214 High St. said he feels the Golf Cart Ordinance is outdated. It requires lights, seat belt, turn signals, head lights and tail lights. He feels that is a lot of money to just leisurely ride a gold cart around a neighborhood. He thinks you can use your arm for turn signal and have just day use permits so no one is riding in the dark. Councilwoman Cribbs explained it is a state law and the items required are for safety issues. Mayor Newell explained we received other city ordinances on golf carts and we are no different than other General Law cities. Motion was made by Councilman Shugart to lower the annual initial fee from \$100 to \$50 and the Annual renewal fee from \$50.00 to \$25.00. A second was made by Councilman Kersh. Motion carried unanimously.

**I. CONSIDERATION/ACTION TO APPROVE CITY ROADS TO BE REPAIRED.**

Councilman Kersh would like to see the city finish Garden Acres roads where it has drainage already done. He would also like Carlton Street since the drainage has been fixed there already. Councilwoman Logsdon asked if we have enough for the church also. Teresa Borders explained that we have enough already to do the church. Councilwoman Cribbs said if we go ahead and spend the \$17,000 we can adjust the budget. Frank Quinty asked about doing dual lanes instead of single lanes. Councilman Kersh said we don't have enough room to do dual lanes. Motion was made by Councilwoman Gail Logsdon to approve city roads in Garden Acres where drainage has been completed and Carlton Street until we run out of money. A second was made by Councilman Shugart. Cribbs, Logsdon, Shugart and Parker voted aye. Kersh abstained due to working with county. Motion carried with a 4 aye and 1 abstain vote.

**J. CONSIDERATION/ACTION TO DISCUSS AND TAKE ACTION ON CITIZEN WORK GROUPS.**

Councilwoman Cribbs said she is still working on this. Motion was made by Councilwoman Cribbs to table any action on citizen work groups. A second was made by Councilman Kersh. Motion carried unanimously.

**K. CONSIDERATION/ACTION TO APPROVE AND DISCUSS PERMIT FEES FOR HOME BUILDING OF HOMES/COMMERCIAL.**

Teresa Borders explained she has not had a chance to get other cities figures yet and to get with David Jordan. Motion was made by Councilman Kersh to take no action on permit fees. A second was made by Councilwoman Logsdon. Motion carried unanimously.

**L. CONSIDERATION/ACTION TO APPROVE AND DISCUSS FOOD TRAILER FEES AND ORDINANCE UPDATES.**

Teresa Borders explained we have made ours permanent. We need to put together what the council or citizens want. Councilman Kersh said he doesn't care about the fees but he would rather be concerned with what they look like and what they are qualified to do. David Jordan said the Heritage Foundation and No Name Festival are the only ones that are temporary. Councilwoman Cribbs asked about the people that had been in on trailer and then in the Corner Stop Store and got kicked out if we can establish a rule about 1 person owning 4 -5 trailers. She want to look at other cities because she wants to protect our citizens. She doesn't have a problem with food trailers coming in but she doesn't want them trashy. Mayor Newell asked if they have to have their permit posted from the health dept. Councilman Kersh said yes they have to be posted. Councilman Kersh said you have to have a fire extinguisher and foam system now. You can't just have a vent a hood. It is a big investment. Councilwoman Cribbs asked about sales tax. Mayor Newell said yes they have to have a sales tax number. It should be posted also. Mayor Newell said a committee or any citizen has a right to go and see if they have their permits posted.

Councilman Shugart asked if we want to appoint that committee tonight. Mayor Newell asked for volunteers from the audience. Heather Ware at 619 S. Wilson, Bill Lott at 310 Red Oak, Fred Landreneau at 300 W. Burnett, Patsy Howard at 235 Camelia and Frank Quinty at 205 Cherry volunteered to be on this committee. Motion was made by Councilman Shugart to approve the people listed to the food truck committee and report back to council. A second was made by Councilman Kersh. Motion carried unanimously.

Committee - Heather Ware, Bill Lott, Fred Landreneau, Patsy Howard and Frank Quinty

**M. CONSIDERATION/ACTION TO APPROVE AND DISCUSS BILLBOARD ORDINANCE UPDATE AND POSSIBLE PERMIT/FEES.**

Mayor Newell read current ordinance and asked about off premise signs. Councilman Shugart explained this was passed when the big billboards wanted to come in from outside the community. Mayor Newell asked if it was still in effect. Councilman Kersh said he feels we need to change the ordinance because some of those signs are 2,000.00 and that is a big chunk of change to be on our tax roll. .David Jordan said it is actually null and void because we have allowed other signs to come in. Councilman Kersh said the big sign down on the Y is an eyesore now. He would like to see something put in the ordinance about after so many months that it doesn't work that it be taken down or fixed. Councilwoman Cribbs said there is some legislation that has been passed regulating placement and maintenance. Mayor Newell asked how many signs we want in our little town. She feels it is getting full. David Jordan said the only thing we have is if they are doing electrical lighting for electrical permit. Councilman Shugart asked if the sign at the Y is grandfathered. City Attorney Charlie Stevenson said after a period of time you can take action against it. If it is inactive for 6 months then you can take action. Councilwoman Parker asked if we get anything off the signs that are set up. No our taxes come the value of the sign on property taxes to the landowner. Teresa Borders said we will look into adding a fee and limit on non-working signs and a fine for not complying. Bill Lott asked Councilman Shugart if First Baptist is still looking to put signs up at end of town. Councilman Shugart said he is trying to discourage it because they are high maintenance. Motion was made by Councilman Kersh to take no action on billboard ordinance and possible permit fees. A second was made by Councilwoman Logsdon. Motion carried unanimously.

**N. CONSIDERATION/ACTION TO APPROVE AND DISCUSS MOBILE HOME PARK ORDINANCE REVIEW AND UPDATES.**

Teresa Borders received some other cities ordinances. She said they have where you do fences or plant bushes to cover and concrete streets and pads for mobile homes and regulate size of pad. It all depends on the size of the city and the zoning. David Jordan said all we have is it has to be approved by council with a demographic layout. Councilwoman Cribbs read a section out of ordinance for upkeep and maintenance. David Jordan said it is when moving a house into city. Councilwoman Cribbs would like to see it separated from Mobile Home Ordinance. City Attorney Stevenson asked if we have a licensed mobile home park ordinance. David Jordan said no, all we have is establishing a mobile home park. Rodney Newell asked if we would be able to

enforce this ordinance. Teresa Borders said we can add a fine. City Attorney Stevenson said we would have to give them time to comply with the new ordinance and if they don't then add a fine. You can enforce anything with health safety issues on any there already.

Motion was made by Councilman Shugart to table Mobile Home Park Ordinance. A second was made by Councilwoman Cribbs. Cribbs, Logsdon, Shugart and Parker voted aye. Kersh abstained. Motion passed with 4 aye and 1 abstain.

**O. CONSIDERATION/ACTION TO APPROVE AND DISCUSS JUNK VEHICLE ORDINANCE.**

Mayor Newell said a junk vehicle is not allowed in the city unless behind a fence or enclosed. City Attorney Stevenson said it has to meet the definition of a junk vehicle. It has to be wrecked or partially dismantled and no up to date tags. Mayor Newell asked if a citizen can request a public hearing on junk vehicles. City Attorney Stevenson said the person receiving the notice of a junk vehicle can request a public hearing. Toni White of 248 Camelia asked about old classic car that was left to you and you are working on it. City Attorney said there are exceptions like for a hobbyist and collectors. Tammi Cleveland at 114 Ave E asked who will enforce it. City Manager Borders said it would go to Code Enforcement Officer. She asked about a time frame. David Jordan said it is case by case and can't say a certain time frame. Kirby Jordan said there is a mechanic shop with up to 5 vehicles that are abandoned over a year and they need to clean up their place. City Attorney Stevenson said it is a violation of law if they don't comply with ordinance. Mayor Newell said that Mr. Kirby Jordan would like an initiative to take care of the issue. Ruby Jordan said she would like a fence built around the cars. Edith Ray said there is cars that are parked in the city right-of-way. David Jordan said if it is not an imminent traffic hazard then it is on private property. Heather Ware asked if you could enforce because they are housing wildlife and a child could get in it and hurt themselves. City Attorney Stevenson said if the ordinance does not say they are not visible from public right-of-way then we can't touch them. We can't force someone to build a fence. Councilman Kersh said 75% of the time if you put an orange sticker on the vehicle they disappear. David Jordan said we will possibly have to pass an ordinance pertaining to salvage dealers. State Law doesn't apply to corporate cities. Councilwoman Parker asked if the person that owns the vehicle is parked on someone else's property who is responsible. Teresa Borders said the property owner is held responsible. Becky Hutchinson said City of Needville is discussing this same thing and drawing up an ordinance. Councilman Kersh said he would like to invite the owners from the mechanic shops to come to the meeting and discuss what they can do so we can work with them. David Jordan said we are coming off of not having a code officer. Councilwoman Cribbs said it should not stop the council from doing something. Motion was made by Councilman Kersh to take no action on junk vehicle ordinance. A second was made by Councilwoman Logsdon. Motion passed unanimously.

**P. CITY DEPARTMENT HEADS REPORT.**

1. Court Dept. – Judge Bill James explained report in packet.
2. Police Dept. – Chief Longbotham explained report in packet.

3. Public Service Dept. – David Jordan explained report in packet. He also said water leaks are increasing. They sent off a letter of compliance for the warranty in Magnolia Gardens. He is getting with Mike Jones on hosting and emergency Management class that all the council will have to attend that hasn't already. He will visit with the mechanic shops in town.  
Councilwoman Cribbs said she has received a complaint about a dog in small cage left all day with no food or water. It is in humane. Councilwoman Logsdon thanked the public works for patching the pot holes.
4. Fire Dept. – Fireman's Carnival is this Saturday at 6:00.

**Q. CITY MANAGERS REPORT.**

Teresa Borders explained her report in packet.

**R. REPORTS FROM MAYOR, CITY COUNCIL AND CITY ATTORNEY.**

Mayor Newell explained if you are wanting to talk about something please go file a paper with city hall or go see Teresa.

**S. ADJOURN REGULAR MEETING AND CALL TO ORDER BUDGET WORKSHOP.**

Mayor Newell adjourned the regular meeting at 8:06 p.m. Mayor Newell allowed a 5 minute break. Mayor Newell called workshop back after break at 8:11 p.m.

**T. DISCUSSION ON 2016/17 AND 2017/18 BUDGET.**

Teresa Borders explained the changes she made to the budget from what the council wanted at last budget workshop. Councilwoman Cribbs said the cover sheets were not accurate. She sees lots of deficiency and would like to see us not cut corners and start saving money. Mayor Newell would like to see the cleaning at Library broke down. Mayor Newell asked about the donation for the Fire Dept. Councilwoman Cribbs said she didn't see that in the budget. Teresa Borders explained it was a donation to Fire Dept. and it is not in our budget. Marcus Rabren explained the Texas Water Code allows for the \$1.00 donation. It is in there pool account and it pays for the Pension and capital expenditures. Mayor Newell is upset about property taxes going up. She would like to cut somewhere and not for the increase on taxes. Teresa Borders read the changes she made from last budget workshop. Councilman Kersh said he would like to see the numbers matching. He would like the dates to match and add more line items. Teresa explained we have to have the proposed tax rate set by August 22<sup>nd</sup> or county will not send out our notices. Councilman Kersh said he is willing to do away with Softball Association donation and remove the medical deductible. Mayor Newell said we need to do the water tower and holding tank before we get fined. Teresa explained that would be put into a bond. Irv Eddy explained to Councilwoman Cribbs if you have questions then come to city hall and sit down with Teresa and she will explain. Mayor Newell explained what the state may be doing to the small cities. They are taking the rights away. Kirby Jordan said that Buc-ees is costing the tax payer a bundle of money. They are

creating a monopoly in Brazoria. Trucks coming through town have no place to buy diesel. Teresa explained we are still getting the full taxes from Buc-ees until July.

**U. ADJOURN BUDGET WORKSHOP.**

Mayor Newell adjourned Budget Workshop at 8:53 p.m.

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Mayor BobbyJo Newell

ATTEST:

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Sheila Williams, City Secretary