



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, August 22, 2017

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	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	6:24 PM
David Arnold	Councilperson	Present	
Paul Glazener	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 on the dates of the upcoming meetings until adoption of the new fiscal year budget.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 3899)

Finance Report - Finance Director N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financials, as of July 31, 2017. Ms. Herrington reported that some transfers have been made from the various funds to the General Fund, sales tax revenues are below budgeted amounts and property tax collections

are at 92% of the budgeted amount. Ms. Herrington further reviewed the General Fund and other remaining funds and the status of each.

IV. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 3900)

Public Hearing on the annexation of .68 square miles beginning at the Southeast Corner of 2017 Annexation Tract 4A, said point being in the most Westerly East Line of William Martin Daniel Trust Tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88.

COMMENTS - Current Meeting:

At 6:17 p.m., Mayor Pickett opened the second of two Public Hearings on the annexation of .68 square miles into the City of Liberty. Mr. Art Pertile, Olson & Olson, was present to relate information regarding the City's Phase 5 annexation. This property includes Non-Ag Exempt and Ag-Exempt Properties. Mr. Pertile reviewed the various properties and reported that the ordinance to adopt this annexation will be presented at the September 12, 2017 Council Meeting, at which time Council will consider a resolution declaring intent to annex Phase 6. Mr. Pertile answered questions regarding the annexation.

Mayor Pickett closed the Public Hearing at 6:21 p.m.

2. Public Hearing (ID # 3901)

Public Hearing on the Proposed Budget for Fiscal Year 2017-2018.

COMMENTS - Current Meeting:

At 6:22 p.m., Mayor Pickett opened the Public Hearing on the proposed budget for Fiscal Year 2017-2018. City Manager Gary Broz and Finance Director Naomi Herrington reported that spending is at a minimum, reviewed the various funds, reserve amounts, a 3% raise for employees, the need for a proposed rate increase for water and sewer, and numerous other related budget items.

Mayor Pickett stated that this public hearing will remain open until the budget is voted on September 12, 2017.

3. Council Action 2017-83

Consider postponement of Final Vote on the Fiscal Year 2017-2018 Budget until September 12, 2017.

COMMENTS - Current Meeting:

A motion was made to postpone the vote on the Fiscal Year 2017-2018 Budget until September 12, 2017.

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

4. Public Hearing (ID # 3903)

Public Hearing on the proposed Tax Rate for Fiscal Year 2017-2018.

COMMENTS - Current Meeting:

At 6:30 p.m., Mayor Pickett opened the first of two public hearings on the proposed tax rate for Fiscal Year 2017-2018.

At 6:35 p.m., Mayor Pickett closed the Public Hearing.

5. Council Action 2017-84

Discuss and consider repairs to the sewer line at Neyland and Jessica Streets, and take any action deemed necessary.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on the rehabilitation of an 8" sewer line, by pipe bursting, between Neyland and Jessica Streets. The work is to be completed by Lopez Utilities (obtained through HGAC BuyBoard) for a cost of \$129,206.00.

A motion was made to approve the rehabilitation of the sewer line by Lopez Utilities for \$129,206.00.

ATTACHMENTS:

- 4th & Jessica Pics (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

6. Council Action 2017-85

Discuss and consider 6" water line replacement at FM 563, and take any action deemed necessary.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on the replacement of a 6" waterline, by wet bore, on FM 563. The work is to be completed by Lopez Utilities (obtained through HGAC BuyBoard) for a cost of \$21,600.00.

A motion was made to approve the waterline replacement by Lopez Utilities for \$21,600.00.

ATTACHMENTS:

- Picture (PDF)

- FM 563 Pics #2 (PDF)

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

7. Council Action 2017-86

Discuss and consider drainage issues and possible home development on W. Holly Street, and take any action deemed necessary.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on drainage issues on Holly Street; the system being inadequate to handle storm water run-off from high intensity rainfalls of short duration. A recent preliminary plat approval for additional homes will increase the storm water run-off. Mr. Warner reviewed the current conditions, along with proposed improvements for an estimated cost of approximately \$285,000.00. After brief discussion, City Manager Gary Broz stated that this item not be voted on, at this time, as there currently are no designated funds for this project.

ATTACHMENTS:

- Holly Street Pics (PDF)

RESULT: NO ACTION TAKEN

8. Ordinance 2017-11

Consider adoption of an Ordinance regulating network nodes, approving a design manual for the installation of network nodes and node support poles, and approving a pole attachment agreement regulating the installation of network nodes on city service poles and utility poles.

COMMENTS - Current Meeting:

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

"AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS, APPROVING A DESIGN MANUAL FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES; AND APPROVING A POLE ATTACHMENT AGREEMENT REGULATING THE INSTALLATION OF NETWORK NODES ON CITY SERVICE POLES AND UTILITY POLES; REQUIRING PERMITS; DECLARING GOVERNING LAW; PROVIDING REPEALING AND SAVINGS CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2017; 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 on the issue of the installation of small cellular equipment and/or towers, by wireless infrastructure and service providers, in a city's rights-of-way; and the municipal authority over those the rights-of-ways.

A motion was made to adopt the Ordinance as presented.

ATTACHMENTS:

- Ordinance - Network Nodes (PDF)

RESULT: ADOPTED [UNANIMOUS]**MOVER:** Libby Simonson, Councilperson**SECONDER:** Dennis Beasley, Councilperson**AYES:** Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener**V. ADJOURNMENT****Motion To:** Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:09 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary