



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, February 10, 2015

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 given by Mr. Jacob Stewart, The Vindicator.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School Seniors, Samantha Dwiggins and Brett Fregia.

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 reported on the following:

- A special called meeting will be held on February 24th for a social to meet with the candidate finalists for the position of Police Chief,
- Please see the charge to the Charter Review Commission placed on the Council table,
- Rotary has completed work on the Ruth Canfield Park on Grand Street, with assistance from the City, and
- Expressed appreciation for the recently held Customer Service Seminar for the benefit of all City employees.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3201)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed and commented on various city projects to include recently poured concrete on the new street, the Navigation Street Waterline Project, Liberty Jubilee and numerous other current City activities.

B. Information Item (ID # 3202)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that the next "Shred-It" Day for sensitive documents would take place on Saturday, April 18th, from 9:00 a.m. until Noon. This event will be held in the parking lot on the west side of City Hall.

C. Information Item (ID # 3203)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the Sam Rayburn Municipal Power Agency did not meet in January, but the next scheduled meeting is February 26, 2015.

D. Information Item (ID # 3215)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported that the Houston-Galveston Area Council 2015 General Assembly would be held on Friday, February 27th. This meeting is held to report on H-GAC's accomplishments for the preceding year and determine the Council's officers for the current year. Councilperson Jordan reported on additional activities of the organization.

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

A. Minutes Approval

1. Tuesday, January 13, 2015
2. Tuesday, January 27, 2015

B. Council Action 2015-9

Consider a Resolution authorizing the City Manager to enter into an Agreement with the Texas Department of Transportation for the temporary closure of Main Street during the Liberty Jubilee.

ATTACHMENTS:

- TxDOT Temporary Rd. Closure Agreement 2015 (DOC)

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2015-3

Consider adoption of an Ordinance ordering a General Election to be held in the City of Liberty on Saturday, May 9, 2015 authorizing a Joint Election Agreement and Election Services Contract by and between the City of Liberty, Liberty Independent School District, City of Ames, City of Devers, Devers Independent School District, City of Daisetta, Hull-Daisetta Independent School District, Liberty County Hospital District No. 1, and the Liberty County Clerk. Considere una aceptacion a la ordenanza que manda a una eleccion general que tendra lugar en la Ciudad de Liberty, el sabado 9 de mayo del 2015; que autoriza un Acuerdo de Elecciones Conjuntas y un Contrato de los Servicios de Eleccion por y entre la Ciudad de Liberty, el Distrito Escolar Independiente de Liberty, Ciudad de Ames, Ciudad de Devers, el Distrito Escolar Independiente de Devers, Ciudad de Daisetta, el Distrito Escolar Independiente de Hull-Daisetta, el Hospital del Distrito No. 1 de la Ciudad de Liberty, y la Oficina del Secretario del Condado de Liberty.

COMMENTS - Current Meeting:

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

"CONSIDER ADOPTION OF AN ORDINANCE ORDERING A GENERAL ELECTION TO BE HELD IN THE CITY OF LIBERTY ON SATURDAY, MAY 9, 2015 AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, LIBERTY INDEPENDENT SCHOOL DISTRICT, CITY OF AMES, CITY OF

DEVERS, DEVERS INDEPENDENT SCHOOL DISTRICT, CITY OF DAISSETTA, HULL-DAISSETTA INDEPENDENT SCHOOL DISTRICT, LIBERTY COUNTY HOSPITAL DISTRICT NO. 1, AND THE LIBERTY COUNTY CLERK.”

A motion was made to adopt the Ordinance ordering a General Election for May 9, 2015.

ATTACHMENTS:

- Agreement (County)-Joint Election & Elec Services (RTF)

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

2. Council Action 2015-10

Consider a nomination for the vacant position on the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that the vacancy on the Central Appraisal District Board of Directors is due to the passing of Mr. Kevin Ladd. This term ends on December 31, 2015. After brief discussion, a motion was made to nominate Mr. Billy Yarborough.

ATTACHMENTS:

- CAD Appt. - Vacancy (PDF)

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

3. Ordinance 2015-2

Consider an Ordinance adopting the 2015 ICC International Existing Building Code and Appendix B-Supplementary Accessibility Requirements for Existing Buildings and Facilities, and Appendix C- Gable End Retrofit for High-Wind Areas.

COMMENTS - Current Meeting:

Public Works Director/Engineer Tom Warner explained that during review of the appendixes to the various 2015 ICC Codes, it was determined that the City had not adopted the current International Existing Building Code. Mr. Warner further explained that the intent of the Existing Building Code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and welfare, as they are affected by the repair, alteration, etc. of existing buildings.

After brief discussion, a motion was made to adopt the 2015 ICC International Existing Building Code, to include adoption of Appendixes B and C (B-Supplementary Accessibility Requirement for Existing Buildings and Facilities and C-Gable End Retrofit for High-Wind Areas).

ATTACHMENTS:

- Agenda Item Form -Existing Building Code Adoption (DOCX)

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

4. Ordinance (ID # 3209)

Consider an Ordinance adopting various appendixes to the 2015 ICC International Building Code , ICC International Residential Code and 2015 International Private Sewage Disposal Code.

COMMENTS - Current Meeting:

Public Works Director/Engineer Tom Warner reported to Council that although the City has adopted the various ICC Codes that relate to construction, alteration, and addition of building within the City, there are other appendixes that are not mandatory unless adopted by the governing body. Some of the appendixes that relate to local construction have not been adopted.

After lengthy discussion of the various appendixes, consensus was to consider action, if any, at a future meeting.

ATTACHMENTS:

- Agenda Item Form- Building Code Appendixes Adoption (DOCX)

RESULT:	NO ACTION TAKEN
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5. Resolution 2015-2

Consider a Resolution authorizing submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund, to provide sewer system improvements and repairs, and authorizing the Mayor to act as the City's Chief Executive Officer and representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the proposed Resolution authorized the submission of a Texas Community Development Block Grant application, in the amount of \$350,000.00. This grant will provide funds for sanitary sewer system improvements and repairs to consist of replacing the main line on Layl Drive between Avenue G and Avenue C, manhole replacement and service connections.

A motion was made to approve the Resolution.

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

6. Council Action 2015-11

Consider an amendment to the Baze Chemical Industrial Wastewater Contract, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz explained that the proposed contract authorizes Baze Chemical to introduce treated industrial wastewater into the City's public sewer system, under various conditions. After brief discussion, a motion was made to approve an industrial wastewater permit to Baze Chemical.

ATTACHMENTS:

- BAZE Chemical. (PDF)

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

7. Council Action 2015-12

Consider proposals for leased lines for City connectivity, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT:	NO ACTION TAKEN
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B. Executive Session

Government Code §551.071

Private Consultation with Attorney on all subjects/matters authorized by law:

1. Request regarding existing Tax Abatement

Government Code §551.087

Deliberation Regarding Economic Development Negotiation

2. The Bark Resort

At 7:00 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:42 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2015-14

Consider and take action, if any, on an existing Tax Abatement as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

2. Council Action 2015-13

Consider and take action, if any, on The Bark Resort as discussed in the Executive Session.

RESULT: NO ACTION 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.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary