



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, September 9, 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	Present	
Dianne Tidwell	City Secretary	Present	

II. INVOCATION

The Invocation was passed on.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School Seniors, Katie Harris and D.J. Melonson, 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.

Mayor Pickett expressed condolences, on behalf of the Council, on the passing of Mr. Broz's mother. Mayor Pickett also reminded Council that the Texas Municipal League Annual Conference will be held in Houston, September 30 - October 3.

Councilperson Huddleston reported that the next "Shred-It" event will be held in late October or early November. This event will be for the recycling of sensitive documents and electronic equipment. This recycling event will be held in the City Hall parking lot.

Liberty resident, Mr. Mike Allison, Forest Hills Subdivision, addressed Council regarding his concerns with several recent power outages that left him without electricity for a lengthy period of time. Mr. Allison expressed his distress over the situation, followed by City Manager Gary

Broz offering explanation for the event.

Councilperson Arnold commented on an issue regarding changeout of the gas meter at his residence and requested information on customer service contact information for CenterPoint.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3087)

Financial Report - N. Herrington, Finance Director

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financial status for the month ending July 31, 2014. Ms. Herrington reported that the General Fund is on target with budgeted amounts and that sales tax revenue is over 100% of the budgeted amount. There will be excess revenues for sales tax by the end of the current fiscal year. Ms. Herrington continued by stating that property tax collections are at 120% of budgeted amounts.

Ms. Herrington further detailed the revenues and expenditures of the various funds. Discussion was also held regarding the revenue for the sale of the City's property on Hwy. 90, formerly known as Key Energy. Those funds have been deposited in the bank.

B. Information Item (ID # 3088)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz spoke to current City projects and their status:

- 1) the Texas Water Development Board Wastewater improvements are basically complete, to include fencing,
- 2) September 20th is the Open House for the new Police Department facility. The Masons will also conduct a Cornerstone Leveling Ceremony,
- 3) rain has slowed the street project, however, the contractor is working on the road bore for the sewer and working on the lift station,
- 4) foundation footings have been dug for the new restrooms at the Liberty Municipal Park, and forms are being set for the slab, and
- 5) as previously discussed, sale of the City's property on Hwy. 90, formerly known as Key Energy, is complete and funds are in the bank.

Discussion also included that efforts have been made to advertise for the open positions in the Electric Department through the Houston and Beaumont newspapers and the Texas Municipal League website.

C. Information Item (ID # 3089)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that a copy of the minutes from the July 15, 2014 Sam Rayburn Municipal Power Agency Meeting were placed before Council. Mayor Pickett also stated there had been a SRMPA meeting this same morning in which the Board discussed the lawsuit with the Agency's former general counsel, in closed session.

D. Information Item (ID # 3090)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that the Houston-Galveston Area Council Regional Review Committee would meet the next day, in regard to community grants. Councilperson Jordan stated that the Committee establishes scoring criteria to support the Texas Community Development Block Grant Program.

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, August 12, 2014
2. Tuesday, August 26, 2014
3. Tuesday, September 02, 2014

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2014-60**

Ms. Sonja Baldrige to address the City Council regarding concerns with Reese Street, and take any action deemed necessary.

COMMENTS - Current Meeting:

Ms. Sonja Baldrige, 1907 Reese Street, addressed Council regarding her concerns with trash, junk vehicles and unleashed animals in her neighborhood. Lengthy discussion was held to include quality of life issues, constitutional rights of property owners, code enforcement, upgrading the animal shelter, and other related issues. Consensus was to explore various actions that could be taken to improve the neighborhood.

ATTACHMENTS:

- Baldridge Request (PDF)

RESULT: NO ACTION TAKEN

2. Council Action 2014-59

Consider appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier addressed Council regarding appointments to the Liberty Municipal Library Board. Ms. Abshier reported that these advisory board positions are to be filled by City residents who are appointed to serve two year terms.

Board members whose terms expire on September 30, 2014 are Helen Lamberth, Pamela Litton, Mychal English, Abby Cumbie and Susan LaCour. Two members have declined reappointment and one is not eligible for re-appointment.

The Library Director recommended the following appointments to expire September, 2016: Yvonne Lawrence, JoAnne Knepper, Laurie Elliott, Abby Cumbie, and Susan LaCour.

A motion was made to approve the appointments to the Liberty Municipal Library Board as recommended by the Library Director.

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

3. Resolution 2014-12

Consider a Resolution appointing a representative to the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that appointments to the SRMPA Board of Directors take place in September of each year. Ms. Tidwell stated that the Agency is made up of three member cities and each city is allowed two representatives to the Board. The City of Liberty's current representatives are Mayor Pickett and City Manager Gary Broz. Mayor Pickett's term expires this month.

A motion was made to reappoint Mayor Pickett for another two-year term on the Sam Rayburn Municipal Power Agency Board of Directors.

RESULT:	APPROVED [6 TO 0]
MOVER:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold
ABSTAIN:	Carl Pickett

4. Ordinance 2014-11

Consider an Ordinance adopting the Budget for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF LIBERTY, TEXAS ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015."

Mayor Pickett stated that the budget for Fiscal Year 2014-2015 is established at \$34,584.331.00.

A motion was made to approve the Ordinance adopting the Budget for Fiscal Year 2014-2015.

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

5. Council Action 2014-61

Consider ratification of the Property Tax Revenue Increase reflected in the Fiscal Year 2014-2015 Budget.

COMMENTS - Current Meeting:

"Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. Local Government Code §102.007." A vote under this subsection is in addition to, and separate from, the vote to adopt the budget or to set the tax rate. This budget will raise more revenue from property taxes even though the tax rate remains the same at \$0.5900.

A motion was made to ratify the property tax increase reflected in the Fiscal Year 2014-2015 Budget.

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

6. Ordinance 2014-12

Consider an Ordinance adopting the Tax Rate for Fiscal Year 2014-2015.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF LIBERTY, TEXAS ADOPTING A TAX RATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015."

City Manager Gary Broz reported that the tax rate for Fiscal Year 2014-2015 will remain the same as the previous year at \$0.5900.

A motion was made to approve the Ordinance adopting the tax rate of \$0.5900 for Fiscal Year 2014-2015.

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

7. Ordinance 2014-13

Consider an Ordinance regarding the Tax Roll Approval and the Tax Levy.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"TAX ROLL APPROVAL AND TAX LEVY."

This ordinance specifies that a tax rate of \$0.5900 was adopted for Fiscal Year 2014-2015, with \$0.3609 dedicated to maintenance and operations and \$0.2291 dedicated to debt service. This ordinance further states that the 2014 appraisal roll with tax amounts is approved as the tax roll for 2014 and taxes are levied in the amounts shown on the tax roll.

A motion was made to adopt the Ordinance, as presented, regarding tax roll approval and the tax levy.

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

8. Information Item (ID # 3099)

Discuss changes to the Master Fee Schedule including, but not limited to water rates, sewer rates, garbage rates, EMS rates, airport rates, and animal control rates.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed changes to the City's Master Fee Schedule. The proposed increased fees are as follows:

EMS Fees -	BLS Emergency Transport	\$1200.00
	BLS N-Emergency Transport	\$1200.00
	ALS1 Emergency Transport	\$2100.00
	ALS2 Transport	\$2600.00
	ALS Mileage	\$ 35.00
	BLS Mileage	\$ 35.00
	ALS N-Emergency	\$1200.00

AIRPORT FEE -	Small Hangar - City owned per month	\$ 300.00
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ANIMAL CONTROL -	Adoption Fee	\$ 45.00
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GARBAGE FEE -	Residential Collection Fee per month	\$ 17.51
	Commercial Collection Fee per month	
	1X per week PU - 3-32 gal. Container	\$ 30.66
	1X per week PU - 1-90 gal. Container	\$ 37.31

UTILITY FEES - WATER -	Residential Service	
	Minimum Mon. Rate - 2M Gal.	\$ 18.99

Commercial Service

Minimum Mon. Rate - 2M Gal. \$ 21.99

UTILITY FEES - SEWER - Residential Service

Minimum Mon. Rate - 2M Gal. \$ 19.74

Commercial Service

Minimum Mon. Rate - 2M Gal. \$ 23.24

GARBAGE FEES -

Pick-up Weekly	2-Yard Containers	3-Yard Containers	4-Yard Containers	6-Yard Containers	8-Yard Containers
1	\$49.69	\$74.54	\$96.07	\$111.50	\$125.24
2	\$98.28	\$139.14	\$171.16	\$194.34	\$245.24
3	\$144.65	\$173.36	\$197.66	\$227.47	\$303.95
4	\$160.13	\$193.25	\$219.22	\$276.07	\$419.62
5	\$190.92	\$240.43	\$270.15	\$358.88	\$496.91
6	\$239.63	\$304.29	\$331.72	\$414.09	\$578.83
Extra P/U	\$49.69	\$55.22	\$60.74	\$66.25	\$71.77

Brief discussion was held regarding the proposed fees and that additional revenue for the next fiscal year from the water and sewer fees are \$90,000 and \$96,000, respectively. These funds will be designated for future water and wastewater projects.

ATTACHMENTS:

- Master Fee Schedule-Proposed (PDF)

9. Ordinance 2014-14

Consider adoption of an Ordinance amending the Master Fee Schedule.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR NEW RATES FOR AN AIRPORT SMALL HANGAR AND ANIMAL CONTROL ADOPTION FEE; ALSO PROVIDING FOR AN INCREASE IN EMS RATES, IN GARBAGE FEES FOR RESIDENTIAL AND COMMERCIAL

ACCOUNTS, AND AN INCREASE IN THE BASE RATE FOR WATER AND SEWER SERVICES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt the Ordinance amending the Master Fee Schedule, as proposed, to include correcting the effective date from "immediately" to October 1, 2014.

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

10. Resolution 2014-13

Consider a Resolution accepting the "Our Great Region 2040" Plan.

COMMENTS - Current Meeting:

Mayor Pickett reported that Mr. Jeff Taebel, Houston-Galveston Area Council (H-GAC), recently made a presentation regarding the "Our Great Region 2040" Plan. Mayor Pickett further stated that this plan addresses future needs such as housing, transportation, economic development, etc. of the H-GAC 13-County Region, which includes Liberty County.

A motion was made to approve the Resolution in support of, and participation in, the H-GAC "Our Great Region 2040" Plan.

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

11. Council Action 2014-62

Consider the purchase of equipment for City Hall and the Police Department for data storage in the Cloud.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the City has been concerned with protecting large quantities of data and proper data storage. Issues discussed were the backup process with tapes, inability to change backup tapes and check logs consistently, and other related issues. Liberty Systems has reviewed various solutions and recommends that Datto Siris Enterprise 1000 be engaged, for a cost of \$19,797.80, to also include a UPS Rack Mount for \$2,860.00. Total cost is \$22,657.80.

A motion was made to purchase the above-mentioned equipment, as proposed, for data storage in the Cloud, for \$22,657.80, to include a written document from Mr. Bill Takach, Liberty Systems, confirming safety/security measures for this storage.

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

12. Council Action 2014-63

Consider playground equipment donation, from the Liberty Rotary Club, for the Grand Street Pocket Park.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Liberty Rotary Club would like to make a donation of playground equipment to the City's pocket park at Grand and Canfield Streets. Rotary Club President, Carol Skewes, explained that their donation would come through a Rotary District #5910 Matching Grant of \$2600, of which the Club has the matching portion. Ms. Skewes stated that these funds must be used to serve economically disadvantaged children. Ms. Skewes further reported that others assisting with this project include the City of Liberty assisting with the base for the playground equipment, Precinct 1 County Commissioner Mike McCarty providing labor for ground preparation, and cash contributions by an anonymous donor and the owners of the Lakeland Grand Apartments.

Other brief discussion included issues surrounding fencing, lighting and signage for the park. A motion was made to accept the donation of playground equipment, from the Liberty Rotary Club, for the Grand Street Pocket Park.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Frank Jordan, 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 8:00 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary