

**STATE OF TEXAS**

**COUNTY OF BRAZORIA**

**CITY OF BRAZORIA**

**The City of Brazoria convened in a Regular Meeting on January 12, 2021 at 5:30 p.m. with the following to-witt:**

Roger Shugart	Mayor
Gary Kersh	Mayor Pro-Tem
Marcus Rabren	Council Position #1
Gail Logsdon	Council Position #2
Frank Quinty Jr.	Council Position #4
Susan Parker	Council Position #5

City Personnel:	
Mike Collard	City Manager
Derrell Travis	Public Works Foreman by phone
Sheila Williams	City Secretary
R. C. Stevenson	City Attorney
Neal Longbotham	Police Chief
Bill James	City Judge

Others:	
Layton Davenport	Citizen
Hayman Dengler	Citizen
Melvin Johnson	Pastor Heart of Christ Church
Nick Irene	Brazosport Facts

A. Call to order Regular Meeting.

Mayor Shugart called to order Regular Meeting at 5:30 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.

Pastor Melvin Johnson gave the invocation and Councilwoman Parker led the pledges to the American and Texas flags.

C. Consideration/Action to approve the minutes of the following meeting. Regular Meeting. December 8, 2020.

Motion was made by Councilwoman Logsdon to approve the minutes of the following meeting, Regular Meeting, December 8, 2020. A second was made by Councilwoman Parker. Motion carried unanimously.

D. Citizens Communication.

No comments

E. Consideration/Action to discuss and take action on Landfill Pasture to sale or lease.

Judge James explained when he was Mayor back in 1992 that a group of people had an issue with the City going to let the Little League play there. Judge James explained the state got involved and there was a ditch dug that had to be filled in. It cost the city a lot of money. There were four wells put in to test the water and everyone in the lawsuit had to test their water.

City Attorney Stevenson explained for the city to sell the land it would have to go out for bids and it would need to be permitted through the state if anyone built anything on the land. If the city decides to lease they may want to add provisions for early termination.

Hayman Dengler explained he has the plat from 1992 stating the dump is closed. He also had paperwork from the state of Texas stating the pasture had to be maintained for thirty years. He has a concern that if the city went out for bids that they would have a minimum bid. He would like to see a deposit be with your bid so you would not be able to back out at the last minute. He would like to see the deed restrictions put in the deed when sold. He just wants whomever gets the property would know everything that has to be done on that property. Mayor Pro-Tem Kersh explained that would have to be listed. He does not have any problem with the restrictions.

Hayman Dengler said he feels the property would be worth what the Ag farm land price would show. He would not want to buy a liability. Motion was made by Mayor Pro-Tem Kersh to take Hayman Dengler lease agreement for two years at \$239.00 per year on the 8.1 acre landfill. A second was made by Councilwoman Parker. Motion carried unanimously

F. Consideration/Action to approve Resolution #21-001 supporting Heritage Day Parade.

Motion was made by Mayor Pro-Tem Kersh to approve Resolution #21-001 supporting Heritage Day Parade. A second was made By Councilwoman Logsdon. Motion carried unanimously.

G. Consideration/Action to approve Ordinance #21-001 changing the time of Regular Council Meeting.

Motion was made by Mayor Pro-Tem Kersh to approve Ordinance #21-001 changing the time of Regular Council Meeting to 6:00 p.m. A second was made by Councilman Rabren. Motion carried unanimously.

H. Consideration/Action to approve Curtis T. Craig, CPA for conducting the 19/20 audit.

Motion was made by Councilwoman Logsdon to approve Curtis T, Craig CPA for conducting the 19/20 audit. A second was made by Councilman Rabren. Motion carried unanimously.

I. Consideration/Action to approve Tax Resale of Property for \$17,000.00 from Mark Eaton at Willis Block 12, Lot 14, Millican St. Brazoria, Texas.

Motion was made by Mayor Pro-Tem Kersh to approve tax resale of property for \$17,000.00 from Mark Eaton at Willis Block 12, Lot 14, Millican St. Brazoria Texas. A second was made by Councilwoman Logsdon. Motion carried unanimously.

J. Review of bills paid in December 2020.

Councilwoman Parker asked about a bill for Roadnet. Councilwoman Logsdon asked about a check made to Brazoria Vet Clinic. City Secretary Williams explained the Roadnet bill is for a GPS system in Public Works vehicles and the check for Brazoria Vet Clinic is a refund for a deposit with the American Legion Hall rental.

K. Consideration/Action to discuss and take action on donations paid for Fire Dept., Library, Heritage Foundation and American Legion and other donations paid by the city.

City Manager Collard explained that the donations that are given to the non-profits we support be done on an annual or quarterly basis rather than handling all their utility billings and such. It would simplify record keeping. He wanted to see what council thought. Each entity would make an official request to the city to let us know what they need on an annual basis. Mayor Shugart explained at the American Legion grounds there are twenty four outside lights, twenty three outside plugs and five breaker boxes. City Judge James explained that is what the city did with the Little League and Girls Softball. City Manager Collard explained each entity would then be able to see their bills and if that would make them more aware of what they are using and if they have a leak they can be aware.

L. City Department Heads Report.

1. Court Department – Judge James said he attended a zoom sixteen hour class for his continued education. The court will now be doing the arraignments and trials by zoom. Councilwoman Parker asked that the reports given to council be done on a continuing month to month report.
2. Police Department – Police Chief Longbotham explained report in packet. There has been a rash of burglaries.
3. Public Service Department – Public Works Foreman Travis explained report in packet. Mayor Pro-Tem Kersh asked about the culvert at Layton Davenports. City Manager Collard explained the plastic pipe is not to grade. The ditches needs to dug out. It is considered a relief pipe and nothing is overflowing at this time. Mayor Pro-Tem Kersh asked about a warranty on the backhoe that recently was worked on. Public Works Foreman Travis explained he would check into it
4. Fire Department – Councilman Rabren explained the Fire Dept. just had their election and kept the same officers. The Fire Dept. new truck is doing great.
5. BWA Report – no report

M. City Managers Report.

City Manager Collard reported to council on the following items;

1. Sales Tax – down some from last year at this time
2. Covid and employees – some employees are being tested
3. RV parked on Ninth St. – they are working on to come into compliance
4. Raymond Watts RV trailer – has been removed

5. Hutson Lane – Culverts have been jetted out and they are scheduled to be paved in 2021
6. 401 E Travis – we have a potential six apartment complex to be gained
7. Road paving plan – is under review for next agenda
8. TX Comptroller Legislature – goal to reduce by 5% for seven years or more on electricity.
9. TWDB – letter to notify a survey for water use and water audit loss.
10. TCEQ – two violations are 4<sup>th</sup> quarter report not filed and Lead and Copper monitoring report not filed.
11. Accounting Consultant – received invoice and checklist.
12. Generator replacement at Police Dept. – has been ordered
13. Water Treatment Plant generator – received two quotes, \$2,400.00 for repairing the one there or \$43,500. For a new generator
14. ACO – doing interviews
15. New Patrolman – started yesterday
16. Employee recruitment – hired a temporary Public Works Operation Planner
17. Lift Station – Market St. and Pleasant St. need to replace both pumps and piping. Market St. is the most critical.
18. Waste Water Treatment Plant – Permit and extension is completed.
19. Trunk Line – started but slow due to weather.
20. GST and EST – contractor is behind schedule. There will be additional inspection services.

N. Reports from Mayor, City Council and City Attorney.

Mayor Pro-Tem Kersh welcomed Police Chief Longbotham back. Councilwoman Logsdon said she enjoyed the Christmas party. She thought it very nice. Mayor Shugart explained the caboose is fine to give to the museum. The railroad asked to have a standard donation agreement filed. He also said the two lift stations are in critical condition.

O. Adjourn Regular Meeting and Call to order Executive Session.

Mayor Shugart adjourned Regular Meeting and called to order Executive session at 7:18 p.m.

P. **EXECUTIVE SESSION:** the council may enter into closed door to discuss the following:

A. PERSONNEL UNDER GOV. CODE SECTION 551.074:

1. Progress Review of City Manager's Performance

B. CONSULT WITH ATTORNEY IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SUBCHAPTER D, SECTION 551-071.

2. Consult with Attorney on Litigation/Potential Litigation.

Q. Reconvene in Regular Session and take any action needed on items discussed in Executive Session.

Mayor Shugart reconvened Regular session at 8:28 p.m. No action was taken.

R. Adjourn Regular Meeting

Mayor Shugart adjourned Regular Meeting at 8:29 p.m.

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Roger Shugart, Mayor

ATTEST:

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Sheila Williams, City Secretary