



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 11, 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	Absent	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was not given.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by a Liberty High School student.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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 reminded Council there would be a special called meeting of the City Council on Tuesday, August 25th. Mayor Pickett also reported that there would be a reception for Mr. Graeme Brighton on this same day, from 4-6 p.m., at the old post office building. Mr. Brighton is a former Councilor from Liberty's sister city, Naracoorte, South Australia.

Liberty resident, Mr. Bobby Baker, addressed the Council regarding issues at the boat ramp

on the Trinity River. City Manager Gary Broz reported that those issues are under the jurisdiction of the Texas Parks & Wildlife Department who is working with the Texas Commission on Environmental Quality on these issues. Mr. Baker was invited to visit with the City Manager, at a later date, to discuss his concerns.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3316)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on numerous current projects to include:

- 1) Staff working with FEMA on reimbursement for recent flooding
- 2) Tree trimming taking place in the Forest Hills Subdivision
- 3) City now has a facebook page
- 4) new road should be open by the end of the month
- 5) working on process to obtain Texas Water Development Board funding for water and wastewater improvement
- 6) Fire Chief Fred Collins will be retiring the end of September
- 7) IT has been working to connect all facilities, which are now networked together.

B. Information Item (ID # 3317)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston stated that the next Shred-It Event has not yet been scheduled, but will probably take place the end of September.

C. Information Item (ID # 3318)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett briefly reported on an upcoming SRMPA meeting, recent power outages, substation maintenance and other related topics.

D. Information Item (ID # 3319)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

In the absence of Councilperson Jordan, there was no Houston-Galveston Area Council report.

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, July 14, 2015
2. Wednesday, July 15, 2015
3. Thursday, July 16, 2015

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2015-53**

Consider selection of the design for a municipal flag to represent the City of Liberty, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. J.D. Humber, Liberty High School Art Teacher, was present to discuss the recent meetings of the flag committee and the twelve entries for design of a City of Liberty Municipal Flag. Mr. Humber introduced Ms. Lark Walker, designer of the chosen flag, which Mr. Humber suggested be debuted at the 2015 Trinity Valley Fair and Exposition.

After brief discussion that Mr. Humber would contact the City Manager to discuss funding for the custom flag, a motion was made to approve Ms. Walker's flag design to represent the City of Liberty.

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

2. Council Action 2015-54

Consider award of proposal for Electric Distribution System Maintenance for the Ridgewood Subdivision.

COMMENTS - Current Meeting:

Brief discussion was held regarding the electric system maintenance, costs and funding for this project. A motion was made to award the proposal for electric distribution system maintenance, for the Ridgewood Subdivision, to Bright Star Electric, for an estimated cost of \$204,380 to be paid with previous funds received from the Cambridge Project.

ATTACHMENTS:

- Elec Dist System Main-Bright Star (PDF)
- Ridgewood Rehab (PDF)

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

3. Council Action 2015-55

Consider extension of the tree trimming contract with Trees, Inc. For Additional Work To Be Performed In The Ridgewood and Tree Top Terrace Subdivisions, and take any action deemed necessary.

COMMENTS - Current Meeting:

A motion was made to approve extension of the tree trimming contract with Trees, Inc, for additional work to be completed in the Tree Top Subdivision. \$20,000 is budgeted for this project.

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

4. Council Action 2015-56

Consider a request for funds for Bullet Proof Vests for the Liberty Police Department, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that the Police Department has requested funding for twenty-one new bullet-proof vests for officers, as they are exceeding the shelf life for effectiveness. However, Mr. Broz related that there is no funding to fulfill this request.

A motion was made to deny the request from the Police Department for vests.

ATTACHMENTS:

- PD Letter-Vests (PDF)

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

5. Council Action 2015-57

Consider setting the date, time and location for a Public Hearing on the proposed budget for Fiscal Year 2015-2016.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the budget and tax rate calendar, recommending the date of August 25th in which to hold a Public Hearing on the budget. A motion was made to approve the recommended date of August 25th for the Public Hearing on the FY 2015-2016 proposed budget.

ATTACHMENTS:

- 2015 BUDGET AND TAX RATE SCHEDULE (DOC)

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

6. Council Action 2015-58

Consider approval of the proposed tax rate for Fiscal Year 2015-2016.

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported on the proposed ad valorem tax rate for Fiscal Year 2015-2016. Ms. Herrington reported the following:

\$0.5613 - Effective Tax Rate

\$0.5951 - Rollback Tax Rate

\$0.5900 - Proposed Tax Rate

Ms. Herrington explained that of the \$0.5900 of the proposed rate, \$0.2242 will be dedicated to maintenance and operations and \$0.3658 dedicated to debt service. Ms. Herrington further commented that this is the same tax rate as the previous year. A motion was to approve the proposed ad valorem tax rate of \$0.5900 for Fiscal Year 2015-2016.

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

7. Council Action 2015-59

Consider setting the date, time and location for public hearings on the proposed tax rate for Fiscal Year 2015-2016.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the budget and tax rate calendar, recommending the dates of August 25th and September 1st in which to hold Public Hearings on the proposed ad valorem tax rate. A motion was made to approve the recommended dates of August 25th and September 1st for the Public Hearings on the FY 2015-2016 proposed tax rate.

ATTACHMENTS:

- 2015 BUDGET AND TAX RATE SCHEDULE (DOC)

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

8. Council Action 2015-60

Consider ratifying the Liberty Community Development Corporation's action to approve the Agreement with Lee College to provide funding assistance for the Lee College Education Center-South Liberty County, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the agreement with Lee College for funding of the Lee College Education Center-South Liberty County. Discussion was held regarding the ratification of the Liberty Community Development Corporation grant amount just shy of \$200,000, specific documentation of expense of the funds, and payback percentages should the South Liberty County school become non-operational.

A motion was made to approve the agreement with the Lee College Education Center-South Liberty County.

ATTACHMENTS:

- LCDC-Lee College Grant Agreement (DOCX)

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

9. Council Action 2015-61

Consider approval of the Dayton Community Development Corporation project with Lee College in the City of Liberty.

COMMENTS - Current Meeting:

City Counsel Brandon Davis reported that since that Dayton Community Development Corporation (DCDC) was also funding a portion of the Lee College Education Center-South Liberty County, which is located in the jurisdiction of the City of Liberty, law requires the City Council give approval of the DCDC funds to be spent in Liberty.

A motion was made to approve the DCDC expenditure for funds to be used at the Lee College Education Center-South Liberty County.

ATTACHMENTS:

- DCDC-Lee College Grant Agreement(3) (DOCX)

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

10. Council Action 2015-62

Consider options on repair or replacement of out-of-service ambulance, and take any action deemed necessary.

COMMENTS - Current Meeting:

Discussion was held regarding a blown engine on the 2004 ambulance. Discussed were various options to include engine replacement, remount the box on a new 2016 Ford 350, or purchase of a new 2015 Ford 350 Transport Van. After further dialogue, a motion was made to choose the least costly option, in the amount of \$15,000, to replace the engine.

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

11. Information Item (ID # 3332)

Discussion of the proposed 2015-2016 Fiscal Year Budget.

COMMENTS - Current Meeting:

City Manager Gary Broz briefly described the increase in the water and wastewater rates, solid waste increases, and the Consumer Price Index increase which will be passed on to the customer. Brief discussion was held on various portions of the proposed budget.

12. Council Action 2015-63

Consider declaring various City vehicles and equipment as surplus property, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz detailed various items, including vehicles, to be auctioned as surplus

property. In order to place these items in an on-line auction, Council must declare these items as surplus, with the revenue to be placed in the General Fund line item "Sale of Assets".

A motion was made to declare the items presented as surplus property.

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

B. Executive Session

Government Code §551.074 - Personnel Matters.

1. Interview with candidate for the position of City Attorney and deliberate on the selection of a new City Attorney.

Gov. Code §551.087 - Deliberation Regarding Economic Development Negotiation.

2. Discussion of prospective economic development project.

3. Discussion of a 380 Agreement with prospective business.

At 7:25 p.m., Mayor Pickett closed the open meeting as authorized above.

C. Reconvene into Regular Session

At 8:40 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2015-64

Consider and take action, if any, on the items as discussed in the Executive Session.

COMMENTS - Current Meeting:

A motion was made to allow the City Manager to enter into an agreement with Mr. Brandon Davis to serve as City Attorney.

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:42 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary