The City of Liberty

City Council

Regular Meeting

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 9, 2009 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on June 9, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by Mayor Carl Pickett.

II. INVOCATION

Ron Davis, Associate Pastor, First Baptist Church, Liberty gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Mr. Bob Walker, resident of the Forest Hills Subdivision led the Pledge to the American and Texas flags.

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, regarding non-agenda items. There were no comments from the audience.

Mayor Pickett reported on the following:

- County-wide Economic Development Summit to be held in the City of Cleveland on June 10th, 8:30 a.m.
- Upcoming July 4th Fireworks and Program to be held at the Liberty Municipal Park on Friday, July 3rd.

V. PRESENTATIONS / REPORTS

1. Information Item 2009-33

2010 Census - Mr. Charles Teel, U.S. Census Bureau

COMMENTS - Current Meeting:

Mr. Charles Teel, Partnership Specialist with the U.S. Census Bureau made a presentation to Council on the process for, and importance of, the 2010 Census. Mr. Teel reported on the response rate within the city, county, and state. Additional discussion included how the census assists entities with grants for various issues, relative to population. Mr. Teel explained that awareness is an important issue, and that the city could promote and show support for the census by placing information on utility billing statements, the web site and other avenues available to the public.

2. Information Item 2009-34

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

This agenda item was passed on as Councilperson Huddleston was not able to attend the meeting.

3. Information Item 2009-35

Hurricane Ike FEMA Disbursements - Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the status of FEMA reimbursements for Hurricane Ike. Mrs. Herrington reported that FEMA reimbursements to date were $5.2 million, with several project worksheets still out, and year-to-date expenditures currently in the amount of approximately $6.2 million. Ms. Herrington also stated the she had been notified by a FEMA representative that FEMA was considering increasing the contribution level from 75% to 90%. This would provide the city an additional 15% recovery of funds for hurricane damages. Also held was a discussion relative to insurance payments received for hurricane damages.

ATTACHMENTS:

- Attachment #1 - Hurricane Ike Cash Flow - Ron MAY (PDF)

4. Information Item 2009-36

Financial Report - Naomi Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that the paid-to-date amount to the contractor for the Cultural Center Expansion Project was $192,000. Project completion rate is 8.73%. Also discussed was project inspections.

Ms. Herrington stated that she had emailed Council the financial statements and balance sheets with cash accounts on hand through April, 2009. Council agreed that a work session would be held at a later date to review these documents.

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, May 12, 2009

2. Tuesday, June 02, 2009

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-38

Consider Placement of Additional Traffic Signage in the Forest HIlls Subdivision.

COMMENTS - Current Meeting:

Mr. Thomas James, Forest Hills Subdivision, was present to address the Council regarding excessive speed by drivers through his subdivision. Mr. James remarked that, at one time, there was a 20 mph speed limit sign at the entrance to the subdivision that is no longer there. Mr. James also stated that there is a 30 mph sign at the curve on Valley Drive and he requests that this be reduced to 20 mph. Mr. James states that there are many children in the area and his main concern is their safety.

Chief Tidwell, Liberty Police Department, reported that he met with Mr. James and they discussed various related issues. However, Chief Tidwell recommended that before placing any permanent signs, a traffic study should be conducted and that he would like to meet with the entire neighborhood to hear their concerns. Further discussion included educating drivers, speed bumps, criteria for signage, and other related issues. Council directed management to move forward with the traffic study and to place a yellow 20 mph warning sign, which would not change the speed limit, until a permanent solution has been determined.

2. Council Action 2009-39

Consider Approval of the Final Plat of TheMcGinnis Subdivision.

COMMENTS - Current Meeting:

Candy Parker, Inspection Department, reported that Ms. Sharon McGinnis had been denied a permit to place a second dwelling on her property. In order to place a second dwelling on her property, Ms. McGinnis is subdividing the property by presenting a plat which meets all requirements of the city's subdivision ordinance. This plat was reviewed by the Planning and Zoning Commission on May 27th and was recommended for approval.

Motion was made to approve the final plat of the McGinnis Subdivision.

ATTACHMENTS:

- Attachment #2 - Final Plat of the McGinnis Subdivision (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, McCarty, Simonson, Potetz, Jordan
ABSENT:	Diane Huddleston

3. Resolution 2009-9

Consider Waiving Library Card Fees for Out-Of-City Municipal Library Patrons.

COMMENTS - Current Meeting:

Library Director Dana Abshier was present to request that the city waive library card fees for out-of-city library patrons. Ms. Abshier reported that the Texas State Library and Archives Commission encourages libraries to provide all Texans with free library cards. The library would receive increased funding from Loan Star Library grants, in the approximate amount of $9,479.00, an increase of $1,176.00. However, the city would lose approximately $4000 in revenue to the general fund, from library card fees. Funds received for library cards does not directly benefit the library as the go into the general fund. Ms. Abshier stated that waiving these fees would provide not only direct funding benefit to the Library, but also reflect increased use of the facility.

A motion was made to approve the Resolution waiving fees for out of city library patrons.

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

4. Council Action 2009-40

Consider Approval of an Interlocal Agreement with Liberty County Precinct 1.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

ATTACHMENTS:

- Attachment #3 - Liberty County Prec 1 Agreement (PDF)

5. Council Action 2009-41

Consider Approval of Repairs to the Liberty Bell and Construction of a New Bell Tower.

COMMENTS - Current Meeting:

City Manager Ron Wood reported that he had been contacted by Richard Edwards, architect for the Humphreys Cultural Center Expansion Project, regarding construction of a new bell tower. Mr. Edwards expressed that he would like to add the bell tower to the expansion project which would save the city approximately $20-25,000, with contractor GTT, Inc. currently on-site. Mr. Wood stated that this could be a change order to the expansion project, at a cost of $185,000 for construction and $25,000 for architect fees, for a total cost of $210,500.

Further discussion included financing, location, concerns regarding a budget deficit due to Hurricane Ike expenditures, and repair costs to the bell itself, in the amount of $19,850.00. Council directed management to place this item on the July council agenda.

There was no action taken on this agenda item.

6. Council Action 2009-42

Consider Authorizing the City Manager to Employ Additional Personnel for the Administration Department.

COMMENTS - Current Meeting:

City Manager Ron Wood read aloud the job description for the position of Finance Director. Mr. Wood reported that the basic duties of this position were budget development and responsibility for all financial activity of the city. Mr. Wood stated the salary, plus benefits for the position, beginning October 1st would be approximately $87,360.

Additional discussion was held on various matters including status of the employment of an accounting clerk, with a base salary of $24,000, advertising for the finance director position, concern regarding upcoming budget figures, and other related information.

No action was taken on this agenda item.

7. Information Item 2009-37

Annual Review and Update of the Community Development Capital Improvement Program.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

8. Council Action 2009-43

Consider Approval of the Liberty Community Development Corporation Budget for FY 09-10.

COMMENTS - Current Meeting:

This agenda item was passed on. There was no action taken.

B. Executive Session

Deliberation Regarding Economic Development Negotiation. Gov. Code §551.087
Consultation With Attorney. Gov. Code §551.071
Meeting Concerning Municipally Owned Utility. Gov. Code §551.086

1. Discussion of Electric Rate Contract with Boomerang Tube, LLC.

Personnel Matters. Gov. Code §551.074

2. Discussion of the City Manager's evaluation & salary adjustment.
3. Discussion of finance personnel.

Deliberation Regarding Real Property. Gov. Code §551.072

4. Discussion of possible property acquisition for additional municipal purposes.
5. Discussion of possible sale of real estate owned by the City of Liberty.

At 7:53 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 10:05 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider approval of city manager's evaluation and possible salary adjustment.

There was no action taken on this agenda item.

2. Consider and take action on acquisition of additional property for municipal purposes.

There was no action taken on this agenda item.

3. Consider and take action on sale of city owned real estate.

A motion was made by Councilperson Potetz, seconded by Councilperson Jordan to allow the appraiser to place the old Police Department facility for sale, at a price to be set by the appraiser, and subject to the formal bidding process. The motion passed 6-0.

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 10:09 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, Beasley, McCarty, Simonson, Potetz, Jordan
ABSENT:	Diane Huddleston

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary