



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, June 9, 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	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Randy Gunter	City Attorney	Present	

II. INVOCATION

An Invocation was not given.

III. PLEDGE OF ALLEGIANCE

Fire Chief Fred Collins led the pledge to the American and Texas flags.

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.

Fire Chief Fred Collins reported on the Department's upcoming fundraiser, the Father's Day

Barbecue. Mayor Pickett reminded everyone of the July 3rd Program and Fireworks Display, sponsored by the City of Liberty.

Mr. J.D. Humber, Liberty Middle School Art Teacher addressed the Council and proposed that the City adopt a municipal flag. Mr. Humber brought with him flag designs created by his students. This item will be brought to Council at a later date.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3271)

Proclamation-Healthy Summer Meals for Kids - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett welcomed Ms. Debbie Bading, Food Services Director for the Liberty Independent School District, along with members of her staff. Mayor Pickett read a proclamation declaring the next three months as "Healthy Summer Meals for Kids" in the City of Liberty.

B. Information Item (ID # 3272)

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on numerous ongoing City projects and offered information regarding the river levels and flooding in the low lying areas due to the recent heavy rainfall.

C. Information Item (ID # 3273)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan stated that there are no reportable activities for the H-GAC Gulf Coast Economic Development District as business is slow during the summer months.

D. Information Item (ID # 3274)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported on minutes from the Sam Rayburn Municipal Power Agency's prior meeting, the next meeting will be held on June 19, and that each member city will be receiving \$4 million dollars from the Cambridge Project.

E. Information Item (ID # 3281)

City Manager Evaluation Forms - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett distributed forms to the Council for the City Manager's annual evaluation. These completed forms are to be returned to the Mayor by July 1st, for discussion at the July 14th meeting.

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:	Frank Jordan, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson
ABSENT:	David Arnold

A. Minutes Approval

1. Tuesday, May 12, 2015

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 3275)

Presentation and update of the Sam Rayburn Municipal Power Agency business and activities, by Bruce Mintz, Executive Director.

COMMENTS - Current Meeting:

Mr. Bruce Mintz, Executive Director of the Sam Rayburn Municipal Power Agency was present to expound upon the Agency's business activities and financial status. Mr. Mintz reported that the Agency, through the end of April, had netted approximately \$20 million in net profits. Disbursement included \$4.4 million of funds to be used for transmission upgrades and in May \$12 million was returned to the member cities of Liberty, Jasper and Livingston. The Agency has \$4.4 million in reserves and has approximately \$8.2 million dedicated to upcoming projects. The Agency's bond indebtedness will be paid off in 2021.

At the conclusion of Mr. Mintz's presentation, he fielded questions from the Council.

2. Council Action 2015-34

Consider approval of a bid for Tax Resale Properties described as: Liberty Inner Blocks, Block 109, Lot 2-4 (PID 201328), Liberty Inner Blocks, Block 109, Lot 2-4 (PID 138158) and Liberty Inner Blocks, Block 201 Lot 1 2 (PID 56481).

COMMENTS - Current Meeting:

City Attorney Randy Gunter stated that this tax sale property consists of three properties on the south side of Hwy. 90 at the Trinity River. Mr. Gunter reported that the combined total Liberty County Central Appraisal value is \$41,687.12. Mr. Frank Jordan has made an offer of \$5,000.00 for these properties. \$3,114.00 would be divided amongst the taxing entities, with \$654.25 to the City of Liberty. Mr. Gunter further explained that there were no bids at the

auction for this property.

At the beginning of this agenda item, Councilperson Jordan recused himself from the dais, having no participation in the discussion or vote.

After brief discussion a motion was made to accept the bid of \$5,000.00 for the tax resale properties described as Liberty Inner Blocks, Block 109, Lot 2-4 (PID 201328), Liberty Inner Blocks, Block 109, Lot 2-4(PID 138158) and Liberty Inner Blocks, Block 201 Lot 1 2 (PID 56481).

ATTACHMENTS:

- Tax Resale Properties(PDF)

RESULT:	APPROVED [5 TO 0]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Potetz, Simonson
ABSTAIN:	Frank Jordan
ABSENT:	David Arnold

3. Council Action 2015-35

Discussion of electric outage issues, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reviewed a list of recent electric outages for the month of May, 2015. Mr. Broz detailed future proposals for contractors and materials for electrical repairs to the Forest Hills, Ridgewood and Treetop Subdivisions. Costs are estimated at \$250,000 for each subdivision upgrade, this work being part of the City's plan to improve the electrical infrastructure. Further discussion included proposing additional funds to the tree trimming budget for areas that are inaccessible by vehicles.

No formal action was taken.

RESULT:	NO ACTION TAKEN
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4. Council Action 2015-36

Consider a variance to Section 3.08.034 (g) Grandfathered and subsequent individual sections for the Twin Oaks Manufactured Home Park, and take any action deemed necessary.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on a proposed variance for individual sections of the Twin Oaks Manufactured Home Park. Mr. Warner stated that when this subdivision was accepted by the City in 1972 there were no established regulations regarding minimum lot size, setbacks, street frontage, etc. The City's first manufactured home ordinance was adopted in 1977 and has had numerous amendments with the most recent in 2010, which grandfathered existing manufactured home subdivisions from the ordinance requirements, under certain circumstances.

Mr. Warner continued by stating that some of the lots do not meet current requirements under the grandfather section of the ordinance and that the manufactured home park owners are requesting variances for all lots not meeting current requirements. Lengthy discussion was held regarding Planning & Zoning, deed restrictions, and re-platting of various lots. A motion was made to approve variances to lots 14,15,16, and 24.

ATTACHMENTS:

- Agenda Item Form-Twin Oaks Subdivision (DOCX)
- Twin Oaks Map (PDF)

RESULT:	APPROVED [4 TO 2]
MOVER:	Diane Huddleston, Mayor Pro Tem
SECONDER:	Frank Jordan, Councilperson
AYES:	Carl Pickett, Diane Huddleston, Dennis Beasley, Frank Jordan
NAYS:	Louie Potetz, Libby Simonson
ABSENT:	David Arnold

5. Council Action 2015-37

Consider ratifying the Liberty Community Development Corporation's action to fund a portion of expenses related to Lee College's proposed location at the vacant Alternative School, located on the Hwy. 146 Bypass.

COMMENTS - Current Meeting:

Liberty Independent School District Superintendent, Dr. Cody Abshier, was present to request funding in the amount of \$191,359.90 for the Lee College Education Center-South Liberty County. Dr. Abshier addressed the high demand for educational training programs in the area for high school students and adults. Dr. Abshier reported that the programs include process technology, electrical, and computer-aided drafting and design, with other programs to follow. Courses will be offered to adults in the evenings and weekends. Dual credit courses will be offered in order to allow them to complete a certificate or degree prior to high school graduation. Other community education courses will be available as well. Courses are planned to be offered beginning August, 2015.

After lengthy discussion of the Education Center functions, its programs, and other related information, a motion was made to approve the expenditure of \$191,359.90 for renovation, equipment, and start-up costs for the Lee College Education Center-South Liberty County.

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

6. Ordinance 2015-6

Consider adoption of an Ordinance regulating public camping and aggressive solicitation in the City of Liberty.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING ARTICLE 8 OF THE CODE OF ORDINANCES, CREATING ARTICLE 8.06, REGULATING PUBLIC CAMPING AND AGGRESSIVE SOLICITATION; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS AND CREATING AN EFFECTIVE DATE."

Discussion of this document included prohibition of soliciting and camping in public areas of the City. Several citizens spoke in regard to the small homeless population that this would effect, requesting compassion for these individuals. After lengthy dialogue, a motion was made to adopt the Ordinance as presented.

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary