



**The City of Liberty**  
**City Council**  
**Regular Meeting**  
**~ Agenda ~**

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

**Tuesday, May 12, 2009**

**6:00 PM**

**City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

**I. CALL TO ORDER**

| Attendee Name                  | Present | Absent | Late | Arrival |
|--------------------------------|---------|--------|------|---------|
| Mayor Carl Pickett             | ..      | ..     | ..   |         |
| Councilperson Dennis Beasley   | ..      | ..     | ..   |         |
| Councilperson Diane Huddleston | ..      | ..     | ..   |         |
| Mayor Pro-Tem Mike McCarty     | ..      | ..     | ..   |         |
| Councilperson Al Simonson      | ..      | ..     | ..   |         |
| Councilperson Louie Potetz     | ..      | ..     | ..   |         |
| Councilperson Frank Jordan     | ..      | ..     | ..   |         |
|                                |         |        |      |         |
|                                |         |        |      |         |
|                                |         |        |      |         |

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT**

**V. PRESENTATIONS / REPORTS**

**1. Information Item 2009-23**

Proclamation - Motorcycle Safety & Awareness Month

- Attachment #1 - Motorcycle Safety Month 09 (DOC)

**2. Information Item 2009-24**

Employee Recognition - Mayor Carl Pickett

**3. Information Item 2009-25**

Waste Management Services - Terry Woodson

**4. Information Item 2009-26**

WM - Waste Watch Program - Joe W.

**5. Information Item 2009-27**

Sam Rayburn Municipal Power Agency - Mayor Pickett

**6. Information Item 2009-28**

Financial Report - Naomi Herrington

**7. Information Item 2009-29**

Humphreys Cultural Center Expansion Project Draw Down - Ron Wood

**8. Information Item 2009-30**

Oath of Office to be Administered to Newly Appointed Police Chief.

**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.

**A. Minutes Approval**

1. Tuesday, April 14, 2009
2. Wednesday, April 22, 2009

**VII. REGULAR AGENDA**

**A. Regular Session**

**1. Resolution 2009-8**

Canvass Returns of the City of Liberty General Election Held on May 9, 2009, and Take Action on a Resolution for Same.

**2. Information Item 2009-31**

Oath of Office to be Administered to Newly Elected Officials.

- Attachment #2 - Oath of Office Form (DOC)

**3. Council Action 2009-30**

Elect a Mayor Pro Tem.

**4. Council Action 2009-31**

Consider Approval of Participation with the State Historical Preservation Office in Developing a Narrative and Pictorial History of the Power Plant Facility.

**5. Council Action 2009-32**

Consider Approval of a Proposal for Medical and Dental Insurance.

**6. Council Action 2009-33**

Consider Appointments to the Planning and Zoning Commission.

**7. Council Action 2009-34**

Consider Appointments to the Liberty Community Development Corporation.

**8. Council Action 2009-35**

Consider Authorizing the City Manager to Seek Requests for Qualifications for Architectural and Design Services for a New Liberty Bell Tower.

**9. Ordinance 2009-8**

Consider an Ordinance Amending the Fiscal Year 2008-2009 Budget, Providing for Additional Personnel.

**10. Council Action 2009-36**

Consider Approval of Compensation to be Paid to the Election Officials for the May 9, 2009 General Election.

**11. Council Action 2009-37**

Consider Setting the Date, Time and Location for a City Council and Staff Work Session to Set Goals, Objectives and Action Plans.

**12. Work Session 2009-6**

Web Site Design / A-1 Tel-Com, Inc.

**VIII. COUNCIL MEAL****IX. ADJOURNMENT****1. Motion To: Adjourn**

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**CERTIFICATION**

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 7<sup>th</sup> day of May, 2009 at 5:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Notice given to The Vindicator, Liberty Gazette, and KSHN Radio.

**NOTICE**

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Proclamations

**INFORMATION ITEM 2009-23**

DOC ID: 1315

## **Proclamation - Motorcycle Safety & Awareness Month**

P R O C L A M A T I O N

WHEREAS, today’s society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

WHEREAS, urging all of our community to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road that they deserve.

NOW, THEREFORE, BE IT KNOWN, that I, Carl Pickett, Mayor of the City of Liberty do hereby proclaim the month of May, 2009 as:

“MOTORCYCLE SAFETY AND AWARENESS MONTH”

in the City of Liberty, encouraging all motor vehicle operators to join in the effort to keep our roadways safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Liberty, Texas to be affixed on this 12<sup>th</sup> day of May, 2009.

ATTEST:

\_\_\_\_\_  
Carl Pickett, Mayor  
City of Liberty

\_\_\_\_\_  
Dianne Tidwell, City Secretary  
City of Liberty

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Presentations

**INFORMATION ITEM 2009-24**

DOC ID: 1334

## **Employee Recognition - Mayor Carl Pickett**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2009-25**

DOC ID: 1329

## **Waste Management Services - Terry Woodson**

**EXPLANATION:**

Terry Woodson, Municipal Marketing Manager, for Waste Management will be present to report on single-source curbside recycling and once-a-week garbage pick-up.

Dianne Tidwell

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Presentations

**INFORMATION ITEM 2009-26**

DOC ID: 1333

## **WM - Waste Watch Program - Joe W.**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2009-27**

DOC ID: 1316

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## **Sam Rayburn Municipal Power Agency - Mayor Pickett**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Finance  
Category: Reports

**INFORMATION ITEM 2009-28**

DOC ID: 1318

## **Financial Report - Naomi Herrington**

**EXPLANATION:**

April Financial Reports.

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**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Reports

**INFORMATION ITEM 2009-29**

DOC ID: 1330

## **Humphreys Cultural Center Expansion Project Draw Down - Ron Wood**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Oaths

**INFORMATION ITEM 2009-30**

DOC ID: 1326

## **Oath of Office to be Administered to Newly Appointed Police Chief.**

**EXPLANATION:**

Chief Tidwell began employment with the City of Liberty on May 4, 2009. Chief Tidwell formally took the Oath of Office on April 27, 2009, prior to his first day on the job. The oath that will be administered at the Council Meeting is for ceremonial purposes only.

Dianne Tidwell

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# The City of Liberty City Council

## Regular Meeting

~ Minutes ~

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Tuesday, April 14, 2009

6:00 PM

City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

### I. CALL TO ORDER

The Meeting was called to order on April 14, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:00 PM by Mayor Carl Pickett.

| Attendee Name    | Present | Absent | Late | Arrived |
|------------------|---------|--------|------|---------|
| Carl Pickett     | p       | ..     | ..   |         |
| Dennis Beasley   | p       | ..     | ..   |         |
| Diane Huddleston | p       | ..     | ..   |         |
| Mike McCarty     | p       | ..     | ..   |         |
| Al Simonson      | p       | ..     | ..   |         |
| Louie Potetz     | p       | ..     | ..   |         |
| Frank Jordan     | p       | ..     | ..   |         |

### II. INVOCATION

The Invocation was given by Mr. Roy House, Church of Jesus Christ of Latter Day Saints, Liberty, Texas.

### III. PLEDGE OF ALLEGIANCE

Kori Jackson, Liberty High School Senior, led the Pledge of Allegiance.

### IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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 public.

Mayor Pickett commented on the following items:

- Liberty Jubilee
- Park Dept. received award for being the "Best Place to Have a Picnic and Ride a Bike"
- Initiative to rebuild bell tower structure in the near future
- Chamber of Commerce Business Expo
- Fire Dept. Annual Fund Raiser - Saturday, May 2
- Groundbreaking Ceremony for Humphreys Cultural Center Expansion Project - April 16, 9:00 a.m.

Minutes Acceptance: Minutes of Apr 14, 2009 6:00 PM (Minutes Approval)

## V. PRESENTATIONS / REPORTS

### 1. Information Item 2009-15

#### Disaster Recovery Funds - J. Rice, Public Management

##### COMMENTS - Current Meeting:

Mr. J. Rice, Public Management, Inc., reported that the Department of Housing & Urban Development allocated \$1.3 billion dollars to the State of Texas for disaster recovery due to Hurricane Ike and Dolly. The Houston-Galveston Area Council, who disperses these funds, recently distributed \$842 million to surrounding counties, of which \$23 million will be distributed in Liberty County. Mr. Rice stated that he is working with the County on a process for the local distribution of these funds. Mr. Rice's discussion with the County regarding distribution, centered on infrastructure problems, long-term recovery projects, housing needs and other related issues.

These funds were split into housing and non-housing projects, \$8 million set aside for housing projects, and \$13 million set aside for infrastructure needs to be split up among the municipalities in the county. A formula was used based on population and infrastructure needs for distribution of these funds; with the City of Liberty to receive approximately \$2 million dollars. After approval of the distribution method, by the Office of Rural Community Affairs (ORCA), the City will apply for these funds with an application showing projects the City deems necessary.

Mr. Rice explained that the City of Liberty has also applied for a Hazard Mitigation Grant Fund, for generators for the Liberty Fire Department. The City of Liberty should receive a total of over \$2 million dollars for disaster recovery.

Mr. Rice further reported on the American Recovery and Revitalization Act (stimulus funds), explaining that these funds are for enhancement of existing programs for various entities, such as the Texas Department of Transportation, Texas Water Development Board, etc. Mr. Rice stated that this stimulus money can affect the City of Liberty in two ways, 1) city has applied for \$350,000 CDBG funds to help build the lift station north of the wastewater treatment plant, and 2) the Texas Water Development Board has looked at Intended Use Plans submitted in January; the City having submitted a plan for water and wastewater. After meeting certain criteria, this could result in receiving grant funds or zero-interest loans.

##### ATTACHMENTS:

- Attachment #1 - Hurricane Ike Disaster Rec April 09 (PDF)

### 2. Information Item 2009-16

#### Sanitary Sewer Evaluation Survey - Steve Jordan, Schaumburg & Polk

##### COMMENTS - Current Meeting:

Mr. Steve Jordan, Schaumburg & Polk was present to discuss the Sanitary Sewer Evaluation Survey (SSES). Mr. Jordan stated that the purpose of this study was to gather information to implement the short and long term plans for addressing the needs of the wastewater collection system infrastructure. Mr. Jordan reviewed the various services performed in relation to this study; the physical inspection, smoke testing, flow monitoring, and hydraulic analysis; all of which result in the final SSES Report which will be submitted to the Texas Commission on Environmental Quality (TCEQ).

Further discussion was held regarding these services, leaks, probable project costs, and funding for year one to include existing Clean Water State Revolving Funds (TWDB), and \$350,000 of proposed Community Development Block Grant Funds.

Mr. Jordan also touched on the Sanitary Sewer Overflow Initiative (SSOI). The SSOI is an agreement the City has entered into with the Texas Commission on Environmental Quality in which the City commits to performing certain actions to reduce the possibility of sanitary sewer overflows. In return, TCEQ will withhold further enforcement actions. This is a ten year program.

**3. Information Item 2009-17**

Presentation of the 07-08 Audit Report - Swaim, Hanagriff & Assoc.

**COMMENTS - Current Meeting:**

Swaim, Hanagriff & Associates representative, LeAnn Brents presented the audit report for fiscal year ending September 30, 2008. Ms. Brents reviewed, in detail, the contents of this document with Council.

Council will hold a work session, in the very near future, to further review and discuss various issues relating to this report.

**4. Information Item 2009-20**

Liberty Independent School District, Summer Lunch Program - Dr. Mona Chadwick, LISD Supt.

**COMMENTS - Current Meeting:**

Mona Chadwick, Liberty Independent School District Superintendent addressed the Council regarding a Summer Meals Ministry and Program. This program unites the resources of the community, citizens, churches, Texas AgriLife and the LISD in providing week day meals to children, in the LISD, from June 8 to August 21, 2009. Distribution sites will be identified and lunches will be prepared and delivered to these sites by LISD. Sites may provide enrichment programs for children and families, utilizing Texas AgriLife materials or Vacation Bible School and Sunday School materials.

**5. Information Item 2009-18**

Recycling Report - Councilperson Huddleston

**COMMENTS - Current Meeting:**

Councilperson Huddleston reported on the recent Tire Recycling Day held on April 4th, in which 1,792 tires were collected. Ms. Huddleston thanked everyone involved in making this a successful event.

Councilperson Huddleston also reported that another Shred-It Day has been scheduled for Saturday, May 30th.

**6. Information Item 2009-19**

Financial Report - Naomi Herrington, Finance Director

**COMMENTS - Current Meeting:**

City Manager Ron Wood stated that the Financial Report would be passed on this month. Incode is now working on a report module to fit the City's needs.

**7. Information Item 2009-21**

Upcoming Appointments to the Liberty Community Development Corporation

**COMMENTS - Current Meeting:**

Mayor Pickett reported that appointments to the Liberty Community Development Corporation will be made at the May 12th Council Meeting. This announcement serves as a reminder so that Council may have time to consider qualified individuals to serve on this Board.

**8. Information Item 2009-22**

Upcoming Appointments to the Planning & Zoning Commission

**COMMENTS - Current Meeting:**

Mayor Pickett reported that appointments to the Planning & Zoning Commission will be made at the May 12th Council Meeting. This announcement serves as a reminder so that Council may have time to consider qualified individuals to serve on this Board.

**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.

**A. Minutes Approval****1. Tuesday, March 10, 2009**

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Diane Huddleston, Councilperson                                 |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**2. Tuesday, March 17, 2009**

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Diane Huddleston, Councilperson                                 |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**3. Tuesday, March 24, 2009**

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Diane Huddleston, Councilperson                                 |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**4. Monday, April 06, 2009**

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Diane Huddleston, Councilperson                                 |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**VII. REGULAR AGENDA****A. Regular Session****1. Council Action 2009-29**

Consider the Appointment of a Police Chief.

Minutes Acceptance: Minutes of Apr 14, 2009 6:00 PM (Minutes Approval)

**COMMENTS - Current Meeting:**

City Manager Ron Wood stated that as a result of the search process for a new Police Chief, and the interviewing of qualified candidates, Mr. Wood's recommendation was to appoint Billy Tidwell to fill this vacant position.

A motion was made to appoint Billy Tidwell as the Chief of the Liberty Police Department.

Mr. Wood and Mayor Pickett both expressed their appreciation to Lt. Ricky Skarpa for serving as Interim Police Chief.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [6 TO 1]</b>                                |
| <b>MOVER:</b>    | Mike McCarty, Mayor Pro-Tem                             |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                             |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Jordan |
| <b>NAYS:</b>     | Louie Potetz                                            |

**2. Council Action 2009-24**

Consider the Selection of a Firm for Grant Administration Services for the Office of Rural Community Affairs/Community Development Block Grant 2008 Supplemental Disaster Recovery Fund.

**COMMENTS - Current Meeting:**

The Council was presented the Office of Rural Community Affairs, Master List of Qualified Administrators, related to the Community Development Block Grant, 2008 Supplemental Disaster Recovery Fund. From this list, a firm must be chosen to provide services required for the Recovery Fund application and administration services for proposed projects.

A motion was made to approve the selection of Public Management, Inc. to provide these services.

**ATTACHMENTS:**

- Attachment #2 - ORCA 08 Dis Rec Fund Grant Adm (PDF)
- Attachment #3 - ORCA 08 Dis Rec Fund Grant Adm List (PDF)

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Mike McCarty, Mayor Pro-Tem                                     |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                                     |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**3. Council Action 2009-25**

Consider the Selection of a Firm for Professional Engineering Services for the Office of Rural Community Affairs/Community Development Block Grant 2008 Supplemental Disaster Recovery Fund.

**COMMENTS - Current Meeting:**

The Council was presented the Office of Rural Community Affairs, Master List of Qualified Engineering Firms, related to the Community Development Block Grant, 2008 Supplemental Disaster Recovery Fund. From this list, a firm must be chosen to provide engineering services relative to the recovery fund projects.

A motion was made to approve the selection of Schaumburg & Polk, Inc. to provide these services.

## ATTACHMENTS:

- Attachment #4 - ORCA 08 Dis Rec Fund Engineer Firm (PDF)
- Attachment #5 - ORCA 08 Dis Rec Fund Engineer List (PDF)

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

**4. Council Action 2009-26**

Consider Authorizing Schaumburg & Polk to Move Forward with Changes to the Sanitary Sewer Evaluation Report, and Authorizing Submittal of Report to the Texas Commission on Environmental Quality.

**COMMENTS - Current Meeting:**

This study is relative to gathered information which will assist in implementing the short and long term plans for addressing the needs of the wastewater collection system infrastructure.

A motion was made to authorize Schaumburg & Polk, Inc. to move forward with changes to the Sanitary Sewer Evaluation Report (SSES), also authorizing submittal of this report, to the Texas Commission on Environmental Quality.

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

**5. Council Action 2009-28**

Consider Revision of the City's Telecommunications Access Line Rates.

**COMMENTS - Current Meeting:**

The City received communication from the Public Utility Commission of Texas regarding an increase in the telecommunications right-of-way access line rates. These rates have increased by 2.07%, due to inflation. Cities may choose to accept the increase, or decline, leaving the rates at the 2008 level.

A motion was made to decline the rate increase, leaving the rates as they currently are.

## ATTACHMENTS:

- Attachment #6 - PUC Telecomm Access Line Rates (PDF)

**RESULT:** DEFEATED [UNANIMOUS]  
**MOVER:** Mike McCarty, Mayor Pro-Tem  
**SECONDER:** Dennis Beasley, Councilperson  
**AYES:** Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan

**6. Ordinance 2009-7**

Consider Adoption of an Ordinance Regarding a Freeport Tax Exemption.

**COMMENTS - Current Meeting:**

City Attorney Randy Gunter stated that this is a revision document. The Central Appraisal District wanted to see this document in different form, with a citation to the Freeport Section of the Tax Code. There is no change in substance; document was presented as an ordinance rather than a resolution. This is essentially the same documentation that was approved in December, 2008.

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS, REPEALING ORDINANCE NO. 803 DATED, DECEMBER 12, 1989 AND ADOPTION OF ORDINANCE PROVIDING FOR FREEPORT EXEMPTION UNDER ARTICLE VIII, SECTION 1-j, OF THE TEXAS CONSTITUTION BEGINNING WITH THE 2010 TAX YEAR; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt Ordinance 2009-7 as presented.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [6 TO 1]</b>                                 |
| <b>MOVER:</b>    | Frank Jordan, Councilperson                             |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                           |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Jordan |
| <b>NAYS:</b>     | Louie Potetz                                            |

**7. Council Action 2009-27**

Consider Authorizing the City Manager to Seek Requests for Proposals for Architectural and Design Services for a New Police Department Facility.

**COMMENTS - Current Meeting:**

A motion was made to authorize the City Manager to seek Requests for Qualifications for architectural and design services for a new Police Department facility.

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Diane Huddleston, Councilperson                                 |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                                   |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

**VIII. COUNCIL MEAL**

Council shared an evening meal.

**IX. ADJOURNMENT****1. Motion To: Adjourn****COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 8:24 p.m.

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                   |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                                     |
| <b>AYES:</b>     | Pickett, Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan |

\_\_\_\_\_  
Carl Pickett, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 14, 2009 6:00 PM (Minutes Approval)



# The City of Liberty City Council

## Work Session

~ Minutes ~

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

Wednesday, April 22, 2009

6:00 PM

City Council Chambers

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

### I. CALL TO ORDER

The Meeting was called to order on April 22, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty, TX at 6:01 PM by Mayor Carl Pickett.

| Attendee Name    | Present | Absent | Late | Arrived |
|------------------|---------|--------|------|---------|
| Carl Pickett     | p       | ..     | ..   |         |
| Dennis Beasley   | p       | ..     | ..   |         |
| Diane Huddleston | ..      | p      | ..   |         |
| Mike McCarty     | ..      | p      | ..   |         |
| Al Simonson      | p       | ..     | ..   |         |
| Louie Potetz     | p       | ..     | ..   |         |
| Frank Jordan     | p       | ..     | ..   |         |

### II. WORK SESSION

#### 1. Work Session 2009-5

Review and Discussion of the 2007-2008 Audit Report and Related Issues.

#### COMMENTS - Current Meeting:

Swaim, Hanagriff & Associates representative, LeAnn Brents was present to review the audit report for the fiscal year ending September 30, 2008, and discuss various related issues.

A lengthy discussion was held regarding the various types of funds, balance sheets, revenue/expense reports, financial software programs and upgrades, inter-fund transactions, bank reconciliation, adjustments, staffing and essential functions, training, and other issues relative to the audit report, and the operation and control of the city's finances.

Ms. Brents was asked to prepare a statement of recommendation to assist in correcting the areas that need improvement and providing a benchmark from which to work.

### III. COUNCIL MEAL

Council shared an evening meal.

### IV. ADJOURNMENT

#### 1. Motion To: Adjourn

Minutes Acceptance: Minutes of Apr 22, 2009 6:00 PM (Minutes Approval)

**COMMENTS - Current Meeting:**

There being no further business before the Council, the meeting was adjourned at 8:00 p.m.

|                  |                                            |
|------------------|--------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Frank Jordan, Councilperson                |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson              |
| <b>AYES:</b>     | Pickett, Beasley, Simonson, Potetz, Jordan |
| <b>ABSENT:</b>   | Diane Huddleston, Mike McCarty             |

\_\_\_\_\_  
Carl Pickett, Mayor

ATTEST:

\_\_\_\_\_  
Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Apr 22, 2009 6:00 PM (Minutes Approval)



## The City of Liberty

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Elections

### RESOLUTION 2009-8

DOC ID: 1317

## Canvass Returns of the City of Liberty General Election Held on May 9, 2009, and Take Action on a Resolution for Same.

A Resolution canvassing the Returns and Declaring the results of a General Election held on Saturday, May 9, 2009.

WHEREAS, there was held in the City of Liberty, Texas on the 9<sup>th</sup> day of May, 2009, a General Election duly ordered by the City Council, for the purpose of electing three Councilpersons, as shown in the official returns heretofore.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Liberty, Texas:

1. That said election was duly called and notice thereof given in accordance with law; that said election was held in the manner required by law; that due returns of said election have been made by the proper office. The returns of said election is as follows:

#### GENERAL ELECTION

| NAME OF CANDIDATE | NUMBER OF VOTES RECEIVED |
|-------------------|--------------------------|
|-------------------|--------------------------|

#### COUNCILPERSON

Dennis Beasley

Al Simonson

Paul Hawthorne

Diane Haywood Huddleston

The following candidates are hereby declared elected:

Councilperson -

PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF MAY, 2009.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Oaths

**INFORMATION ITEM 2009-31**

DOC ID: 1320

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## **Oath of Office to be Administered to Newly Elected Officials.**

In the name and by the authority of

The State of Texas

## OATH OF OFFICE

I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Council Member of the City of Liberty, Texas and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant

SWORN TO and subscribed before me by affiant on this 12th  
day of May, 2009.

\_\_\_\_\_  
Signature of Person Administering Oath

\_\_\_\_\_  
Printed Name

(seal)

\_\_\_\_\_  
Title

Attachment # 2: Oath of Office Form (INF-2009-31 : Oath of Office)

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Board Appointments

**COUNCIL ACTION 2009-30**

DOC ID: 1321

## **Elect a Mayor Pro Tem.**

**EXPLANATION:**

City Charter Section 3.04 - The City Council, at its first meeting after election of councilmen, shall elect one (1) of its members mayor pro tem, and he shall perform all duties of the mayor in the absence or disability of the mayor.

Dianne Tidwell

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**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Power Plant Issues

**COUNCIL ACTION 2009-31**

DOC ID: 1331

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**Consider Approval of Participation with the State Historical  
Preservation Office in Developing a Narrative and Pictorial  
History of the Power Plant Facility.**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Finance  
Category: Proposals

**COUNCIL ACTION 2009-32**

DOC ID: 1319

## **Consider Approval of a Proposal for Medical and Dental Insurance.**

**EXPLANATION:**

Jim Hall will be here to present Health Insurance proposals and make a recommendation on the June 1, 2009 renewal.

Naomi Herrington

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Board Appointments

**COUNCIL ACTION 2009-33**

DOC ID: 1324

## **Consider Appointments to the Planning and Zoning Commission.**

**EXPLANATION:**

The Planning & Zoning Commission is made up of five members, who are qualified voters of the City appointed to serve three-year terms. Those members whose terms expire are Bill Takach and Kim Anderson.

Other Commission Members are:

Shelli Ellerbe  
David Arnold  
Larry Wagnon  
Paul Damek - Alternate  
Mark Campbell - Alternate

Dianne Tidwell

.

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Board Appointments

**COUNCIL ACTION 2009-34**

DOC ID: 1325

## **Consider Appointments to the Liberty Community Development Corporation.**

**EXPLANATION:**

The Corporation is managed by a board of seven members. All Directors are appointed by the City Council for two-year terms. Each member shall be a resident of the City, and three of the seven members shall be persons who are not employees, officer of the City, or members of the City Council. Those members whose terms expire are: Ron Wood, Mike McCarty, and Robert Ward.

**Current Members are:**

Dennis Beasley - President  
Mike McCarty - Vice-President  
Ron Wood - General Manager  
Louie Potetz  
Billy Page  
Robert Ward  
Mike Van Etta

Dianne Tidwell

.

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: RFQs

**COUNCIL ACTION 2009-35**

DOC ID: 1327

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**Consider Authorizing the City Manager to Seek Requests for  
Qualifications for Architectural and Design Services for a  
New Liberty Bell Tower.**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Budget Adoption

**ORDINANCE 2009-8**

DOC ID: 1332 A

## **Consider an Ordinance Amending the Fiscal Year 2008-2009 Budget, Providing for Additional Personnel.**

APPLYING ADJUSTMENTS FOR AMENDING THE FISCAL YEAR 2008 - 2009 BUDGET AND FINANCIAL PLAN FOR THE CITY OF LIBERTY IN THE ADMINISTRATION DEPARTMENT OF THE GENERAL FUND.

WHEREAS, The budget and financial plan for the City of Liberty for the fiscal year 2008 - 2009 has been reviewed and is in need of adjustments due to changes in estimated expenditures in the general fund for adding two new office personnel positions.

WHEREAS, These changes in estimated expenditures will be duly noted in the Fiscal Year 2008 - 2009 budget and financial plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

That the amounts in expenditures be adopted as the amended City budget for these added positions for the Fiscal Year 2008 - 2009.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two (2) separate days is hereby dispensed with and all Council Members present vote affirmatively for the adoption of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, Texas on the 12<sup>th</sup> day of May, 2009.

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Carl Pickett  
Mayor

ATTEST:

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Dianne Tidwell  
City Secretary

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Election Compensation

**COUNCIL ACTION 2009-36**

DOC ID: 1322

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## **Consider Approval of Compensation to be Paid to the Election Officials for the May 9, 2009 General Election.**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Meeting Scheduling

**COUNCIL ACTION 2009-37**

DOC ID: 1323

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**Consider Setting the Date, Time and Location for a City Council and Staff Work Session to Set Goals, Objectives and Action Plans.**

**The City of Liberty**

City Council  
1829 Sam Houston  
Liberty, TX 77575

Meeting: 05/12/09 06:00 PM

Department: Administration  
Category: Web Site Design

**WORK SESSION 2009-6**

DOC ID: 1328 B

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**Web Site Design / A-1 Tel-Com, Inc.**