

**STATE OF TEXAS**

**COUNTY OF BRAZORIA**

**CITY OF BRAZORIA**

The City of Brazoria convened in a Regular Council Meeting on September 22, 2021 at 6:00 p.m. with the following to-witt:

Roger Shugart	Mayor
Bill Lott	Councilman Position #1
Gail Logsdon	Councilwoman Position #2
Gary Kersh	Mayor Pro-Tem
Frank Quinty Jr.	Councilman Position #4
Susan Parker	Councilwoman Position #5

City Personnel Present:

Mike Collard	City Manager
Neal Longbotham	Police Chief
RC Stevenson	City Attorney
Glenna Makovy	AP/Payroll
Duane Stahl	Fire Chief

Others Present:

Marcus Rabren	Citizen
Jesse Knight	Citizen
Clifton Chupp	Citizen
Irv Eddy	Citizen
Nathan Correa	Citizen
Nicolas Irene	The Facts
Ginny Gratzner	Accountant
Mike W.	The Sign Guy

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 Juan Tobar of Nueva Creation Church and the pledge to the American and Texas flags by all.

Invocation was given by Pastor Juan Tobar of Nueva Creation Church and pledge was led by Councilman Lott.

C. Consideration/Action to approve the minutes of the following meetings:

1. Regular Meeting, August 10, 2021
2. Special Meeting, Public Hearing on Tax Rate and Budget and Budget Workshop, September 7, 2021

A motion was made by Councilman Quinty to approve the minutes of the above listed meetings on August 10<sup>th</sup> and Public Hearing September 7<sup>th</sup>. Second by Bill Lott. All in favor.

D. Citizens Communication.

Irv Eddy spoke about our small community helping each other during the recent Hurricane Nicholas. He loves living here.

Mike W “The Sign Guy” at 401 Walnut loves being in Brazoria as well. He does graphics on vehicles. He sent examples to the City Manager and has passed out some today to Council to show what kind of work he can do. He knows the importance of having our city vehicles in use and can do a quick turn-around, keeping them for over the weekend to finish.

E. Adjourn Regular Meeting and call to order Public Hearing on Tax Rate.

The regular meeting was adjourned at 6:05 PM

F. Public Hearing on Tax Rate.

The Public Hearing was started at 6:06 PM. No comments were given.

G. Adjourn Public Hearing on Tax Rate and Reconvene into Regular Meeting.

The Public Hearing was adjourned at 6:07 PM with no action

H. Consideration/Action to discuss lack of ability to service the property at 249 Magnolia.

Nathan Correa was here to speak to Council about why he was denied a building permit for this location. Mike Collard, City Manager, explained that he was under the impression because of a prior vote by Council that no new construction would be approved for the area as there were already existing sewer issues there. The current house beside the lot in question is currently having sewer issues. Gary Kersh asked if the customer will be paying for any extension necessary for the new construction. The area in question was not part of the original vote referenced. The vote was intended for the back portion of the subdivision and city signage was posted to this fact. Kersh wanted to know what a solution would be and a plan needs to be put in place for this kind of occurrence. Collard said he brought this before council to approve. Based on the prior vote it was a direct order to not allow new construction in that area, therefore Council should give approval. Kersh asked how long of an extension of the current sewer line would be needed, answer

was 330 foot. Correa said he bought the lots in 2017 before any vote about no new construction. His lot is in the middle of the block surrounded by other homes. Collard felt his hands were tied from the prior vote by Council. Kersh said that was not the case at all and common sense should have prevailed here. If the customer is willing to pay for the extension and any extra equipment that would be necessary, then the City should come up with a plan and inform Correa of what the cost will be. Correa said he was willing to do whatever needs to be done. He has already invested in the property and needs to build. He also owns other lots in the area and wants to build there also. Kersh asked if there was a law about providing city services to an area or else the city would have to De-Annex the area. Attorney Stevenson said yes that would be the case, but that the city could not De-Annex individual lots. Kersh thought that everyone understood that the prior vote was not intended for the front part of the subdivision, but only the back portion where the signs were posted. A motion was made by Gary Kersh to approve the service for the property at 249 Magnolia owned by Nathan Correa with the knowledge that under heavy rain events this property could have sewer issues, and with the City Manager's recommendations for any sewer addition necessary to service the home. Second by Quinty. All in favor. Motion passed.

I. Consideration/Action to hear from Irv Eddy on maintaining the outfall ditch on Avenue I.

Irv Eddy provided pictures of the ditch on Ave I. The grass is over 4 foot high there. He wanted to know why citizens on Lazy Lane were required to keep ditches mowed but the City was not required to do the same with their ditches. He stated that in 2002 the City of Brazoria spent money for the ditch and it was a major factor in water not getting in his home in heavy rain events. However, now the ditch is not being maintained and is silting over as well as blocked by weeds and debris. In the past the city sprayed herbicide to keep up maintenance. Kersh said in the past, the city bought Roundup to give to the county to use for this purpose. Collard said the city does not have a license to do this. Kersh asked if the city would reimburse the county to purchase. Collard said current rainy weather has prevented lots of maintenance that could not be performed. Also, that some equipment parts for repairs are hard to come by with the current state of things. Logsdon asked if this is something the city could get contractors to do. Collard said he is trying however, all contractors are tied up and not getting back to him. No action was taken.

J. Consideration/Action to approve a variance for Clifton Chupp at 205 Austin St., Brazoria TX for the Manufactured Home he is requesting approval for.

Mike Collard explained that the lot this home is going on is slightly under the requirements, so a variance is requested. No further discussion was necessary as all information was provided in the Council packet. Motion was made by Gary Kersh. Second by Gail Logsdon. All in favor. Motion passed.

- K. Consideration/Action to approve Manufactured Home for Clifton Chupp at 205 Austin St., Brazoria TX.

No discussion necessary. Motion was made by Gary Kersh. Second by Bill Lott. All in favor. Motion passed.

- L. Consideration/Action to appoint a Representative and Alternate for H-GAC Area Council.

Susan Parker nominated Bill Lott for Representative and Mayor Shugart as an alternate. Second by Gary Kersh. All in favor. Motion passed.

- M. Adjourn Regular Meeting and Call to Order Executive Session.

Council adjourned Regular Meeting at 6:50PM

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

A. PERSONNEL UNDER GOV. CODE SECTION 551.074:

1. Personnel related issues

Council convened into Executive Session at 7:05PM

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

Council convened into Regular Session at 7:15PM. No action taken.

- P. Consideration/Action to approve Ordinance #21-008 amending the 2020/21 budget.

A motion was made by Gail Logsdon to approve Ordinance #21-008. Second by Bill Lott. All in favor. Motion passed.

- Q. Consideration/Action to approve Ordinance #21-009 approving the 2021/22 budget.

Mike Collard started the discussion by explaining that he is asking for Council to approve an additional \$504 Thousand dollars that would be supported by the proposed tax rate. He has plans to update Police and Public works vehicles, do needed renovations at the Police Building, and upgrade our failing security systems, lighting, and safety equipment. Council thought that money should be spent on infrastructure first. Collard explained that the proposed spending should improve employee efficiency and the other things will follow. Collard also would like part of the money to go toward increased salaries for employees. The current total overall budget being proposed cannot support improvements, updates, and salaries. Kersh asked to see the current employee's salaries listed individually. Lott asked Collard if current employees deserve a raise. Collard said yes. Lott asked what other cities were doing on raises. Collard said Clute is increasing by 3%, Lake Jackson by 3.5%, he is asking for 5.4% for Brazoria. Attorney Stevenson said all of this should have already been decided and this meeting should be for the formal vote only. The Tax Rate and Budget need to be presented in full Ordinance form completed and available for public view before the meeting. According to law, the Budget should be adopted before the Tax Rate is set. A special meeting will now be necessary scheduled for Wednesday September 29, 2021.

- R. Consideration/Action to ratify the adoption of the tax rate .727008/\$100 that raises more property taxes for maintenance and operations than the previous year for the 2021/2022 budget.

Will be moved to a special meeting on Wednesday September 29, 2021

- S. Consideration/Action to approve Ordinance #21-010 adopting the proposed 2021 tax rate of .727008/\$100.

Will be moved to a special meeting on Wednesday September 29, 2021

- T. Consideration/Action to approve Resolution #21-004 nominating the Brazoria County Appraisal District board of directors.

Will be moved to a special meeting on Wednesday September 29, 2021

- U. Consideration/Action to approve Resolution # 21-005 supporting the Red Ribbon Parade on October 22, 2021 for Barrow Elementary School

Motion was made by Susan Parker to approve the Resolution 21-005. Second by Gail Logsdon. All in favor. Motion passed.

- V. Review of bills paid in August 2021.

Will be moved to a special meeting on Wednesday September 29, 2021

W. City Department Heads Report.

1. Court Department
2. Police Department
3. Public Service Department
4. Fire Department
5. BWA Report
6. Brazoria Library
7. City Secretary

Will be moved to a special meeting on Wednesday September 29, 2021

X. City Managers Report.

Will be moved to a special meeting on Wednesday September 29, 2021

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

Will be moved to a special meeting on Wednesday September 29, 2021

Z. Adjourn Regular Meeting

Mayor Shugart adjourned Regular meeting at 8:55 p.m.

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Roger Shugart, Mayor

ATTEST:

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Sheila Williams, City Secretary