



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 14, 2013

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	
Tom Warner	City Engineer/PWD	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

The Invocation was given by Pastor Richard Ayers, St. Johns Missionary Baptist Church, and Liberty County Veteran's Service Officer.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American and Texas flags was led by Liberty High School Graduating Seniors Allison Meche and Luke Harris, respectively.

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:

- U.S. Postal Service Food Drive, Saturday, May 11, 2013,
- First Responder Memorial Service, Sunday, May 19, 2013, Liberty Church of Christ,
- Hurricane Preparedness Seminar presented by Tom Branch, Liberty County Emergency Management Coordinator, Tuesday, May 21, 2013 at the Liberty Center, and
- Appreciation for the Mother's Day holiday.

V. PRESENTATIONS / REPORTS**A. Information Item (ID # 2701)**

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

In the City Manager's absence, City Engineer/PWD Tom Warner presented the project update report. Mr. Warner reported on the following:

- Power outage on the previous Saturday due to tree falling and shorting out a transformer,
- Bids to be opened for the new Police Dept. facility on May 30th,
- Cultural Center AC Project is behind schedule,
- Airport Open House, Saturday, June 8, 11 a.m. til 3 p.m.,
- Staff has begun the budget process for the new fiscal year, with budget workshops scheduled for July 9-12,
- and the first Farmer's Market to take place on the City Hall grounds on Saturday, May 25th.

Mr. Warner stated that he would respond to questions regarding other projects not mentioned.

B. Information Item (ID # 2703)

Proclamation - Motorcycle Safety Awareness Month

COMMENTS - Current Meeting:

Mayor Pickett read a proclamation into the record proclaiming May as "Motorcycle Safety Awareness Month". Representatives from various motorcycle groups expressed appreciation for the proclamation in that it promoted heightened awareness on the road.

ATTACHMENTS:

- Motorcycle Safety Month 2013 (DOC)

C. Information Item (ID # 2704)

Proclamation and Welcome - Sister City, Naracoorte, South Australia

COMMENTS - Current Meeting:

Mayor Pickett read a proclamation into the record proclaiming May 15, 2013 as "Naracoorte Day" in the City of Liberty. Mayor Pickett then welcomed visitors David Brighton, Michelle Brewer and John Attwood from Liberty's Sister City, Naracoorte South Australia. Ms. Sandra Pickett, previous City Council Member, gave a brief history of the sister city pairing and the similarities between the two cities. The Australian visitors thanked the Mayor and Council for the proclamation and expressed appreciation for the partnership with Liberty.

ATTACHMENTS:

- Naracoorte Day-2013 (DOC)

D. Information Item (ID # 2702)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported on the recent "Shred It" event, its success, and how quickly the recycling truck is filled, reflecting the community's positive response to this program. Ms. Huddleston stated that the next recycling event would be held late August or September.

Councilperson Huddleston continued by also reporting on the proposed curbside Subscription Recycling Program, at a cost of \$13.00 per month. This program is single source recycling in that all authorized recyclables may be placed in one container. Ms. Huddleston stated that for this program to begin there must be at least 500 residences and/or businesses, between the cities of Liberty and Dayton, sign up to participate. The sign-up period continues through the month of May and June.

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, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval

1. Tuesday, April 09, 2013

B. Council Action 2013-41

Consider Approval of March 28 & 29 as Dates for the 2014 Liberty Jubilee.

VII. REGULAR AGENDA**A. Regular Session****1. Information Item (ID # 2706)**

Oath of Office to be Administered to Newly Elected Officials.

COMMENTS - Current Meeting:

Municipal Court Judge Mike Little administered the Oath of Office to the elected officials, as a result of the cancellation of the May 11, 2013 General Election. Those administered the Oath were Dennis Beasley, Diane Huddleston and Libby Simonson.

ATTACHMENTS:

- Oath of Office Form (DOC)

2. Council Action 2013-42

Elect a Mayor Pro Tem.

COMMENTS - Current Meeting:

Councilperson Jordan nominated Councilperson Huddleston for Mayor Pro Tem, seconded by Councilperson Simonson. There were no other nominations. Motion was made to elect Councilperson Huddleston as Mayor Pro Tem.

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

3. Council Action 2013-43

Consider and Take Action, If Any, on Appointments to the Liberty Community Development Corporation Board of Directors.

COMMENTS - Current Meeting:

Councilperson Beasley nominated Mr. Mark Campbell for appointment to the Liberty Community Development Corporation Board of Directors, seconded by Councilperson Jordan. There were no other nominations. Motion was made to approve the appointment of Mark Campbell to the LCDC Board of Directors.

A motion was subsequently made to amend the previously approved motion to include, not only the appointment of Mr. Campbell, but the reappointment of current LCDC members, Councilperson Arnold and Ms. Leslie Herndon.

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

4. Council Action 2013-44

Consider and Take Action, If Any, on Appointments to the Planning and Zoning Commission.

COMMENTS - Current Meeting:

Discussion was held regarding the expired terms on the P&Z Commission, to include the two alternate positions. After further discussion, consensus of the Council was to place the alternate positions on the next regular council meeting agenda.

Motion was made to re-appoint Mr. Larry Wagon to the Planning and Zoning Commission.

Mr. Tom Warner, City Engineer/PWD, thanked Ms. Candice Motschman Joyce for her years of service to the City. Ms. Joyce was a seventeen year employee of the City and has resigned as she will be relocating to another city.

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

5. Resolution 2013-7

Consider a Resolution Making an Appointment to Fill an Unexpired Term on the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

Mayor Pickett reported on the Sam Rayburn Municipal Power Agency and its Board of Directors. Mayor Pickett stated that one of the City of Liberty representatives to that Board, Mr. Bruce Halstead had resigned his position. Mayor Pickett stated that he would like to fill this vacancy with the appointment of Liberty City Manager Gary Broz.

Motion was made to appoint City Manager Gary Broz to the SRMPA Board of Directors.

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

6. Council Action 2013-45

Consider Additional Funding for the Purchase of a Digger Truck through the Texas Local Government Purchasing Cooperative (BuyBoard), for the Electric Department.

COMMENTS - Current Meeting:

Tom Warner, City Engineer/PWD reported to Council that included in the 2013 Budget were funds for the purchase of a digger truck. However, during the requisition process, it was determined that the vehicle, with a new cab/chassis, and with a refurbished digger unit would be considered a used vehicle by HGAC, through which the vehicle was being purchased. Used vehicles are not sold through HGAC.

Two additional quotes were then received for a new digger truck and quotes came in for \$170,546 and \$177,509, respectively. Cost of the original quoted vehicle was \$145,000. Management recommended the purchase of the vehicle for \$170,546, therefore requesting additional funding in the amount of \$25,546.00.

After further discussion, a motion was made to approve additional funding, in the amount of \$25,546, for the purchase of a new digger truck through Buy Board.

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

7. Information Item (ID # 2712)

Discussion of a Proposed Ordinance Prohibiting Texting and Cell Phone Usage, While Operating a Motor Vehicle in the City of Liberty.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding the dangers associated with texting and cell phone usage while driving a motor vehicle. Various issues related to this topic were deliberated including distracted driving, texting being a pervasive problem among drivers of all ages, hands-free devices, education, enforcement, and that this subject was also being debated in the Texas Legislature.

No action was taken.

8. Information Item (ID # 2713)

Discussion of a No Smoking in Public Buildings Ordinance for the City of Liberty.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding a "no-smoking in public buildings" ordinance for the City of Liberty. Various citizens commented, for and against, this topic which prohibit smoking in workplaces and other public spaces. Additional discussion included that Texas law does not preempt the passage of local smoke free laws, smokers v. non-smoker's rights, and that this subject was being debated in the Texas Legislature.

No action was taken.

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:45 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary