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, August 12, 2014 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	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	Absent	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

The Invocation was given by Christie Bean, Liberty High School Music Director.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Ms. Sierra Morrison, Liberty High School Junior.

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.

Mayor Pickett reported that the Texas Municipal League Annual Conference will be held September 30 - October 3, 2014, and will be held at the George R. Brown Convention Center in Houston, Texas.

Mayor Pickett also read two letters, in their entirety, from citizens commending the Police and Fire Departments for outstanding performance in their duties.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3060)

Proclamation - Sierra Morrison

COMMENTS - Current Meeting:

Mayor Pickett read a Proclamation, in its entirety, proclaiming August 13, 2014 as “Sierra Morrison Day’ in the City of Liberty. Ms. Morrison was recognized for the distinguished honor of being designated as an Outstanding Performer at the UIL 2014 Texas State Solo-Ensemble Vocal Solo Contest.

B. Information Item (ID # 3061)

Project Updates - City Manager G. Broz

COMMENTS - Current Meeting:

In the City Manager' absence, Public Works Director/Engineer Tom Warner reported on the following items:

1) ground has been broken on the new restrooms at the Liberty Municipal Park,

2) the third contract for improvements at the Wastewater Treatment Plan is 95% complete, finishing work on the installation of the SCADA System and

3) the Police Department Dispatch Office will be moving into the new facility on August 25, with 911 calls being answered by the Liberty County Sheriff's Office. The remainder of the Police Department will move into the new building on September 2nd, with a Mason's Cornerstone Leveling Ceremony and Open House tentatively scheduled for the second week of September.

C. Information Item (ID # 3062)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett recapped that SRMPA has two basic areas of business:

1) furnishing electricity to the three members cities of Liberty, Livington and Jasper, through a contract with Entergy Wholesale Operations and,

2) the Cambridge Project which is a combination of energy contracts that allow us to buy electricity from suppliers and sell electricity to users, at a profit. This project came online in December, 2011 and has accumulated profits which have not been dispersed to the member cities. The SRMPA Board of Directors recently voted to make a distribution of $1.5 million of non-allocated funds, from those profits, to each member city. Mayor Pickett asked that each Council Member consider ideas for use of this one-time money.

D. Information Item (ID # 3063)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Frank Jordan commented that he would like to acknowledge the significant contributions that H-GAC representatives Jeff Taebel and Chuck Wemple have made to "Our

Great Region 2040" Plan. Councilperson Jordan remarked on the effort put forth in compiling this plan that presents ideas and strategies for making this region a great place to live and work.

E. Information Item (ID # 3064)

Liberty Bell Relocation - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that a request was received from the First Liberty National Bank to return the Liberty Bell to the lobby of the Humphreys Cultural Center. The bell, for the last several months, has been stationed in the lobby of the Bank in celebration of the bank's 100th Anniversary.

ATTACHMENTS:

- Bank Relocation Ltr (PDF)

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:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold

A. Minutes Approval

1. Tuesday, July 08, 2014

2. Tuesday, July 15, 2014

3. Wednesday, July 16, 2014

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 3065)

Presentation by Jeff Taebel, Director of Community and Environmental Planning, the Houston-Galveston Area Council, regarding “Our Great Region 2040”.

COMMENTS - Current Meeting:

Mr. Jeff Taebel, Director of Community and Environmental Planning, the Houston-Galveston Area Council, addressed Council regarding "Our Great Region 2040" Plan. Mr. Taebel reported that this high-level plan is a result of hundreds of organizations and thousand of people from across the H-GAC 13-county service area. The plan is based on research, analysis and public input, along with the knowledge and expertise of local leaders from the public, private and non-profit sectors.

Mr. Taebel reported that the region has a robust economy, diverse population, abundant natural assets but also some immediate and long term concerns that need to be addressed to be a Great Region in 2040. Mr. Taebel reviewed the various priorities of the plan to include economic development, the environment, healthy communities, housing, transportation and resiliency.

2. Council Action 2014-48

Consider and approve a Bond Counsel Agreement for a possible Texas Water Development Board Project.

COMMENTS - Current Meeting:

The agreement presented to Council relates to financings through the Texas Water Development Board for improvements to the City's water and wastewater system. The proposed agreement is for Bond Counsel services to be provided in connection with the issuance of bonds, certificates of obligation or any other obligations to finance these improvements that are to be funded by the TWDB. This firm would represent the City in applying to the Texas Water Development Board.

After brief discussion of the application and issuance process, a motion was made to approve the agreement for Bond Counsel Services with McCall, Parkhurst & Horton L.L.P.

ATTACHMENTS:

- Bond Counsel Ltr- City of Liberty TWDB Financings (PDF)

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

3. Council Action 2014-49

Consider and approve a Financial Advisor Agreement for a possible Texas Water Development Board Project.

COMMENTS - Current Meeting:

This agreement submitted by RBC Capital Markets relates to the water and wastewater improvements to be completed through the issuance of bonds, COs, or other obligations, and to be funded by the Texas Water Development Board. The financial advisor is responsible for analyzing the financing alternatives, the City's borrowing capacity, future financing needs and other factors.

After brief discussion, a motion was made to retain RBC Capital Markets for Financial Advisor Services

ATTACHMENTS:

- FA Agreement -City of Liberty TWDB 7 17 14 (DOC)

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

4. Council Action 2014-50

Consider approval of a vehicle lease agreement for the City Manager.

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that the City Manager's vehicle lease agreement is soon to expire and that quotes for various new lease vehicles were received from BJ Ford and Liberty-Dayton Chrysler. Ms. Herrington reviewed the proposed leased vehicles as follows:

1) BJ Ford - 2014 Ford F150 SuperCrew XLT - $739.10 monthly

2) BJ Ford - 2014 Ford Edge SE - $670.76

3) Liberty-Dayton Chrysler - 2014 Jeep Grand Cherokee - $548.68

4) Liberty-Dayton Chrysler - 2014 Dodge Ram 1500 Crew Cab - $$554.08

After brief discussion of the various terms of these 36 month leases, a motion was made to approve the lease of the 2014 Grand Cherokee from Liberty-Dayton Chrysler.

ATTACHMENTS:

- Agenda Item Form-Vehicle (DOCX)
- Vehicle Lease Quotes (PDF)

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

5. Council Action 2014-51

Consider approval of an Employee Training Reimbursement Agreement.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding a Step Plan for the Fire and Police Departments, as an enticement for individuals to remain employed with the City. Discussion included funds spent on training employees and then those employees moving on to other employment with better benefits or higher pay. Further discussion included the proposed agreement that provides for training of an employee in consideration of continued employment for a certain number of years from date of hire or completion of training. In the event the employee does not complete the training or voluntarily leaves service with the City, the employee will be required to refund the City a proportional amount of the costs of training and equipment. The final agreement will relate to not only to Public Safety, but all City employees.

A motion was made to accept the proposed document as framework for the agreement, and that management and the City Attorney will continue to work on the final details. The final document is to come before Council at a later date.

ATTACHMENTS:

- COL training reimbursment agreement (DOCX)

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

6. Council Action 2014-52

Consider award of bid for sale of City property located on Hwy. 90, formerly known as Key Energy Services.

COMMENTS - Current Meeting:

City Engineer/PWD Tom Warner reported to Council that the City received one bid, in the amount of $150,000, for the sale of the City property located on Hwy. 90, formerly known as Key Energy Services. This property was appraised for $242,700. However, Mr. Warner further reported that the City had previously tried to sell this property numerous times, with no success. Mr. Warner stated that it would be beneficial to get this property back on the tax rolls and that the proposed buyer would be making improvements to the property. This property is described as Liberty Inner Block No. 127, Tract No. 1, No. 2, and No. 3, 2.092 Acres and Improvements.

After brief discussion, a motion was made to accept the bid for the sale of the City's property on Hwy. 90 to Mr. Mike Mobley for $150,000, contingent upon the buyer paying the closing costs.

ATTACHMENTS:

- Property Bid-Hwy. 90 (PDF)

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

7. Council Action 2014-56

Consider proposal for Architectural Services for a “New Liberty Bell Tower, Landscaping and Parking; for the City of Liberty, Texas, and take any action deemed necessary

COMMENTS - Current Meeting:

Mayor Pickett led a discussion regarding the possible construction of a new bell tower for the Liberty Bell, stating that this is a continuation of previous discussions regarding this issue. Discussion was held to include donated funds for the proposed architectural services agreement, which also consists of First Liberty National Bank’s total pledge of $50,000, and County Historical Commission funds. Lengthy dialogue ensued regarding options other than a bell tower to include turning the railroad depot into a museum to house the bell and historical information, a visitor’s center, and possible alternate locations for the bell. Questions were raised about the permanency of the depot, the terms of the transfer title document and deed records, hanging the bell so that it could be rung, and not binding the City in any way as this is a non-City project.

There was no formal action taken.

ATTACHMENTS:

- Bell Tower Proposal (PDF)
- Bank Pledge Ltr (PDF)

RESULT:	**NO ACTION TAKEN**

8. Work Session (ID # 3072)

Discussion of the Proposed Budget for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

A budget work session was held regarding the FY 2014-2015 proposed budget. Items of discussion included the following:

1) proposal of the same tax rate as the previous year of $0.5900 (the effective rate is $0.5669 and the rollback rate is $0.5922),

2) 10% increase in sales tax revenue should generate an additional $200,000,

3) Step Plan for Public Safety and Certification Pay,

4) 2% salary increase,

5) street seal coating program,

6) water valve replacement program,

7) $2 increase in the base rate for water and sewer (to be put aside for future water and ww projects)

8) and other budget related issues.

9. Council Action 2014-53

Consider setting the date, time and location for a Public Hearing on the proposed budget for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

A motion was made to set the date for the public hearing on the proposed budget for Tuesday, August 26th at 6:00 p.m., in the City Council Chambers.

ATTACHMENTS:

- 2014 BUDGET AND TAX RATE SCHEDULE (DOC)

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

10. Council Action 2014-54

Consider approval of the proposed tax rate for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

A motion was made to propose a tax rate of $0.5900 for the Fiscal Year 2014-2015.

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

11. Council Action 2014-55

Consider setting the date, time and location for public hearings on the proposed tax rate for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

A motion was made to set the date for the public hearing on the proposed tax rate for Tuesday, August 26th and Tuesday, September 2nd at 6:00 p.m., in the City Council Chambers.

ATTACHMENTS:

- 2014 BUDGET AND TAX RATE SCHEDULE (DOC)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:12 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary