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, December 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	
Randy Gunter	City Attorney	Present	

II. INVOCATION

The Invocation was led by Fr. Ted Smith, St. Stephen's Episcopal Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty HIgh School Seniors Mason Grammer and Freddy Mancilla.

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:

- Country Christmas Parade, sponsored by the City, and held on December 2nd was a huge success with 42 entries
- Employee Appreciation and Christmas Dinner will be held on Thursday, December 11th at 6:00 p.m.
- A copy of the minutes from the October 21st meeting of the Sam Rayburn Municipal Power Agency are included as a handout to this Council Meeting

Councilperson Beasley thanked all the volunteers and City Staff that worked on the parade and the City's float.

Fire Chief Fred Collins reported on the department's Angel Tree in which names may be taken and gifts bought for underpriviliged children. These gifts will be distributed on December 19th at the Fire Station while the children visit Santa.

Interim Police Chief Gary Martin reported on Silver Santa and the items to be distributed to low-income senior citizens. Donations are being accepted for blankets, warm socks, non-perishable foods, and other items which may be dropped off at the Police Station for distribution to the senior citizens.

Councilperson Jordan addressed Interim Police Chief Gary Martin and requested a study of the traffic at North Main Street and Industrial, due to the number of accidents at that location. Councilperson Jordan is concerned that with the construction of a new business in that area the congestion will worsen.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3170)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the following City projects and their status:

- City-wide clean up went well. Crews picked up 325 cubic yards of debris (8 - 40 yard dumpsters)
- New Christmas decorations have been placed on and around City Hall, and new banners hung
- New restrooms at the City Park will be completed in approximately 30 days
- New road construction moving along well. Projected completion date is May or early June
- Working on Community Development Block Grant application for water line replacement in the Layl Subdivision
- Work is being done on new businesses, Fuel Maxx and Stripes
- Police Chief search is being conducted, twenty (20) resumes submitted to date.

Other issues brought up were possible use of County facilities for debris disposal and more detailed Airport reports to include a comparison of previous months fuel sales and landings.

B. Information Item (ID # 3171)

Financial Report-October 2014 - Finance Dir. N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the City's financials ending October 1, 2014. Ms. Herrington reported that revenues in General Fund were $415,000, which reflect 5% of budgeted amounts, with expenditures in this same fund in the amount of $896,000, being 10.5% of budgeted amounts. Ms. Herrington stated that property tax payments will soon be received, which will increase revenues in the General Fund. Ms. Herrington continued by stating that the cash in bank for this fund is $2,300,000.00 and that sales tax revenues are holding to budgeted amounts.

Ms. Herrington further detailed the revenues, expenditures, and cash in bank of the remaining various funds.

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. Monday, November 10, 2014

2. Tuesday, November 25, 2014

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2014-95

Consider an architectural contract for construction of a Bell Tower.

COMMENTS - Current Meeting:

City Attorney Randy Gunter explained that previously Council had approved moving forward with the process of constructing a new bell tower. Mr. Gunter explained that the next step in the process would be to enter into a contract with an architect. The contract would be for preliminary work and bids would then be taken on project drawings. Once awarded, a contract would be executed between the City and the General Contractor. Mr. Gunter commented on Article 12 of the AIA Contract which clearly states that the project is to be funded by private donations. Ms. Val Glitsch and Mr. Fernando Brave of Brave/Architecture were present for discussion and questions regarding the project. Further discussion was held regarding insurance, project inspector, number of site visits, construction materials and other related topics.

A motion was made to execute the AIA Contract with Brave/Architecture for architectural services for a new bell tower to house the Liberty Bell.

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

2. Council Action 2014-96

Consider approval of a bid received for Tax Resale Property described as Liberty Inner Blocks, Block 87, Lot Pt 14 TR 1.

COMMENTS - Current Meeting:

City Attorney Randy Gunter stated that the tax sale property is near La Oficina on Dr. Martin Luther King Drive and has a Central Appraisal District value of $60,920.00. Rene Flores has made an offer of $11,000.00 for this property that has been off of the tax rolls since 2009. After court costs, $10,525.03.00 would be divided amongst the taxing entities, specifically $2,086.06 to the City of Liberty.

A motion was made to accept the bid of $11,000.00 for the tax resale property described as Liberty Inner Blocks, Block 87, Lot Pt 14 TR 1.

ATTACHMENTS:

- Tax Resale Property (PDF)

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

3. Council Action 2014-97

Consider approval of Change Order No. 2 and final payment to JTR Constructors, Inc. For Wastewater Treatment Plant Improvement, Contract No. 3.

COMMENTS - Current Meeting:

Mr. Rick Bourque, Schaumburg & Polk, Engineers was present to address Council regarding Change Order No. 2 and final payment to JTR Constructors, Inc. for Contract No. 3 for improvements to the Wastewater Treatment Plant. Mr. Bourque reported that Change Order No. 2 was a credit in the amount of $4,206.00. This change order was to adjust payment for quantities used and provide for additional structural steel/grating work. Mr. Bourque reported that the final project inspection was held on September 30, 2014 and found that the contractor completed all work in accordance with the plans and specifications.

A motion was made to approve Change Order No. 2 and accept the project with final payment to be issued to JTR Contructors, Inc. in the amount of $72,717.35

ATTACHMENTS:

- AGENDA ITEM FORM WW Plant Improvements (DOCX)
- WWTP Info (PDF)

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

4. Council Action 2014-98

Consider award of proposal for HVAC Maintenance for all City facilities.

COMMENTS - Current Meeting:

Tom Warner, City Engineer/Public Works Director reported that bids were solicited for HVAC Maintenance for all City facilities. Mr. Warner reported that this work is to be conducted on a quarterly basis in which all systems will be inspected, filters changed, etc. Six firms were contacted, with two responses. After brief discussion of the various maintenance issues, a motion was made to award the bid to Residential & Commercial A/C Services (RAS) in the amount of $19,152 per year. This contract is for two years, with the option for a one-year renewal.

A motion was made to award HVAC Maintenance to RAS, in the amount of $19,152.00.

ATTACHMENTS:

- Agenda Item FORM HVAC Maintenance (DOCX)
- HVAC Bid Tab (XLSX)

RESULT:	**APPROVED [6 TO 1]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold
NAYS:	Louie Potetz

5. Council Action 2014-99

Consider ratifying the Liberty Community Development Corporation's action to accept a proposal from Precision Lawns for landscaping services for the monument at the west entrance to the City.

COMMENTS - Current Meeting:

City Manager Gary Broz and Councilperson Beasley, as President of the Liberty Community Development Corporation, reported on the landscaping project located around the monument at the west entrance to the City. Councilperson Beasley stated that this project for improving the entrance and making it more attractive was approved at a previous meeting of the Liberty Community Development Corporation. Three proposals were receiveid with Precision Lawns submitting a proposal in the amount of $5768.23, for new vegetation. The City will be responsible for the maintenance and care of the plantings.

A motion was made to ratify the LCDC's action to award the proposal for upgrade of the monument on the west entrance to the City to Precision Lawns, in the amount of $ 5,768.23.

ATTACHMENTS:

- Landscaping Svs Bid Tab (PDF)
- Monument Landscaping Info (PDF)

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

6. Council Action 2014-100

Consider ratifying the Liberty Community Development Corporation's action to accept a proposal from Precision Lawns for additional plantings in the Hwy. 90 median.

COMMENTS - Current Meeting:

Councilperson Beasley, as President of the Liberty Community Development Corporation, also reported on bids received for additional trees in the Hwy. 90 median. Additional crepe myrtle trees will be planted to replace those that have died. Councilperson Beasley stated that the current trees are dwarf trees with the new trees reaching a height of ten feet. The City will be responsible for the maintenance and care of these trees.

With the combined cost of the previously discussed monument upgrade and the additional plantings in the Hwy. 90 median, Precision Lawns is the low bidder. A motion was made to ratify LCDC's action to accept the proposal from Precision Lawns in the amount of $11,940.00.

ATTACHMENTS:

- Landscaping Svs Bid Tab (PDF)
- Hwy. 90 Median Info (PDF)

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

7. Council Action 2014-101

Consider release of retainage to N&T Construction and final acceptance of the new police department facilities.

COMMENTS - Current Meeting:

Mr. Tom Warner, City Engineer/Public Works Director explained that N&T Construction, Contractors for the new Police Department facility have completed all construction items related to the contract. This project has been inspected and accepted by the City's Architect, PGAL. The original contract amount was $2,411,000.00, however due to project change orders that amount was reduced to $2,254,161.39. Mr. Warner reported that this project was funded by 2012 Certificates of Obligatoin, the Texas General Land Office, Disaster Recovery Funds and funds distributed to the City by the Sam Rayburn Municipal Power Agency.

A motion was made to accept the project and release retainage to the contractor in the amount of $225,416.14.

ATTACHMENTS:

- Agenda Item Form PD Retainage (DOCX)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
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, the meeting was adjourned at 7:16 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary