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 10, 2012 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on January 10, 2012 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by Mayor Carl Pickett.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Mike McCarty	Mayor Pro-Tem	Present	
Dennis Beasley	Councilperson	Present	
Diane Huddleston	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

The Invocation was given by Liberty County District Attorney Mike Little.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Fire Chief Fred Collins.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

Public Comment is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda. Please be aware that, under Texas Law, the Council may not deliberate or take any action on non-agenda items. In some situations, City staff may be able to respond to the public comment with a factual statement or clarification. City Council may request that the item be placed on a future agenda at which time the Council may deliberate and/or act.

Mayor Pickett welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. There were no comments.

City Manager Gary Broz introduced Marlies Meeker, Strategic Enterprise Account Executive for Comcast Cable. Ms. Meeker was present to observe the meeting, stating that any assistance she could provide to Council and Staff regarding cable issues, to please contact her.

Mayor Pickett reported the following:

1) the Annual Fire Department Banquet will be held January 28th,
2) the Liberty Jubilee will be held March 23rd and 24th,
3) a Special Called Council Meeting will be held Tuesday, January 17th at 6:00 p.m., for

discussion of a legal issue, and
4) the monthly "Coffee with the Mayor" will be held Thursday, January 26th.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2289)

Various Project Updates

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the status of various City projects stating that the smart meter installation is nearly complete, that the Fire Department Substation is substantially complete except for the installation of six doors, final comments on the codification has been sent to Franklin Legal, that trees in the Hwy. 90 median have been fertilized and mulched, and landscaping for the Public Works Service Center is in the planning stages.

Mr. Broz also reviewed the Airport project, Wastewater Treatment Plant upgrade and lift station generators installation, and the fuel farm for the Airport, previously approved by Council, has been sold prior to the City extending an offer. Further discussion included brief discussion of other city related projects and that the annual audit will be presented at the Council Meeting of January 24th.

B. Information Item (ID # 2288)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that she continues to receive positive feedback on recycling issues and is planning a large recycling event to be held in April.

C. Information Item (ID # 2290)

H-GAC Report - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported on three Houston-Galveston Area Council committees of which he is a member; the CDBG Infrastructure Board, the Gulf Coast Economic Development Board, and the Revolving Loan Committee. Councilperson Jordan reported on the activities of each committee, their purpose and importance to H-GAC member cities.

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

A. Minutes Approval

1. Tuesday, December 13, 2011

2. Tuesday, December 27, 2011

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 2286)

Public Hearing on the Condemnation of the Structure Located at 409 Kentucky.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that this agenda item would need to be passed on.

ATTACHMENTS:

- PH 409 Kentucky (PDF)

2. Council Action 2012-1

Consider an Order of Abatement for the Structure Located at 409 Kentucky.

COMMENTS - Current Meeting:

City Manager Gary Broz stated that this agenda item would need to be passed on.

ATTACHMENTS:

- Order of Abatement 409 Kentucky (DOC)

RESULT:	**NO ACTION TAKEN**

3. Council Action 2012-2

Consider Approval of the Preliminary Plat of Lazy Acres Located on McGuire Road.

COMMENTS - Current Meeting:

Candice Motschman, Inspection Department reported on the preliminary plat of Lazy Acres, located on McGuire Road. Ms. Motschman stated that the property consisted of 5 acres whcih were being subdivided into three separate tracts, with one tract having a home on the property. Ms. Motschmann stated that the Planning and Zoning Commission recommends approval of the plat subject to corrected setback lines, and deed restrictions if so desired by the property owner.

Motion was made to approve the preliminary plat subject to the two issues as discussed.

ATTACHMENTS:

- Preliminary Plat - Lazy Acres (PDF)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Mike McCarty, Mayor Pro-Tem
AYES:	Pickett, McCarty, Beasley, Huddleston, Potetz, Simonson
ABSTAIN:	Frank Jordan

4. Council Action 2012-3

Consider Approval of the Final Plat of the Robert Ford Addition Located at Navigation and Santa Anna.

COMMENTS - Current Meeting:

Ms. Motschman reported that the property owner of the Robert Ford Addition is a recipient of a Home Grant Program. The surveyor is currently working on the topographical information, setback lines, lot numbers, and making the lot lines bold. The owner obtained additional property to accommodate encroachment of the setback lines. Ms. Motschman stated that the Planning and Zoning Commission recommends approval of the plat, with changes to be made prior to final filing at the courthouse. This action will accommodate his deadlines so as not to disqualify him from the program.

Motion was made to approve the plat subject to changes being made prior to final filing at the courthouse.

ATTACHMENTS:

- Final Plat Robert Ford Addition (PDF)

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

5. Council Action 2012-4

Consider Acceptance of the Tax Abatement Certification from Boomerang Tube, LLC.

COMMENTS - Current Meeting:

Mr. Broz reported that as a condition of the Tax Abatement Agreement with Boomerang Tube, LLC, Boomerang must annually, on or before February 15th of each year, certify to the City Council that it is in compliance with the terms of the Agreement.

Mr. Broz reported on a certified copy from independent auditor, Cummings Westlake LLC, that Boomerang has met the terms of the Tax Abatement Agreement. Motion was made to accept the certification.

ATTACHMENTS:

- Boomerang Tube Tax Abatement Compliance 2012 (PDF)

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

6. Council Action 2012-5

Discussion and Possible Action on the Proposed Sale of City Owned Real Estate.

COMMENTS - Current Meeting:

Mr. Broz reported that bid packets were prepared for the sale of four city-owned properties located at Bowie/Edgewood, FM 1909, Trinity Street Complex, and Beaumont Avenue Complex. There is no minimum bid for these properties and the sale will be advertised in Liberty, Dayton, Baytown, and Beaumont. Bids will be due February 23rd at 2:00 p.m, and taken to Council for award on February 28th.

After brief discussion of the properties and related issues, a motion was made to authorize the City Manager to proceed with the sale of the four properties as discussed.

ATTACHMENTS:

- City Property for Sale 2012 (PDF)

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

7. Council Action 2012-6

Consider Approval of, and Financing Options for, the Proposed Purchase of Three Vehicles for the Liberty Police Department.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Police Department has an aging fleet and three new 2011 Ford Crown Victorias have been found at Philphott Ford, in Beaumont. Purchase price is $ 22,417.65 each for a total cost of $67,252.11. The Police Department will be able to use all equipment from the current vehicles to equip the new vehicles. After research into various financing options, First Liberty National Bank will structure a loan with semi-annual payment for a three-year term at 3.25%, with no penalty for early payoff.

Motion was made to approve the purchase of the three new vehicles through the H-GAC Cooperative Purchasing Program.

ATTACHMENTS:

- PD Vehicle Purchase 2012 (PDF)

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

8. Work Session (ID # 2283)

Discussion of Project Options for 2012 Certificates of Obligation.

COMMENTS - Current Meeting:

City Manager Gary Broz requested direction from the Council regarding proposed projects for 2012 Certificates of Obligation. Various options discussed were funding a new police station, new HVAC for the Humphreys Cultural Center, and an awning for the Public Works Service Center under which to park equipment. Additional projects discussed were a new bell tower, sidewalks, skate park, swimming pool, and a tanker truck for the Fire Department. After lengthy discussion, Mr. Broz stated that an additional work session to discuss the options and related costs would be held in the near future, as publication of a Notice of Intent to Issue Certificates of Obligation is planned for February.

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 7:08 p.m.

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

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary