The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, January 22, 2013 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Councilperson	Present	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

This agenda item was passed on.

III. PLEDGE OF ALLEGIANCE

This agenda item was passed on.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments from the audience.

Mayor Pickett reported on the following items:

1) Fire Department Awards Banquet will be held on Saturday, January 26,
2) The filing date for the May 11, 2013 General Election is January 30 - March 1,
3) Rotary Club Annual Fish Fry will be held on Friday, January 25, and
4) the monthly Coffee with the Mayor will be held on Thursday, January 24.

City Manager Gary Broz reported that the "Share the Road" signs regarding motorcycle safety are now in place.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2604)

Financial Report - Dec 2012 - Finance Director N. Herrington

COMMENTS - Current Meeting:

This agenda item was passed on.

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2013-7

Consider Acceptance of the Annual Audit Report for Fiscal Year 2011-2012, as Presented by Swaim, Brents and Associates.

COMMENTS - Current Meeting:

Ms. LeAnn Brents, Swaim, Brents & Associates presented the Audit Report for Fiscal Year 2011-2012. Ms. Brents reported that the audit is prepared on a full accrual basis and is subject to government auditing standards due to the receipt of federal funds. Ms. Brent further stated that the City was also subject to Single Audit Act requirements due to expenditures made from federal grant funds, an even higher level audit. After review of the City's twenty eight various funds, review of numerous sections of the Audit Report, and discussion of related issues, Ms. Brents stated that the auditor's opinion reflects that the financial statements present fairly, in all material respects, the financial position of the City. Ms. Brents continued explaining that internal controls are thoroughly tested along with cash receipts, payroll, reconciliations, utility billing, inventory observation, and other City procedures. Ms. Brents stated that there is no management letter.

Motion was made to accept the Audit Report for Fiscal Year 2011-2012.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

2. Council Action 2013-8

Consider a Request by Liberty Masonic Lodge No. 48 to Set a Dedication Stone and Conduct a Cornerstone Leveling Ceremony at the New Police Department Facility to be Located on Lakeland Drive, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. W. Mike Spears, Liberty Masonic Lodge addressed Council making a formal request to allow Liberty Masonic Lodge No. 48 to conduct a Cornerstone Leveling Ceremony of the new Police Department building to be located on Lakeland Drive. Mr. Spears explained that Masons have been conducting these ceremonies for centuries and consist of setting a polished stone, which is normally the last act in the building, which has carved upon it the owner, purpose of the structure, date of the building's erection, and the Grand Lodge information. Mr. Spears also stated that room for a "time capsule" type deposit can be planned. Mr. Spears reported that if the request is approved, these cornerstones are leveled by the Grand Lodge of Texas and with proper planning the Grand Master of Masons in Texas will perform the ceremony with the local lodge being the host.

Motion was made to approve the Cornerstone Leveling Ceremony of the new Police Department building.

ATTACHMENTS:

- Spears Request (PDF)
- Spears-Cornerstone Overview (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

3. Ordinance 2013-1

Consider Adoption of an Ordinance Authorizing Participation, with Other Entergy Service Areas Cities, in Matters Concerning Entergy Texas at the Public Utility Commission and the Federal Energy Regulatory Commission in 2013.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the proposed Ordinance authorizes participation with a number of other Entergy service area cities in addressing issues that may come before the Public Utility Commission and the Federal Energy Regulatory Commission in 2013.

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AUTHORIZING PARTICIPATION WITH OTHER ENTERGY SERVICE AREA CITIES IN MATTERS CONCERNING ENTERGY TEXAS INC. AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND THE FEDERAL ENERGY REGULATORY COMMISSION IN 2013; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

After brief discussion, a motion was made to adopt the Ordinance as presented.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold
NAYS:	Frank Jordan

4. Council Action 2013-9

Consider Award of Bid for Police Software Conversion, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that the proposal before the Council is for new software for the Police Department. Mr. Broz further explained that the cost of $19,950 is to convert the department's former software files to the Incode System used by the City in various departments.

Motion was made to approve the proposal from Incode, in the amount of $19,950.

ATTACHMENTS:

- Police Software Conversion (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

5. Council Action 2013-10

Consider Appointments to the 2013 Charter Review Commission, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported to Council that appointments to the Charter Review Commission are made in January of each odd-numbered year. Four of the five 2011 Commission Members have agreed to serve again: Councilperson Jordan, Jamie Carter, Victor Barranco, and Marsha LaFour. Councilperson Jordan submitted Glenda Callaway as a proposed member. With no other names suggested, a motion was made to appoint the following individuals to the 2013 Charter Review Commission: Councilperson Jordan, Jamie Carter, Victor Barranco, Marsha LaFour, and Glenda Calloway.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

VII. WORK SESSION

1. Work Session (ID # 2611)

Discussion of Fixed Assets and Facility Needs with the City's Financial Advisor Bob Henderson.

COMMENTS - Current Meeting:

Mr. Broz, along with the City's Financial Advisor Bob Henderson discussed, with Council, a fixed asset replacement plan, current projects, a needs list from the various departments, status of the City's fleet, funds received from Sam Rayburn Municipal Power Agency (SRMPA), and monies remaining from the issuance of the 2010 Certificates of Obligation. Discussion ensued regarding proposed projects as follows:

1) Fire Station rehab,

2) new Park restrooms,

3) City Hall patch and paint,

4) recycling,

5) bike paths,

6) bell tower,

7) making the Park entrance bicycle friendly with curb and gutter, and

8) other proposed projects.

Councilperson Jordan departed the meeting at 8:00 p.m.

Additional lengthy discussion included depositing SRMPA funds to establish a Fixed Asset Fund, and examination of the electric and water & sewer funds to possibly augment this fund; equipment replacement v. leasing, being able to pay cash for equipment needs, not having to conduct unexpected small borrowings, restricted funds, fund balances, placing restrictions on the expenditures to be made from the 2010 CO's, with the remaining amount of $415,000.

These issues will be discussed further, at a later date.

VIII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:18 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary