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, January 12, 2010 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on January 12, 2010 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 Brother Harry Laxton, Central Baptist Church.

III. PLEDGE OF ALLEGIANCE

Det. Chip Fairchild and Sgt. Tony Stines 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.

Police Chief Billy Tidwell introduced members of the new Police Department Bicycle Patrol. Chief Tidwell reported that the four bicycles and officers will soon be seen in the evening, in the neighborhoods, at special events; etc. and that the equipment and uniforms were all paid for with drug seizure funds. Chief Tidwell further stated that the public response has been most favorable and the Bike Patrol has already been an asset in deterring crime.

V. PRESENTATIONS / REPORTS

A. Information Item 2010-1

Water System Study - Schaumburg & Polk, Inc.

COMMENTS - Current Meeting:

Mr. Steve Jordan, Schaumburg & Polk, Inc., addressed the Council, presenting a completed Water System Study and Analysis. This study provides a hydraulic model of the City's existing water system, determines current deficiencies, and addresses proposed improvements.

Mr. Jordan reported that the City has lines ranging from 1.5" to 12", with many 2" and 6" lines. The lines are made up of 40% PVC, 6% cast iron, and 54% asbestos cement. This makeup only denotes the age of the system, does not currently present a problem, but at some point in the future will need to be replaced. Mr. Jordan further reported on a pressure analysis of the existing distribution system, different elevations across town which relate to various pressure capabilities, fire flow capabilities, number of connections for future growth, rehab of several elevated storage tanks, and related issues.

Also, discussed were the proposed improvements, with associated costs, that would provide the greatest benefit. They are briefly described below:

1) MLK to Independence - new 12" line

2) Travis Park - new 12" line

3) Minglewood Road - new 6" line

4) FM 1011 - new 6" line

5) Hwy. 146 - three tie-ins

6) Elevated Tank Rehab - Monta St. & San Jacinto St. storage tanks.

After further discussion, Mr. Jordan was directed to gather some additional figures, and prepare a report for Council's review.

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:	**APPROVED [6 TO 1]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz, Jordan
NAYS:	Mike McCarty

A. Minutes Approval

1. Tuesday, December 08, 2009

2. Monday, December 21, 2009

3. Monday, December 21, 2009

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-1

Consider Declaring a 1999 Ambulance as Surplus Property.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the new 2009 ambulance had been received, was placed in operation, and requested that the 1999 EMS unit be declared surplus property. Brief discussion was held regarding keeping the this equipment as a backup unit, possible use at a future Fire Department substation, and depreciation and maintenance costs. Further discussion concluded that a minimum bid of $25,000-$30,000 be placed on this unit, to test the market and see if it can be sold.

Motion was made to declare the 1999 ambulance surplus property.

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

2. Ordinance 2010-1

Consider Adoption of an Ordinance Providing New Requirements for Manufactured Homes Located in Non-Restricted Areas.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING ORDINANCE NO. 684, AS AMENDED; TO PROVIDE NEW REQUIREMENTS FOR MANUFACTURED HOMES LOCATED IN NON-RESTRICTED AREAS; PROVIDING FOR INSPECTION OF HOMES FOR HABITABILITY; PROVIDING A DEFINITION OF HABITABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT OR CONFLICTING ORDINANCES; PROVIDING FOR 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."

City Manager Gary Broz reported that this ordinance had been discussed in a previous workshop and proposes that a new or replacement manufactured home be no more than ten model years of age older than the current year model. Mr. Broz also stated that this ordinance addresses habiltability as it applies to manufactured housing, in that the home must be in good shape.

City Attorney Randy Gunter clarified that this requirement applies to manufactuared homes, within the City, but not located in the manufactured home zone. Mr. Gunter also stated that habilitability refers to electrical and plumbing standards, secure doors and windows, etc.

Motion was made to adopt Ordinance No. 2010-1.

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

3. Ordinance 2010-2

Consider Adoption of an Ordinance Amending the City's Authority to Remove, and Bill For, Refuse Collection in the City of Liberty.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 13, GRANTING THE CITY OF LIBERTY AUTHORITY TO REMOVE REFUSE FROM WITHIN THE RIGHT-OF-WAY OF A STREET OR ALLEY, AND TO REMOVE ANY REFUSE NOT PREVIOUSLY COLLECTED VIA REGULAR GARBAGE COLLECTION SERVICES AND BILL CITIZENS FOR SAID REMOVAL; PROVIDING FOR 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."

City Attorney explained that this ordinance addresses large items that are hauled to the street, that are beyond what is normally picked up by the city's contractor, Waste Management. The ordinance gives the City the authority to pick up these items that sit, at the curb, for extended periods of time, and the authority to pass the cost to the customer.

Motion was made to adopt Ordinance No. 2010-2.

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

4. Resolution 2010-1

Consider Approval of a Resolution Authorizing a One-Year Extension of the Tax Abatement Agreement with Boomerang Tube, LLC.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that in 2008, a tax abatement was put into place for Boomerang Tube, LLC. Since Boomerang operations have been delayed, Boomerang is requesting that the tax abatement agreement be placed back a year.

City Attorney Randy Gunter clarified that this revised agreement will set the abatement back one year, authorizing the Mayor to execute this document in 2010, with the abatement/assessment beginning January 1, 2011.

Motion was made to approve this resolution authorizing a one-year extension of the Tax Abatement Agreement with Boomerang Tube, LLC.

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

5. Council Action 2010-2

Consider Postponement of the Liberty Bell Tower Construction.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that in review of the expansion project and associated costs, he recommended that the City postpone placing the Liberty Bell in a bell tower. Discussion ensued regarding the pros and cons of construction of a new bell tower, in light of the current economic situation.

Motion was made to postpone construction of a new bell tower.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Beasley, Huddleston, McCarty, Simonson, Potetz, Jordan
NAYS:	Carl Pickett

6. Council Action 2010-3

Consider Awarding Bids for Various City Vehicles.

COMMENTS - Current Meeting:

City Manager Gary Broz recommended, that the vehicle bids presented, be rejected.

Motion was made to reject all vehicle bids.

ATTACHMENTS:

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

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, 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 of economic development prospect.
2. Discussion of possible incentives for economic development prospect.

At 7:30 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:12 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2010-4

Consider Any Action, as Discussed in the Executive Session, Relative to the Economic Development Prospect.

RESULT:	**NO ACTION TAKEN**

2. Council Action 2010-5

Consider Approval of Incentives for a New Economic Development Prospect.

RESULT:	**NO ACTION TAKEN**

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 8:13 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, 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