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

Monday, November 12, 2012 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Councilperson	Present	
Dennis Beasley	Councilperson	Present	
Frank Jordan	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	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 City Prosecutor Jamie Carter.

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 regarding agenda and non-agenda items. Please be aware that, under Texas Law, the Council may not deliberate or take any action during Citizen's comments for items not on the agenda. In some situations, City Staff may be able to respond to the public comment with a factual statement or clarification. The City Council may have the item placed on a future agenda for action or refer the item to Management and Staff for study or conclusion.

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.

Mayor Pickett reported on the following:

- Veteran's Day and the opportunity to honor those that have sacrificed so much to keep us free,
- Welcomed Councilperson Beasley back after a brief illness,
- Tuesday, November 27th is the Country Christmas Celebration, and
- was a speaker last week at the Houston-Galveston Area Council Planning Workshop for Healthy Communities.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 2557)

Various Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

Mr. Broz reported on current City projects including: 1) the Senior Citizens Program doing well, with approximately 55 people in the congregant per day and 125 meals home delivered each day, 2) Airport T-Hangars should be complete by the end of month and working on hangar rental agreements, 3) bids for the Police Dept. Facility to be let soon, 4) SCADA installation and training complete, accepted 5 new generators from the Disaster Grant, 5) plans received for a camping facility on the west side of the river near the bridge, 6) working on right-of-way documents for proposed street extension between Lakeland and Hwy. 146 By-pass, 7) and held discussion of numerous other projects.

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:	Diane Huddleston, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval

1. Tuesday, September 04, 2012

2. Tuesday, October 09, 2012

3. Tuesday, October 23, 2012

VII. REGULAR AGENDA

A. Regular Session

1. Council Action (ID # 2560)

Ms. Betsy Glover to Address Council Regarding Issues and Concerns in the Whittington Subdivision, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mrs. Betsy Glover, Whittington Subdivision, addressed Council regarding the bad condition of the Deluxe Inn, its clientele, and illegal narcotics activity in her neighborhood. Lengthy discussion was held between Mrs. Glover, the Council, and Police Chief Billy Tidwell regarding actions that could be taken by the Police Department and City Code Enforcement, public nuisance zones, drug task force, and other related issues. Everyone was in agreement that the city be aggressive in promoting Liberty as a community that does not tolerate drug activity.

2. Council Action 2012-113

Consider Approval of Administrative Services for the Texas Community Development Block Grant Program, Contract No. 712054 for Planning/Capacity/Building Projects, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz requested approval of a contract with Public Management, Inc., for administrative services of a Texas Community Development Block Grant Program Project. This Planning/Capacity/Building Project is a comprehensive master plan which sets out goals and objectives that provide for future growth and development in the next 10-20 years. Planning efforts include mapping, housing, population, land use, street conditions, water system and storm drainage study, capital improvements program, parks and recreation plan, economic development study and zoning ordinance. This plan may take two years, possibly less, to complete. Maximum project cost is $55,000 with the City's contribution (match) being $30,170 and will be committed from various departmental funds. Public Management's fee is paid for through the grant.

Motion was made to approve the contract for administrative services of the TCDBG Program Contract No. 712054, with Public Management, Inc.

ATTACHMENTS:

- TXCDBG Contract 712054 (PDF)

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

3. Council Action 2012-114

Consider Approval of Administrative Services for the Texas Community Development Block Grant Program, Contract No. 712191 for Sewer Improvements on Layl Drive, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz requested approval of a contract with Public Management, Inc., for administrative services of another Texas Community Development Block Grant Program Project. This project is for funds in the amount of $350,000 for sewer system improvements, to include manhole and sewer line repair. The City's contribution (match) is $17,500 committed from the utilities fund. Public Management's fee is paid for through the grant.

Motion was made to approve the contract for administrative services of the TCDBG Program Contract No. 712191, with Public Management, Inc.

ATTACHMENTS:

- TXCDBG Contract 712191 (PDF)

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

4. Council Action 2012-115

Receive Hotel Market Study, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz distributed to Council a draft version of the Hotel Market Study, completed by DP Consulting. Mr. Broz requested that Council read and review this document for discussion at a later date.

RESULT:	**NO ACTION TAKEN**

5. Council Action 2012-117

Consider Award of AC Bids for the Geraldine D. Humphreys Cultural Center, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that the City had opened proposals, on October 31st, for the Geraldine D. Humphreys Cultural Center HVAC Renovation Project. Three proposals were received as follows:

BK Mechanical Services, Silsbee, Tx.	$227,798
RDI Mechanical, Inc., Houston, Tx.	$239,000
ABM/Linc Services, Houston, Tx.	$216,580

City Engineer Tom Warner, in discussion with the low bidder, was able to reduce the $216,580 cost of replacing the six (6) units to $210,000 by allowing the contractor to work during normal business hours instead of after hours, as anticipated. There were no local bidders.

Motion was made to award the proposal to ABM/Linc Services in the amount of $210,000.

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

6. Council Action 2012-118

Consider Award of Bids for Substation Construction for Boomerang Tube, LLC, and Take Any Action Deemed Necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that out of the $3.5 million Boomerang Substation Project, $900,000 remains for construction of the substation and related equipment. The original bids for this work came in over budget, and the project was broken into four categories and re-bid. Discussion was held regarding the bid tabulation, actual costs v. budgeted costs, and the various categories bid. Mr. Broz recommended the following:

Construction of 138KV Overhead Line (Bids came in over budget)	$
Construction of 138-13.8KV Substation E.P. Breaux Electric - New Iberia, LA.	$693,728
Furnishing 138KV Circuit Breaker & Accessories Electrical Equipment Enterprises - Baton Rouge, LA	$ 57,903
Furnishing 138KV Circuit Switcher Preferred Sales Agency - Carthage, TX.	$ 59,970

Mr. Broz stated that with the bid awards as recommended above, $88,399 remains out of the original $900,000 that could be used toward construction of the overhead line. N&A Electrical Engineer Jarod Taylor is negotiating with the low bidder regarding construction of this line and/or discussion has been held that possibly some of this work could be provided in-house.

Motion was made to award the bids in three phases, as recommended above, to E.P. Breaux Electric, Electrical Equipment Enterprises, and Preferred Sales Agency.

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

B. Executive Session

Personnel Matters. Gov. Code 551.074 - Deliberation regarding appointment of a public official.

1. Possible Interviews with candidates for the position of Municipal Court Judge.
2. Discuss and consider candidates for the position of Municipal Court Judge.

Consultation with Attorney. Gov. Code §551.071

1. Discussion of pending litigation.

At 7:05 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:59 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2012-116

Consider and Take Action, If Any, on the Appointment of a Municipal Court Judge.

COMMENTS - Current Meeting:

Motion was made by Councilperson Simonson, seconded by Councilperson Jordan to appoint Jamie Carter as the City's Municipal Court Judge. Motion failed, 2-for and 5-against.

Motion was made to appoint Mike Little as the City's Municipal Court Judge. Motion Passed.

RESULT:	**APPROVED [6 TO 1]**
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Arnold
NAYS:	Libby Simonson

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:03 p.m.

.

____
Carl Pickett, Mayor

ATTEST:

____
Dianne Tidwell, City Secretary