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, September 14, 2010 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on September 14, 2010 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:05 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Mike McCarty	Mayor Pro-Tem	Absent	
Al Simonson	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Frank Jordan	Councilperson	Present	

II. INVOCATION

The Invocation was led by Pastor Robert Lawrence of the 1st Assembly of God Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Police Chief Billy Tidwell.

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.

- Councilperson Huddleston reported that there would be a "Shred-It" event in January or February, 2011.
- City Manager Gary Broz reported on a recent meeting conducted by Retail Coach LLC, with downtown business owners.
- Mayor Pickett reported that City Council would sponsor an Employee Appreciation Dinner on Thursday, November 4th.

V. 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 [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Al Simonson, Councilperson
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz, Jordan
ABSENT:	Mike McCarty

A. Minutes Approval

1. Thursday, August 05, 2010

2. Thursday, August 05, 2010

3. Tuesday, August 10, 2010

4. Tuesday, August 24, 2010

5. Tuesday, August 31, 2010

B. Council Action 2010-99

Consider Authorizing the City Manager to Execute an Agreement with the Combs Consulting Group for an IT Infrastructure Evaluation and IT Strategic Plan.

COMMENTS - Current Meeting:

Acceptance of this proposal allows Combs Consulting Group to develop an IT Infrastructure Evaluation, Tactical Plan and Migration Plan for the City.

ATTACHMENTS:

- Proposal Combs Consulting Group (PDF)

C. Resolution 2010-19

Consider a Resolution Authorizing the City Manager to Enter into Agreements with the Texas Department of Transportation for the Temporary Closure of Main Street During Trinity Valley Fair & Exposition Parades.

ATTACHMENTS:

- TVE Rd Closure Agreement Baby Parade 2010 (DOC)
- TVE Rd Closure Agreement Opening Day Parade 2010 (DOC)

VI. REGULAR AGENDA

A. Regular Session

1. Council Action 2010-100

Consider Appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier recommended the following appointments to the Liberty Municipal Library Board:

New Appointments -	Mychal English
	Abby Cumbie
	Helen Lamberth
Re-appointments -	Amy Milentz
	Paul Schmidt

Motion was made to approve the appointments as presented.

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

2. Resolution 2010-18

Consider a Resolution Appointing a Representative to the Sam Houston Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

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

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS APPOINTING A REPRESENTATIVE TO THE SAM RAYBURN MUNICIPAL POWER AGENCY BOARD OF DIRECTORS."

Motion was made to re-appoint Mayor Carl Pickett to the SRMPA Board of Directors.

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

3. Council Action 2010-106

Consider an Appointment to the Liberty Community Development Corporation Board of Directors.

COMMENTS - Current Meeting:

Councilperson Dennis Beasley nominated Mr. Mark Campbell to the Liberty Community Development Corporation Board of Directors, and Ms. Barbara J. Norwood was nominated by Mayor Carl Pickett.

A vote was taken by a show of hands as follows:

Mark Campbell - 2

Barbara J. Norwood - 4

Ms. Norwood will serve on the LCDC Board of Directors, term ending June 2012.

RESULT:	**ADOPTED BY SHOW OF HANDS**

4. Council Action 2010-101

Consider Appointments to the 2011 Houston-Galveston Area Council General Assembly.

COMMENTS - Current Meeting:

Motion was made to appoint Mike McCarty and Frank Jordan, respectively as the representative and alternate to the H-GAC 2011 General Assembly.

ATTACHMENTS:

- 2011 HGAC General Assembly (PDF)

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Diane Huddleston, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, Simonson, Potetz
ABSTAIN:	Frank Jordan
ABSENT:	Mike McCarty

5. Council Action 2010-102

Consider Award of Bid for Washington Street Lift Station Force Main.

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed the tabulation sheet for the Washington Street Lift Station Force Main line, stating that the City had been awarded a TCDP Grant in the amount of $300,000 to include the city's matching portion of $50,000 for a total of $350,000. This force main line will extend from Washington Street to the sewer plant, a solid plastic pipe with no manholes, which will stop infiltration and inflow.

Mr. Broz reported that bids came in under the engineer's estimate of $305,000 as follows: $227,494, $247,114, and $290,156. Management's recommendation was to award the bid to Texas J&D Construction for $227,494.

Motion was made to award the bid to Texas J&D Construction, in the amount of $227,494.

ATTACHMENTS:

- Bid Tab-Washington St LS Force Main (PDF)

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

6. Council Action 2010-103

Consider Award of Bids for Various City Vehicles.

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed the tabulation sheet for various fleet replacement vehicles to be purchased as a part of the recent issue of Certificates of Obligation.

Management's recommendation is as follows:

1) Fire Dept. - 1/2 T. Extended Cab Pickup - $22,241- Liberty Dayton Chrysler

2) Water Dept. - 3/4 T Regular Cab Pickup - $21,315 - Liberty Dayton Chrysler

3) Elec. Dept. - 3/4 T Regular Cab Pickup with Service Bed - $25,170 - Liberty Dayton Chrysler

4) Inspection Dept. - Ford Ranger Extended Cab Pickup - $14,150 - Philpott Ford

5) Code Enforcement - 4 Dr. Compact Sedan - $14,983 - Philpott

Motion was made to accept the bids as recommended by the City Manager.

ATTACHMENTS:

- Bid No 10-010 Vehicles Tab Sheet (XLS)

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

7. Resolution 2010-20

Consider a Resolution Adopting an Annexation Plan for the City of Liberty.

COMMENTS - Current Meeting:

City Manager Gary Broz presented an Annexation Plan for the City of Liberty, as the City's most recent annexation plan had expired. Mr. Broz stated that the proposed Resolution reflects only a basic plan until a Comprehensive Annexation and Development Plan could be developed.

Motion was made to approve the Resolution adopting an Annexation Plan for the City of Liberty.

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

8. Ordinance 2010-23

Consider Adoption of an Ordinance Establishing Fees Charged by the City of Liberty for the Collection and Disposal of Garbage and Rubbish.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ESTABLISHING RATES OR FEES CHARGED BY THE CITY OF LIBERTY FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND RUBBISH; THAT ALL PRIOR ORDINANCES ESTABLISHING SUCH RATES OR FEES ARE HEREBY REPEALED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

City Manager Gary Broz reported that beginning October 1, the residential garbage fee would remain at the current rate of $15.28 per month. The new commercial fees are lower than the current rates which include various fees for containers and container pick-up, swap out fees, compactor pick-up, and lock charges.

Motion was made to adopt the Ordinance, as presented, establishing the fees for collection and disposal of garbage in the City of Liberty.

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

9. Ordinance 2010-20

Consider an Ordinance Adopting the Budget for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

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

"SETTING AND ESTABLISHING THE 2011 FISCAL YEAR OPERATING BUDGET."

Mr. Broz stated that proposed is a $6,301,467 operating budget for the 2010-2011 Fiscal Year, for the General Fund. Mr. Broz further reported that this figure is up 2.5% from the current budget and that several departments had been separated and made stand alone departments for better accountability.

Mr. Broz briefly reviewed various departments and their projected budgets:

1) Water/Wastewater - $2,955,138
2) Electric - $20,432,500
3) Solid Waste - $458,400
4) Airport - $240,000
5) Hotel/Motel Tax - $92,150
6) LCDC - $852,500
7) Debt Service - $1,115,000

Further discussion included transfers, reduction in workforce, franchise fees, SRMPA buy-down, sales tax, and other related issues.

Motion was made to adopt the Ordinance regarding the FY 2010-2011 Budget.

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

10. Council Action 2010-104

Consider Ratification of the Property Tax Revenue Increase Reflected in the FY 2010-2011 Budget.

COMMENTS - Current Meeting:

Mr. Broz reported that proposed is a tax rate of $.5900, being the same as the current year. The City would collect $113,000 more in revenue due to the increase in property valuations.

Motion was made to ratify the property tax revenue increase reflected in the FY 2010-2011 Budget.

RESULT:	**APPROVED [5 TO 1]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Louie Potetz, Councilperson
AYES:	Pickett, Beasley, Simonson, Potetz, Jordan
NAYS:	Diane Huddleston
ABSENT:	Mike McCarty

11. Ordinance 2010-21

Consider an Ordinance Adopting the Tax Rate for Fiscal Year 2010-2011.

COMMENTS - Current Meeting:

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

"TAX RATE ADOPTION."

Mr. Broz reported that the proposed tax rate of $.5900 includes $.3226 for maintenance and operations, and $.2674 for debt service.

Motion was made as follows: "I move that the property tax rate be increased by the adoption of a tax rate of $.5900 which is effectively a 2.7% increase in the tax rate."

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Simonson, Potetz, Jordan
NAYS:	Diane Huddleston
ABSENT:	Mike McCarty

12. Ordinance 2010-22

Consider an Ordinance Regarding Tax Roll Approval and the Tax Levy.

COMMENTS - Current Meeting:

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

"TAX ROLL APPROVAL AND TAX LEVY."

Motion was made to adopt the Ordinance approving the 2010 appraisal roll, with tax amounts, for 2010.

RESULT:	**ADOPTED [5 TO 1]**
MOVER:	Louie Potetz, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Simonson, Potetz, Jordan
NAYS:	Diane Huddleston
ABSENT:	Mike McCarty

13. Council Action 2010-105

Consider Alcohol Sales “By the Drink” Within the City of Liberty and Process to Adopt and Implement Change.

COMMENTS - Current Meeting:

Attorney Brandon Davis was present to discuss with Council the options for the sale of alcoholic beverages in the City of Liberty. Mr. Davis reviewed the various options and the process that would bring this issue to the voters.

Mr. Broz stated that this item was placed on the agenda only for discussion and future consideration.

RESULT:	**NO ACTION TAKEN**

VII. COUNCIL MEAL

Council shared an evening meal.

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:21 p.m.

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

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary