

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF BRAZORIA

The City of Brazoria convened in a Regular Meeting on November 14, 2017 at 6:30 p.m. with the following to-witt:

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
R.C. Stevenson	City Attorney
Neal Longbotham	Police Chief
Duane Stahl	Fire Chief
Bill James	City Judge
Derrell Travis	Wastewater Treatment Operator
Cadie Davis	Public Works Admin Assistant

A. CALL TO ORDER.

Mayor Pro-Tem Gary Kersh called the regular meeting to order at 6:30 p.m.

B. INVOCATION TO BE GIVEN BY PASTOR JOSE DELEON OF PRIMERA DE BRAZORIA CHURCH AND THE PLEDGE TO THE AMERICAN AND TEXAS FLAGS BY ALL.

Pastor De Leon of Primera De Brazoria Church gave the invocation and the pledge to the American & Texas flags was led by Mayor Pro-Tem Kersh.

C. CONSIDERATION/ACTION TO APPROVE THE MINUTES OF THE FOLLOWING MEETINGS; REGULAR MEETING, OCTOBER 10, 2017.

Motion was made by Councilman Shugart to approve the minutes of the following meetings; Regular Meeting, October 10, 2017. A second was made by Councilwoman Logsdon. Motion carried unanimously.

D. CITIZENS COMMUNICATION.

John Corder of 313 CR 912, Brazoria Texas asked Fire Chief Stahl to see if the side door of council chambers is locked due to fire code. The door was locked and he said it was crowded except for the cars.

He asked what is a pot hole worth here to the citizens. What is a pot hole? It is that hole in the road that knocks the heck out of your car. He asked what does it take to fix a pot hole and how long does it last. Out pot holes are not lasting long enough they get bigger. He has a niece in town that lost her ignition just going down the road by hitting a pot hole. He would like attention to the pot holes in the city because they are not being handled very good.

Tim Jordan of 308 Ave G, Brazoria, Texas said he stood before this council a few months back with some very severe issues. These issues afterwards only compounded. As a reminder they were concerning Social Media usage, and defamation of character as an elected official. Today I stand before you concerning this last month and two resignations that went down while making allegations of their own. And I am sorry, but I don't have a plaque to present you.

When an elected official resigns while making such allegations it's always a loss to everyone. The people who put them into office no longer have someone representing them. The people these allegations are towards no longer have a face to face conversation, but now has been taken public where the answers never fully come to light. However, if this is the way you choose to go out, you probably didn't deserve the platform you were set on.

Moving forward, these issues are now in the public light, and a dark shadow has again been cast over how things appear here. Accusations have been tossed around, and little to no actual answers are being given. Public views get a skewed while lies get spread, and misinformation shared. There is much more I'd love to address, but I believe those things should be left for them to bring forward on their own, or with help of others. All of this looks bad on everyone, not just a single party.

One thing specifically I'd like to address though, it is very real when someone is hauled away in an ambulance with severe chest pains and numbing in the left arm, given 4 aspirin and 3 shots of nitroglycerin and even still showing a blood pressure of 170/110 after arriving at the hospital. This cannot be faked for sympathy, and that allegation is a direct representation of the person/people saying so.

Moving forward I challenge this council to make headlines, headlines that show betterment in this town, headlines that show what this town really is made of, headlines that make people want to do business here, live here and visit here.

We got through two floods not with a single person, but everyone. No single person deserves that honor. We all do. We are now two down of a team, and I fear the storm is not over yet. Refocus, Re-invest, move forward.

E. CONSIDERATION/ACTION TO ACCEPT RESIGNATION FROM COUNCILWOMAN STEPHANIE CRIBBS FROM COUNCIL POSITION #1 AS OF OCTOBER 26, 2017 AND HOW TO TAKE ACTION ON FILLING POSITION.

Motion was made by Councilman Shugart to accept resignation of Stephanie Cribbs from council position #1 and give to City Manager on how to fill position. A second was made by Councilwoman Logsdon. Councilwoman Parker said she feels some of the things stated in Stephanie Cribbs letter that she was misrepresented personally and she didn't appreciate what was said. She put the whole council lumped into that letter. She didn't have much interaction with

her one to one. She didn't understand some of the things stated in the letter. 1. A blatant disregard of the open meetings act, if that was against her she needs to know what she did personally so she doesn't do it again. 2. Lack of interest in administering taxpayer's money lawfully and legally, she is not here to do anything illegally. She is also a citizen and that is her money also. 3. Personal & volunteer hours in, she said none of these positions are paid. We are all here voluntarily and for betterment of city. 4. We didn't have to go out for bids for things, I brought that up when I first got elected. You should have at least 3 bids for things to make it an even playing field when hiring people to do a job. 4. Council has their own agenda, I have no agenda and didn't appreciate that being stated. She said she is new to council and has a lot to learn. This letter misrepresented me personally and was insulted by it. We are all citizens and tax payers so why would I want my money misused as well as yawl's. I am here to represent you the citizens and I don't want my integrity misrepresented. If you have an issue with me please come to me and I wish Ms. Cribbs would have come to me if she thought I was misrepresenting. Roger Shugart echoed Councilwoman Parkers thought. He wants to assure you he would not be doing anything illegal while on this council. He said he would have his resignation on her desk if he found out he was. That letter offended him as much as Susan. He feels that it is doing the citizens wrong when someone is elected and then they walk away and quit. They should see it through till time is up.

Gail Logsdon said she appreciated what Councilwoman Parker said. She doesn't know where she got her information or what made her decide that she needed to resign her position. It is unfortunate because she thinks she had things to offer but she chose to walk away. So we go forward from this moment.

City Attorney Stevenson said State law allows General Law cities to either hold a special election or appoint someone to fill the vacancy. When there are two vacancies on the council you cannot have the choice to appoint someone. So the only choice is a special election. Next election date is the May election. Stephanie Cribbs seat would be a special election for one year unexpired term and then the Mayor would be on regular election since her term is up in May. Mayor Pro-Tem Kersh explained in May would be Mayor, Councilwoman Logsdon, Councilman Shugart on Regular election and then the Special Election would be Cribbs seat. Motion carried unanimously.

F. CONSIDERATION/ACTION TO APPROVE THE NEW MEMBERSHIP DUES FOR THE ALLIANCE.

Due to no one being present there was no action taken.

G. CONSIDERATION/ACTION TO APPROVE TAKING OVER MAINTENANCE FROM THE BRAZORIA LIBRARY BOARD FOR THE MAINTENANCE OF THE BRAZORIA COMMUNITY LIBRARY BUILDING.

City Representative Mary Ashley Henneberg presented some options for helping the library. She said first option would be donating the library to the City of Brazoria. Second option would be putting a voluntary donation on the city bills like the fire dept. has and third option donate the building and have a dollar a month on each bill that goes directly for maintenance of the library.

They have had their yearly fundraiser that was enough for maintenance of building and provided other library programs. However vandalism last year has nearly depleted the funds. The board appreciates the city paying for the utilities, insurance and the custodian. Your consideration for the options presented are greatly appreciated.

Motion was made by Councilman Shugart to table this item until we can have a workshop and see can look at our budget and get some idea of what kind of budget funding needed. Councilwoman Parker asked if there were any records of hours open versus usage time with the traffic of people coming in? If you don't have high usage at certain times then you could cut back on hours. Are you totally using that building or is there another building in the city limits that would be able to move to and then that is prime location to offer to someone that would bring in revenue. Ms. Henneberg said there is others that use the library. We are trying to start a DIY program to help people. It should help generate revenue because the cost to use the machine. Recently had to replace the shut off on the AC unit. Looking at having to replace two AC units in the near future. Do you go out for bids? Do we ever ask businesses in the city to donate time or service's. Councilman Kersh said this city needs this library especially for the kids. At one time the Library would have an auction each year but that went away. This town supports things like that. I feel they could raise \$20,000 from an auction to support the library. Those are things to talk about in a workshop. Councilwoman Parker asked about it being designated as a cool place. Is that a state or city thing? Is there any subsidies to help with the funding? Councilman Kersh said we will schedule a workshop to talk about these things. Councilman Shugart said before you change ballast there are new technologies with LED lighting that will fit right in these lights that are there. A second was made by Councilwoman Logsdon. Motion carried unanimously.

H. CONSIDERATION/ACTION TO PUT "NO THROUGH TRUCKS" SIGN ON PLEASANT STREET.

City Manager Borders explained that the trucks are coming down Pleasant Street and going through Marion Street. Police Chief Longbotham said it is mainly delivery trucks going to Buc-ees. They are going out on Pleasant and going all the way through and that is what we are trying to stop. Motion was made by Councilwoman Logsdon to put "No Through Trucks" sign on Pleasant Street. A second was made by Councilman Shugart. Motion carried unanimously.

I. CONSIDERATION/ACTION TO APPROVE RESOLUTION #17-007 CASTING VOTES FOR BRAZORIA COUNTY APPRAISAL BOARD.

Motion was made by Councilman Shugart to approve resolution #17-007 casting all 7 votes for Glenn Salyer for Brazoria County Appraisal Board. A second was made by Councilwoman Logsdon. Motion carried unanimously.

J. CONSIDERATION/ACTION TO APPROVE ORDINANCE #17-014 AMENDING ORDINANCE #15-005 FOR GOLF CARTS.

Motion was made by Councilwoman Logsdon to approve Ordinance #17-014 amending Ordinance #15-005 for golf carts. A second was made by Councilman Shugart. Motion carried unanimously.

AN ORDINANCE FOR “REGULATION OF GOLF CARTS,” REGULATING THE USE OF GOLF CARTS ON PUBLIC STREETS OR HIGHWAYS WITHIN THE CITY LIMITS; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00) FOR VIOLATION OF ANY PROVISIONS HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE.

K. CONSIDERATION/ACTION TO DISCUSS AND MAKE CHANGES TO MOBILE HOME PARK ORDINANCE.

City Manager Borders explained this is some old business that she received from other cities their ordinances. It would probably be better in a workshop. Councilwoman Parker asked if there is a difference in RV Park and Mobile Home Park. City Manager Borders said there are different size pads and areas but both are permanent. Mayor Pro-Tem Kersh said he wants this to be in a workshop also. Motion was made by Councilwoman Logsdon to schedule a workshop to review the mobile home parks ordinance. A second was made by Councilwoman Parker. Motion carried unanimously.

L. CONSIDERATION/ACTION TO HEAR REPORT FROM FOOD TRUCK COMMITTEE.

Frank Quinty and Bill Lott explained there are 6 trailers. They haven't had a meeting. They would like to see them skirted and paying sales tax. They don't think they need to charge permits. Councilman Kersh said in Sweeny it is a \$50.00 fee and have a background check for a trailer. Frank Quinty said he feels there should not be a permit fee since they pay property taxes on their trailers already.

M. CONSIDERATION/ACTION TO ADOPT ORDINANCE #17-015 FOR SALVAGE YARD AND MOTOR STORAGE BUSINESSES.

City Manager Borders explained there are some issues with this ordinance. City Attorney Stevenson said he would like no action being taken on it tonight because there are things that need to be changed. Councilwoman Parker said she would like to see this in a workshop also because she would like citizen input on this. Councilman Shugart said he was in the process of taking around a copy of this ordinance to businesses so they can be a part of the decision. Councilman Kersh said he appreciated Councilwoman Parker for getting this up and going. He also believes that once we sit down and talk to business owners you will see a lot of change on

their own. Motion was made by Councilman Shugart to table Ordinance #17-015. A second was made by Councilwoman Parker. Motion carried unanimously. Councilman Shugart said he would like to change his motion to moving it to workshop in near future instead of tabling. Councilman Shugart said he would like to resend his previous motion to move this from table to workshop for ordinance #17-015. A second was made by Councilwoman Parker. Motion carried unanimously.

N. CONSIDERATION/ACTION TO DISCUSS THE INCREASE IN ALLOTTED AMOUNT OF WATER PER DAY WITH BRAZOSPORT WATER AUTHORITY.

City Manager explained we were allotted 300,000 gallons per day but we are going over due to the RV Park now. They have moved it up to 315,000 gallons per day. Councilman Shugart said he has a concern about the leaks around town. He has seen a fire hydrant leaking for a while. Derrell Travis explained about the 2 leaks by railroad tracks. City Manager said her and David have talked about increasing for a while.

O. CONSIDERATION/ACTION TO APPROVE ADDING FLOOD INSURANCE.

Mayor Pro-Tem Kersh said we learned during storm we have a million dollars coverage on sewer plant but no flood insurance. City Manager gave 2 options from TML for flood insurance. Motion was made by Councilman Shugart to go out for bids on acquiring flood insurance for city owned real estate. A second was made by Councilwoman Parker. Motion carried unanimously.

P. CITY DEPARTMENT HEADS REPORT.

1. COURT DEPT. – City Judge Bill James explained report in packet.
2. POLICE DEPT. – Police Chief Longbotham explained report in packet.
3. PUBLIC SERVICE DEPT. – report in packet
4. FIRE DEPT. – no report

Q. CITY MANAGERS REPORT.

City Manager Borders said sales tax is up \$10,348.00, county finished picking up Harvey debris but no bill yet. There is a program that is supposed to help on paying the 10%, working on FEMA paperwork and because of President's declaration we should get 100% of overtime paid back. County has finished with paving streets except for one spot down by river, The American Legion Hall Auxiliary is having the Sugar Plum Market on December 7th from 11-5 and Chamber is having Christmas in Brazoria on December 9th.

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

Councilwoman Parker appreciate the turnout tonight. We have a meeting on Friday also.

Mayor Pro-Tem Kersh said his brother Harvey is having a liver transplant in the morning. He also said he is not running for Mayor. He doesn't want to be Mayor.

Councilwoman Logsdon said thank you for coming and was a good turnout. She felt it was a good meeting.

S. ADJOURN REGULAR MEETING.

Mayor Pro-Tem adjourned regular meeting at 7:20 p.m.

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Mayor Pro-Tem Gary Kersh

ATTEST:

Sheila Williams, City Secretary