



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, May 8, 2012

6:00 PM

City Hall - Liberty Center

I. CALL TO ORDER

The Meeting was called to order on May 8, 2012 at the City Hall - Liberty Center, 1829 Sam Houston, Liberty, TX at 6:00 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	
Brandon Davis	City Counsel	Present	

II. INVOCATION

The Invocation was given by Mr. Chris Contreras, Asst. City Manager, City of Dayton and Liberty County Project on Aging Board Member.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty Police Officers Rolando Aguilar and Wes O'Hanlon.

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. There were no comments from the audience.

City Manager Gary Broz reported that the Council Meeting was being held in the Liberty Center due to early voting taking place in the Council Chambers. Mayor Pickett stated that this day was the last opportunity to vote early and that Election Day is on Saturday, May 12th. Mayor Pickett encouraged everyone to express their interest in City government by exercising their right to vote.

Numerous members of the Liberty Police Department were present, with spokesperson Sgt. Ewing making a special presentation, on behalf of the Department, to City Manager Gary Broz. Sgt Ewing stated that this presentation is in appreciation for Mr. Broz's support, encouragement, and instrumental role in helping the Department to achieve the Texas Police Chiefs Best Practices Certification. Sgt. Ewing expressed the department's gratitude and presented Mr. Broz with a copy of the official certification, framed and signed by each of the Liberty Police

Department employees.

Councilperson Jordan reported on Houston-Galveston Area Council activities, being a member of the Regional Review Committee for the Texas Community Development Block Grant Program. Councilperson Jordan reported that the City has a 99% chance of receiving a grant this year, even though the city was in receipt of \$250,000 in grant funds within the previous year. Councilperson Jordan stated that the new grant is in the amount of \$350,000 for sewer system infrastructure improvements, which would be a total of \$700,000 received in the last two years. This committee also awarded \$2.6 million dollars in the preceding two years to various entities in the County, including funds awarded to Liberty County.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2386)

Proclamation - Motorcycle Awareness Month

COMMENTS - Current Meeting:

Mayor Pickett read, in its entirety, the proclamation for Motorcycle Safety Awareness Month. Members of various motorcycle clubs were present and expressed their appreciation to the Council for their time and attention to the initiative aimed at getting motorists and motorcycles to "share the road" with one another.

ATTACHMENTS:

- Motorcycle Safety Month 2012 (DOC)

B. Information Item (ID # 2387)

Various Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed a printed report on the status of various city projects. Mr. Broz reviewed the following projects:

- 1) Airport T-hangars RFPs are now out again, with a scoring matrix to be used in regard to vendor compliance,
- 2) water and electric meters completely installed, working on related reports,
- 3) AV fuel tank will be out of service at the Airport, in order to prime and repaint (approx. 10 days),
- 4) lift station and generator projects moving along,
- 5) working on options to keep Senior Citizen Center functional,
- 6) Council budget work sessions scheduled for July 11, 12, and 13,
- 7) early voting for the City's General Election concludes today, and
- 8) comments regarding other city related projects.

C. Information Item (ID # 2388)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston stated that the recent recycling event, sponsored by the City, and held on Saturday, April 21 was a tremendous success. "Shred It" was present with two

commercial shredding trucks and approximately 10,500 pounds of material was collected. Councilperson Huddleston thanked those that participated, reported that the next event would be held in six months, and stated that the City is proud to offer these events that promote a green environment in our community.

D. Information Item (ID # 2389)

Planning and Zoning Commission Appointments

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Planning and Zoning Commission are scheduled for the Council Meeting of May 16, 2012. Ms. Tidwell further reported that the Commission is comprised of five members who serve three-year terms. Those members whose terms expire are Bill Takach and Kim Anderson, and each is willing to serve again, if re-appointed.

E. Information Item (ID # 2390)

Liberty Community Development Corporation Appointments

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the Liberty Community Development Corporation Board of Directors are also scheduled for the Council Meeting of May 16, 2012. Ms. Tidwell further reported that the Commission is comprised of seven members who serve two-year terms. Those members whose terms expire are Dennis Beasley, Louie Potetz, Barbara Norwood, and Billy Page. Ms. Norwood and Councilpersons Beasley and Potetz are willing to serve again. Mr. Page is unavailable for re-appointment.

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:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, McCarty, Beasley, Huddleston, Jordan, Potetz, Simonson

A. Minutes Approval

1. Tuesday, April 10, 2012
2. Tuesday, April 24, 2012

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2012-39

Consider and Take Action, If Any, on Providing Assistance to the Liberty County Project on Aging/Liberty Senior Activity Center.

COMMENTS - Current Meeting:

Mr. Broz reported that he had attended a meeting of the Senior Citizen Board in which discussion was held regarding the Center's financial situation and its future service to the community. The Center has a minimum amount of cash, the mortgage on their facility is past due several months, and money is owed to various vendors. Mr. Broz further discussed that the options were to let the Center permanently close or to find an alternative way in which to conduct business. Mr. Broz related that the Center's overhead was too high and he was attempting to locate another facility. He also spoke with Mr. Cooper, HGAC Director of Aging and a representative from the Texas Department of Health.

Mr. Chris Contreras, President of the Senior Citizen Board addressed Council regarding his concerns and expressed his appreciation for the City's assistance in attempting to find a solution. Ms. Barbara Read also addressed Council regarding her concerns and the need for the Center to continue its work in providing meals and a place for seniors to gather and socialize.

Lengthy discussion was held regarding keeping the program intact for 90 days until reorganization could take place, by providing meals to the homebound (approximately 116) in the County with reimbursement costs of \$4.95 per meal, use of volunteers, assistance from City of Liberty, City of Dayton and Liberty County, 50-70 meals provided at the Center per day, recent one-time allotment from the County to the Center of \$15,000 to be used to pay vendors, transportation services, and other related issues. The goal is to find a long-term sustainable solution.

Council directed the City Manager to pursue a solution so that the community may continue to have a viable Senior Citizen Center. The Center will close if no solution is found by May 31, 2012.

RESULT: NO ACTION TAKEN

2. Council Action 2012-40

Consider and Take Action, If Any on an Engineering Contract Proposal with Freese & Nichols, Inc. for a Long-Range Water Plan.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that previous a work session had been held to discuss the City's future water usage and related issues. Mr. Broz presented a contract proposal, with Freese & Nichols, Inc., for a Long Range Water Plan. This various components of this plan include water demand projections, a water supply assessment, a wastewater reuse development feasibility study, water distribution improvements, and development of a phased long term capital improvement plan. After brief discussion of the project completion time of 180 days, and the project cost of \$65,000, a motion was made to approve the contract proposal with Freese & Nichols, Inc.

ATTACHMENTS:

- Freese & Nichols Proposal Water Plan (PDF)

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

3. Public Hearing (ID # 2382)

Public Hearing on the Condemnation of the Structure Located on Sandune Road, Reece Tract, Lot Tr 21.

COMMENTS - Current Meeting:

At 7:36 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located on Sandune Road, Reece Tract, Lot Tr 21. After review of the Power Point presentation regarding the condition of this structure, the City's Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure is not in compliance with the City's Code and is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Hood recommended that the property owner be given 90 days to comply with the order of demolition, as the property owner has expressed his intent to demolish the structure himself. Mr. Hood stated that at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:42 p.m.

ATTACHMENTS:

- PH Sandune Rd. (PDF)

4. Council Action 2012-42

Consider and Take Action, If Any, on an Order of Abatement for the Structure Located on Sandune Road, Reece Tract, Lot Tr 21.

COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement, as recommended, for the structure located on Sandune Road, Reece Tract, Lot Tr 21, allowing the property owner a 90-day period to comply with the order, and with the Council finding that this structure presents a public nuisance.

ATTACHMENTS:

- Order of Abatement Sandune Rd. (PDF)

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

5. Public Hearing (ID # 2384)

Public Hearing on the Condemnation of the Structure Located at 845 Sue Street.

COMMENTS - Current Meeting:

At 7:43 p.m., Mayor Pickett opened the Public Hearing on the structure located at 845 Sue Street. After review of the Power Point presentation regarding the condition of this structure, the City's Counsel Brandon Davis directed questions to Code Enforcement Officer Robbie Hood regarding the structure being identified as a hazard/nuisance and being in a state of dilapidated/substandard condition. Mr. Hood reviewed the assessed value of the structure, the tax status, and through further questioning from the attorney, confirmed that the structure was a fire hazard and inadequately maintained. Mr. Hood further reported that the structure is not in compliance with the City's Code, has no electricity, and is a hazard to the health and/or safety of the general public. Mr. Davis also confirmed with Mr. Hood that the City had inspected the County real property records, and other applicable records, to assure that proper notice of the condemnation process had been provided to all parties involved. Mr. Hood recommended that the property owner be given 90 days to comply with the order of demolition, as the property owner has expressed his intent to demolish the structure himself. Mr. Hood stated that at such time that the demolition is not completed within the allotted time period, the City will move forward with demolition proceedings. After further discussion of the structure in question, Mayor Pickett closed the Public Hearing at 7:48 p.m.

ATTACHMENTS:

- PH 845 Sue Street (PDF)

6. Council Action 2012-43

Consider and Take Action, If Any, on an Order of Abatement for the Structure Located at 845 Sue Street.

COMMENTS - Current Meeting:

Motion was made to approve the Order of Abatement, as recommended, for the structure located at 845 Sue Street, allowing the property owner a 90-day period to comply with the Order, and with the Council finding that this structure presents a public nuisance.

ATTACHMENTS:

- Order of Abatement 845 Sue St. (PDF)

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

7. Council Action 2012-41

Consider and Take Action, If Any, on the Lease of 9 Acres of City of Liberty and Chambers-Liberty Counties Navigation District Property to Boomerang Tube, LLC.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City is part owner of 9.375 acres of real property, along with the Port of Liberty and the Chambers-Liberty Counties Navigation District. Mr. Broz stated that an easement runs alongside this property on FM 3361, however the only ingress is through Boomerang Tube's west gate. Mr. Broz further reported that the lease of this property was put out for bids, with only one bid being received, for \$3000 per year, from Boomerang Tube, LLC. If approved, this item will then go before the Port and the CLCND for their acceptance, and upon final approval these funds will go directly to the Port of Liberty.

Motion was made to accept the lease agreement with Boomerang Tube, LLC, covering 9.375 acres, for \$3000 per year.

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the Mayor adjourned the meeting at 754 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary