



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, March 22, 2016

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	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	
Brandon Davis	City Attorney	Present	

II. 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 the April 12th meeting will be short as the Liberty County District Attorney's Office will be holding its annual "Crime Victim Candlelight Vigil" that same evening.

Councilperson Simonson expressed appreciation for all the hard work and dedication by the City employees to make the Liberty Jubilee an annual success.

Councilperson Arnold requested that the City assist the Liberty Independent School District in

the removal of a large number of vultures taking residence at the Liberty Elementary School. Councilperson Arnold also remarked on issues and concerns regarding the City's permit and inspection process.

Mayor Pickett showed a powerpoint presentation and reported on the Palmer Bayou Boardwalk Dedication, at the Trinity River National Wildlife Refuge, in which the U.S. Secretary of the Interior, Sally Jewel and AFL-CIO President Richard Trumka were in attendance.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 3461)

Financial Report - Finance Dir. N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financial status as of February 29, 2016. Ms. Herrington reported on each of the various funds to include revenues, expenditures and fund balances. Ms. Herrington also stated that Sales Tax and Property Tax revenues were doing well and the General Fund balance is \$3.5 million.

2. Information Item (ID # 3462)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported on the Agency's tentative schedule regarding the transformer replacement project for each of the member cities.

3. Information Item (ID # 3463)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that he had recently attended the Houston-Galveston Area Council's (H-GAC) 2016 General Assembly. Councilperson Jordan also remarked that the City's new Fire Truck is a popular symbol of success for H-GAC as a major accomplishment in getting the rules of lending changed, and stated that the truck appears in numerous H-GAC literature.

4. Information Item (ID # 3464)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next recycling event would be held the 3rd or 4th Saturday in April. Ms. Huddleston stated the date would soon be confirmed and a possible tire recycling event may be conducted at the same time.

5. Information Item (ID # 3465)

Jubilee Report

COMMENTS - Current Meeting:

City Manager Gary Broz reported the 31st Annual Liberty Jubilee was a success given the inclement weather and changing from the fourth weekend in March to the third weekend in March, due to the Easter holiday. Mr. Broz stated there would soon be an "after action" meeting to discuss the recent festival and proposed changes for the next year.

IV. REGULAR AGENDA

A. Regular Session

1. Council Action 2016-18

Presentation by Ms. Linda Jamison, Liberty County Historical Commission, regarding the Branch Cemetery located on Cypress Street, and take any action deemed necessary.

COMMENTS - Current Meeting:

Liberty County Historical Commission Chairperson, Linda Jamison, addressed the Council regarding a plan to restore the Branch Cemetery located on Cypress Street. Ms. Jamison presented a plan which includes the City accepting the gift of the Cemetery, which is the resting place of the E.T. Branch Family. Mr. Branch is remembered as a teacher and officer in the Texas Revolution.

After discussion of this item, including obtaining a Deed of Gift or transfer from the Branch Family heirs, restoration of the property by the Commission, and the responsibilities of each entity, a motion was made to take the action necessary to obtain title to the cemetery, subject to a Memorandum of Understanding.

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

2. Council Action 2016-19

Discussion with a representative of Olson & Olson LLP regarding annexation, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	NO ACTION TAKEN
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3. Ordinance 2016-7

Consider adoption of an Ordinance amending Article 4.04 Of The Code of Ordinances regarding Peddlers, Solicitors, and Itinerant Vendors.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4.04, REGULATING PEDDLERS AND SOLICITORS IN THE CITY OF LIBERTY; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

City Attorney Brandon Davis reported that the amendment to the Ordinance regarding Peddlers, Solicitors, and Itinerant Vendors relates to the hours of operation by peddlers or solicitors on private property and to "open to the public function permitting" requiring an individual or business host of the event to apply for a master permit for the event. Other small changes were brought to the Council's attention relating to definitions, insurance and other related issues.

A motion was made to adopt the Ordinance, as presented.

ATTACHMENTS:

- Peddler's Ord-Redlined (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

4. Council Action 2016-20

Discussion regarding the status of the North Water Well, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz and Public Works Director Tom Warner reported on the status of the North Water Well, a proposed project to be funded through Texas Water Development Board funds. Reviewed were the issues and concerns with the well, and costs to repair and replace various portions of the well. After lengthy discussion, a motion was made to approve the project in the amount of \$98,059.00, to include the option of the rental of a pump for an approximate 5-week period.

ATTACHMENTS:

- North Water Well (PDF)

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

5. Council Action 2016-21

Consider the purchase of playground equipment for the Liberty Municipal Park, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed replacement of playground equipment in the fenced area at the Liberty Municipal Park. Mr. Broz presented three options of various

size and cost. The playground equipment is manufactured by Kraftsman Commercial Playgrounds and Water Parks, and will be purchased through the Houston-Galveston Area Council BuyBoard. Cost also includes a poured 3-inch mat sponge base. Mr. Broz remarked that the expenditure for this project would be paid from the \$1.5 million Cambridge Funds.

After discussion of the options, a motion was made to select option number three, for a cost of \$83,363.55.

ATTACHMENTS:

- Playground Equipment (PDF)

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

B. Executive Session

Government Code §551.087

Deliberation Regarding Economic Development Negotiation - Hacienda San Lorenzo.

The Executive Session was not held.

C. Reconvene into Regular Session

1. Council Action 2016-22

Consider and take action, if any, on the items as discussed in the Executive Session.

RESULT:	NO ACTION TAKEN
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V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:24 p.m.

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ATTEST:

Carl Pickett, Mayor

Dianne Tidwell, City Secretary