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

Wednesday, June 12, 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	6:06 PM
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	

II. INVOCATION

Mr. Kevin Ladd, Director of Wallisville Heritage Park, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Fire Chief Fred Collins.

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.

City Manager Gary Broz reported that budget workshops would be held on July 10-12, 2013.

Mayor Pickett reported that an Open House would be held at the Liberty Municipal Airport on Saturday, June 8th from 11:00 a.m .- 2:00 p.m. This open house will showcase the recent improvements completed at this facility. Mayor Pickett also reported that the Liberty Volunteer Fire Department will be holding a 3-day BBQ and raffle fundraiser to be held June 14-16 at the Fire Station.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2722)

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on various issues during the Project Update to include recreational vehicles, abandoned properties, the street project, recycling, and other topics.

B. Information Item (ID # 2730)

SRMPA Transformer Update - City Mgr. Gary Broz

COMMENTS - Current Meeting:

Mr. Broz reported that a tree fell on the 69 KV power line. With repairs complete, the 69 line was energized but the transformer malfunctioned and smoke poured from the side. The load was transferred to the backup transformer.

Mr. Broz further reported that SRMPA is working with Entergy on obtaining another transformer and permanent back-up plan for emergencies. This plan includes a tie-in at the Beaumont Substation which should be ready in the next 2-3 weeks.

C. Information Item (ID # 2725)

Report on the Status of the Senior Adult Feeding Project.

COMMENTS - Current Meeting:

Mr. Chip Fairchild, President of the Project on Aging Board of Directors, addressed Council regarding the status of the program and reviewed the history of the organization. Mr. Fairchild reported that when this entity was experiencing failure, the City stepped in and reorganized, keeping the feeding program and congregate able to function.

Mr. Fairchild stated that losing certain funding due to government program cuts and other issues, the program is no longer self-sufficient and able to meet the needs of the seniors. Mr. Fairchild further stated that there are no funds for salaries or for facilities to house the program, and that the program cannot subsist on fundraisers alone. Mr. Fairchild, on behalf of the Board, expressed appreciation for all that the City and churches did to help keep this program sustainable as long as possible. Mr. Fairchild reported that 90-day notice has been given to the Houston-Galveston Area Council that this program will cease to function on September 30, 2013. After lengthy discussion, Mr. Fairchild stated that for this program to continue and to flourish it would take someone that could reshape and reorganize this entity, which would provide a much needed service to the senior population of the community.

VI. CONSENT AGENDA

All consent items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, and if such a request is made, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

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

1. Tuesday, May 14, 2013

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2013-5

Consider Adoption of an Ordinance Objecting to a Proposed Rate Increase for Electric Power Provided by Entergy Texas, Inc (ETI).

COMMENTS - Current Meeting:

Mr. Broz reported that the proposed ordinance is a procedural matter and has to do with only six Entergy industrial accounts, none of which are located in the City of Liberty or Liberty County. Mr. Broz further stated that this topic involves MISO (Midwest Independent Transmission System Operator) and the electric grid. This document denies ETI's (Entergy Texas) request to modify its interruptible service rate schedule.

Brief discussion was held regarding this topic and whether or not the document should be written as an ordinance or resolution. A motion was made to change the document from an ordinance to a resolution and approve the denial of the modification of the interruptible service rate schedule.

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

2. Council Action 2013-50

Consider and Take Action, If Any, on Possible Redemption of Tax Property.

COMMENTS - Current Meeting:

City Attorney Randy Gunter reported on property located at 2918 Grand Avenue that had been part of a delinquent tax lawsuit. This property was put up for sale on the courthouse steps and no bids were received that would recover the taxes owed. Subsequently, the property owner wished to exercise his right to redeem the property by paying all the taxes in full. Mr. Pedro Hernandez paid those taxes in the amount of $9,355 plus court costs of $875, for a total of $10,230. $9,355 will be distributed to the City, Liberty ISD, and Liberty County.

Motion was made to approve the redemption of the property located at 2918 Grand Avenue.

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

3. Council Action 2013-46

Consider Filling the Two (2) Vacant “Alternate” Positions on the Planning and Zoning Commission, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

After brief discussion of the two vacant "alternate" positions on the Planning and Zoning Commission, the consensus of Council was to fill one position and return at a later date to fill the second vacant position.

Motion was made to appoint Mr. Mike Page as an alternate member to the Planning and Zoning Commission.

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

4. Council Action 2013-47

Discussion of the Property Currently Leased by Key Energy Services at 512 Hwy. 90, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the City's property located at 512 Hwy. 90, currently leased to Key Energy, LLC. Mr. Broz stated that Key has given notice they will be terminating the lease on this property, effective July 31, 2013. Various discussion ensued regarding whether to sell or re-lease the property, re-negotiating with Key to extend the lease, contacting others that may be interested in the property, and giving notice to prospective buyers of possible environmental issues.

No action was taken.

ATTACHMENTS:

- Key Energy Lease (PDF)

RESULT:	**NO ACTION TAKEN**

5. Council Action 2013-48

Consider Award of Quote for Utility Poles for the Boomerang Substation Project, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz requested approval for the purchase of eight (8) steel utility poles for the Boomerang Substation, through a bid conducted by Nowlin & Associates. These poles are to be purchased from pole manufacturer, Valmont, with a 12-week lead time, for a cost of $26,392. Mr. Broz stated that having the poles set and the wires run is an additional expense. Nowlin is working with E.P. Breaux Electrical Contractors for this additional work to be completed as a change order to the original contract. Project completion time is December, 2013.

A motion was made to approve the purchase of the eight steel poles for the Boomerang Substation.

ATTACHMENTS:

- Quote-Poles-Boomerang Sub (PDF)

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

6. Council Action 2013-49

Receive the 2013 Charter Review Commission Final Report, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Councilperson Jordan, Chairman of the 2013 Charter Review Commission reported that the Commission's Final Report recommends no changes to the City's current Home Rule Charter. Councilperson Jordan stated that there were no changes in State law, from the recent legislative session, with which the City would need to comply. Councilperson Jordan requested input from the remainder of Council regarding any amendments they may deem necessary. With none voiced, Councilperson Jordan stated that with no suggested changes to the Charter, there will be no required submission to the voters.

Motion was made to accept and approve the Final Report of the 2013 Charter Review Commission.

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

VIII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:14 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary