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, December 8, 2009 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on December 8, 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	þ	¨	¨	
Dennis Beasley	þ	¨	¨	
Diane Huddleston	þ	¨	¨	
Mike McCarty	þ	¨	¨	
Al Simonson	þ	¨	¨	
Louie Potetz	þ	¨	¨	
Frank Jordan	þ	¨	¨	

II. INVOCATION

The Invocation was given by Father Ted Smith, St. Stephens Episcopal Church, Liberty.

III. PLEDGE OF ALLEGIANCE

City Manager Gary Broz 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.

City Manager Gary Broz reported that a Special Called City Council Meeting and Work Session would be scheduled for Tuesday, December 22nd.

V. PRESENTATIONS / REPORTS

A. Information Item 2009-72

Recycling Report - “Shred it Day” - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported on the city-sponsored "Shred-It Day" held on Saturday, December 5th. Ms. Huddleston stated that the event was a great success with approximately 6500-7000 lbs. of paper being shredded, between 9:00 a.m. and Noon. Another shredding event is planned within the next six months.

B. Information Item 2009-74

Community Development Advisory Board - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan, Chairman of the Community Development Advisory Board, reported that this Board is charged with making recommendations to the City Manager and City Council regarding economic development, tourism, and beautification. Mr. Jordan further stated that the Board had met on November 30 and discussed proposed projects. Mr. Jordan briefly reported on the following projects:

1) placement of trash receptacles in the downtown area,
2) Park playground equipment, lighting, and tables,
3) tourism long-term plan,
4) joint projects with various wildlife entities,
5) sidewalks around school areas,
6) city entry beautification,
7) beautification of the downtown area,
8) placement of benches in the downtown area, and
9) renovation of the old Liberty Bridge.

ATTACHMENTS:

- LCDAB Minutes 11 30 09 (DOC)

C. Information Item 2009-73

Property Acquisition for City Facilities - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported that an earnest money contract had been signed for land and a building to house the electric department. Mr. Broz and Finance Director Naomi Herrington met with FEMA representatives to change the scope of work on the project worksheet for the Power Plant building, moving it across the street. Mr. Broz reported that the project looks very positive.

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

A. Minutes Approval

1. Tuesday, November 10, 2009

2. Tuesday, November 24, 2009

B. Resolution 2009-21

Consider Approval of a Resolution Authorizing Signators on State of Texas Documents for Requesting Funds.

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2009-26

Consider Adoption of an Ordinance Authorizing the Issuance of "City of Liberty, Texas, Tax Anticipation Notes, Series 2010", Specifying the Terms and Features of Said Notes; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of the Principal of and Interest on Said Notes; and Resolving Other Matters in Connection Therewith.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF LIBERTY, TEXAS, TAX ANTICIPATION NOTE, SERIES 2010", SPECIFYING THE TERMS AND FEATURES OF SAID NOTE; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTE; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH."

City Manager Gary Broz reported on the proposed Ordinance for Tax Anticipation Notes which will fund, in the amount of $975,000, the city's portion of the Humphreys Cultural Center Expansion Project and construction of the new bell tower. Mr. Broz stated that this ordinance protects the bank that will loan the money, which can later be repaid by the issuance of the certificates of obligation.

Lengthy discussion was held regarding costs of the new police department, ad valorem tax, sales tax figures, budget figures, debt, and other related topics. Motion was made to adopt Ordinance No. 2009-26.

RESULT:	**ADOPTED [6 TO 0]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, McCarty, Simonson, Potetz, Jordan
ABSTAIN:	Diane Huddleston

2. Council Action 2009-109

Consider Awarding a Bid for Various City Vehicles.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that bids for various city vehicles had been opened on Thursday, December 3rd. Mr. Broz further stated that bids specifications were for six vehicles; bids being received from three vendors. Low bidder on the vehicles are as follows:

4-Door Sedan - Fire Department - BJ Ford

Compact 4-Door Sedan - Neighborhood Services - BJ Ford

3/4 Ton Pickup - Electric Department - Philpott Motors

2- Regular Cab Pickups - Meter Readers - BJ Ford

Pickup - Community Services Director - BJ Ford

Lengthy discussion was held regarding expending funds with sales tax figures down, FEMA funds not yet received, deferring this item until the January Council Meeting for further consideration, and other relative issues. There was no action taken on this agenda item.

ATTACHMENTS:

- Bid No 09-002 Vehicle Bid Tabulation2 (XLS)

3. Council Action 2009-110

Consider Extending the Term of the Airport Advisory Board.

COMMENTS - Current Meeting:

Brief discussion was held regarding the importance of the knowledge, expertise, and ideas garnered from the Airport Advisory Board. A motion was made to extend the term of the Airport Advisory Board for two years, the Board disbanding December 31, 2011.

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

4. Council Action 2009-111

Consider Appointments to the Airport Advisory Board.

COMMENTS - Current Meeting:

Discussion was held regarding the number of airport advisory board members, non-resident members, those willing to serve again, and interest from other citizens. This item will be placed on the December 22nd Council agenda. There was no action taken.

5. Council Action 2009-112

Consider Ratifying an Amendment to the City Personnel Policy Regarding Comp Time.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on an amendment to the employee personnel policy, regarding comp time. Mr. Broz stated that he has removed the practice of earning comp time and paid the employees for their current comp time accrued; removing any liability and bookkeeping issues.

Motion was made to ratify and approve the amendment to the employee personnel policy removing compensatory time.

ATTACHMENTS:

- Old Comp Time (PDF)

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

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 and update of industrial prospect.
2. Discussion of economic development prospect.

At 7:01 p.m., Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

C. Reconvene into Regular Session

At 8:16 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2009-113

Consider Approval of Incentives for a New Economic Development Prospect.

COMMENTS - Current Meeting:

There was no action taken on this agenda item.

VIII. COUNCIL MEAL

Council shared an evening meal.

IX. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:17 p.m.

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

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary