The City of Liberty
City Council

Regular Meeting

~ Agenda ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, December 8, 2015 **6:00 PM** **City Council Chambers**

The City Council of Liberty, Texas reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code.

I. CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	☐	☐	☐	
Mayor Pro Tem Diane Huddleston	☐	☐	☐	
Councilperson Dennis Beasley	☐	☐	☐	
Councilperson Frank Jordan	☐	☐	☐	
Councilperson Louie Potetz	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

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.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3414)

Project Updates - City Mgr. G. Broz

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.

A. Minutes Approval

1. Tuesday, November 10, 2015

VII. REGULAR AGENDA

A. Regular Session

1. Information Item (ID # 3415)

Discussion of granting easement and right-of-way usage to Computer Solutions.

2. Council Action (ID # 3416)

Consider proposal award for lawn maintenance of various City properties and the Hwy. 90 median.

- Lawn Maintenance Agenda Form Dec 8 2015 (DOCX)
- Lawn Maintenance Bid Tab Dec 2015 (DOCX)

3. Ordinance (ID # 3417)

Consider an Ordinance amending Article 4.11 of the Code of Ordinances regarding amusement machines.

4. Ordinance (ID # 3418)

Consider adoption of an Ordinance providing for the amendment of the Master Fee Schedules, amending the taxes and fees charged for coin-operated machines and amusement centers.

5. Council Action (ID # 3419)

Consider recent electrical issues and future upgrades to the electric system, and take any action deemed necessary.

B. Executive Session

Government Code §551.087

Deliberation Regarding Economic Development Negotiation - Boomerang Tube, LLC

C. Reconvene into Regular Session

1. Council Action (ID # 3420)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

I certify that the attached Notice of Meeting was posted on the bulletin board and in the Message Centers located on the east and west sides of the City Hall Administration Building, located at 1829 Sam Houston on the 4th day of December, 2015 at 3:00 p.m. This notice will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

Dianne Tidwell, City Secretary

NOTICE

In compliance with the Americans with Disabilities Act, the City of Liberty will provide reasonable accommodation for persons attending and/or participating in this Council Meeting. To better serve you, requests must be made at least 24 hours prior to the meeting. Contact the City at (936) 336-3684 or by Fax at (936) 336-9846. The building is wheelchair accessible, with parking available, on the west side of the building.

I certify that the attached Notice and Agenda of items to be considered by the City Council was removed by me from the bulletin board at the City Hall on the _____ day of _____, 2015.

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3414)

DOC ID: 3414

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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, November 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	Absent	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Liberty resident, Mr. Larry Wagnon.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Liberty High School Senior, Camilla Brady.

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.

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

Mayor Pickett commented on the following:

1) Fire Department Fundraiser - sale of smoked and fried Turkeys for Thanksgiving

2) Veteran's Day Program at the Liberty High School to be held Wednesday, November 11

3) Thanked City Manager Gary Broz for setting up program with Waste Management to pick up debris from recent heavy rains and flooding event

4) Coffee with the Mayor on Thursday, November 19th.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3397)

Project Updates - City Mgr. Gary Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on current projects to include the recent heavy rains and flooding, debris pickup, electrical problems, City newsletter, Country Christmas Parade, Fire Cihef applications, and numerous other activities.

B. Information Item (ID # 3398)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleslton reported on the recent Shred-It Event, stating that approximately 4000 pounds of sensitive documents had been shredded. Ms. Huddleston concluded by declaring the event a huge success and thanked those that participated.

C. Information Item (ID # 3399)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that minutes of the most recent SRMPA Meeting were made available for Council. There was no other current activity to report.

D. Information Item (ID # 3400)

Houston-Galveston Area Council - Councilperson Jordan

COMMENTS - Current Meeting:

Councilperson Jordan reported there was $7,000,000 of grant money available in the H-GAC 13-County Region. The majority of these grants are in the $300,000 - $400,000 range, with four percent interest. These loans are not only for government, but small business, new and existing, as an economic incentive.

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

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

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
ABSENT:	David Arnold

A. Minutes Approval

1. Tuesday, October 13, 2015

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2015-93

Presentation regarding the G.R.A.C.E. Initiative of South Liberty County, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was passed on.

ATTACHMENTS:

- GRACE Request (PDF)

RESULT:	**NO ACTION TAKEN**

2. Council Action 2015-94

Consider approval of a bid for Tax Resale property described as Richardson, Lot 21, Sec 1 (Duff St.).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported this property had previously been before Council, an offer accepted, however later withdrawn. A new offer has been made in the amount of $4100.00. The CAD value is $7730.00, and of the offered amount, $917.84 will be distributed to the City. The County and school district have approved this offer. A motion was made to accept the bid of $4,100.00 for the tax resale property described as 0.8816 acres, Richardson, Lot 21, Sec1. This property is located on Duff Street, in the South Liberty Oilfield.

A motion was made to accept the offer in the amount of $4100.00 for the above-described property.

ATTACHMENTS:

- Tax Resale-Richardson (PDF)

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

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

3. Council Action 2015-95

Consider approval of a bid for Tax resale property described as Fisher, Block 0-49, Lot 7 8.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that an offer of $2500.00 was made for the property, located at 615 Confederate Street. The CAD value is $22,660.00, and of the offered amount, $428.83 will be distributed to the City. The City is the trustee on this property which has been off the tax rolls since 2011. A motion was made to accept the bid of $2500.00 for the tax resale property described as Fisher, Block 0-49, Lot 7 8.

A motion was made to accept the offer in the amount of $2500.00 for the above-described property.

ATTACHMENTS:

- Tax Resale-Fisher (PDF)

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

4. Ordinance 2015-12

Consider adoption of an Ordinance amending the Code of Ordinances, Article 4, regulating garage/occasional sales in the City of Liberty.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 4, REGULATING GARAGE/OCCASIONAL SALES; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

Brief discussion was held regarding these sales which include 3 per 12-month period, each 72 hours in length, documentation of sales by the Police Department and penalties for violation. Also discussed was changing the 12-month period to "calendar year". A motion was made to adopt the Ordinance, with the change from 3 sales in a 12-month period, to 3 sales per calendar year.

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

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

5. Resolution 2015-11

Consider a Resolution casting the City's voting entitlement for a position(s) on the Liberty County Central Appraisal District Board of Directors.

COMMENTS - Current Meeting:

A motion was made to approve the Resolution casting the City's voting entitlement of 183 votes, for a position on the Central Appraisal District Board of Directors, for John Hebert, Jr.

ATTACHMENTS:

- CAD Info (PDF)

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

6. Council Action 2015-96

Consider recent electrical issues and future upgrades to the electric system, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz displayed a power point presentation of the City's electric utility system and its operation. Discussed were recent power surges and outages, aging transformers and parts, purchase of new transformers by SRMPA, recently completed upgrades and current electric upgrades, in progress, in the Forest Hill, Ridgewood, and Treetop Subdivisions, and improvements to Feeder #3.

A motion was made to approve funding for the two requested items, knife blade removal and air switch installation at various locations and improvements to the electric infrastructure in the Layl Subdivision; also instituting bids be prepared in detailed fashion for bids on Phase I and Phase II improvements as previously outlined and advertised in the newspaper.

At 7:58 p.m., Mayor Pickett called for a recess, and reconvened the meeting at 8:03 p.m.

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

7. Council Action 2015-97

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

Consider a proposed agreement with the Water Control Improvement District #5, and take any action deemed necessary.

COMMENTS - Current Meeting:

Discussion was held regarding the agreement and its specifics, along with issues in regard to equipment verification, identification of entity responsible for maintenance and maintenance records, labor charges, location of drainage ditches under the jurisdiction of WCID #5, addition of statement regarding this document supersedes the previous agreement, and other issues. This item will be brought before Council at the next meeting with proposed changes, as addressed.

ATTACHMENTS:

- WCID Agreement (PDF)

RESULT:	**NO ACTION TAKEN**

8. Resolution 2015-12

Consider a Resolution expressing official intent to reimburse with tax-exempt obligation proceeds costs associated with certain capital improvements to the City's waterworks and sanitary sewer system.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that this Resolution is in regard to the planning and design of water and sewer improvements to the water and wastewater system, funded by the Texas Water Development Board. The City had previously begun this project, however the TWDB representative assigned to the City's projects retired, and a new representative was assigned. This resolution allows the City to pay bills previously accrued and be reimbursed.

A motion was made to approve the Resolution as presented.

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

9. Ordinance (ID # 3409)

Consider adoption of an Ordinance setting the speed limit on Woodsprings Drive at 45 mph.

COMMENTS - Current Meeting:

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

"AN ORDINANCE ALTERING THE *PRIMA FACIE* SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, ON THE BASIS OF AN ENGINEERING AND DESIGN STUDY BY CIVILCORP ENGINEERS, UPON THE NEWLY CONSTRUCTED WOODSPRINGS DRIVE, WITHIN THE CORPORATE LIMITS OF THE CITY OF LIBERTY; PROVIDING A PENALTY FOR VIOLATION; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

Discussion was held regarding the ingress and egress to the new road, Woodsprings Drive, and the proposed speed limit of 45mph. The proposed speed limit is a result of the street design as recommended by CivilCorp Engineers. After further discussion of the anticipated challenges by the citizens in maneuvering the new road, concensus was to leave the speed limit set by State statute at 30mph.

RESULT: NO ACTION TAKEN

10. Information Item (ID # 3410)

Discussion of the City's ordinance regarding amusement machines.

COMMENTS - Current Meeting:

Brief discussion was held regarding the Amusement Machine Ordinance, floor space of these businesses and required distances from churches, schools, etc., and the need for clarification in this ordinance. This agenda item will be brought back before Council at the next meeting.

B. Executive Session

Government Code §551.071

Private Consultation with Attorney Regarding Contemplated/Pending Litigation:

1. Discussion regarding Tort Claims

2. Discussion regarding the Humphreys Cultural Center

3. Discussion regarding Manufactured Homes

At 8:37 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 9:21 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2015-98

Consider and take action, if any, on the item as discussed in the Executive Session - Tort Claims.

RESULT: NO ACTION TAKEN

2. Council Action 2015-99

Consider and take action, if any, on the item as discussed in the Executive Session - Humphreys Cultural Center.

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

RESULT: **NO ACTION TAKEN**

3. Council Action 2015-100

Consider and take action, if any, on the item as discussed in the Executive Session - Manufactured Homes.

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 9:27 p.m.

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_____

Carl Pickett, Mayor

ATTEST:

_____

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Nov 10, 2015 6:00 PM (Minutes Approval)

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Miscellaneous Issues

INFORMATION ITEM (ID # 3415)

DOC ID: 3415

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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Proposals

COUNCIL ACTION (ID # 3416)

DOC ID: 3416

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CITY OF LIBERTY

City Council
Agenda Item Form

Council Meeting Date: December 8, 2015
Agenda Item No. VII.A.2
Agenda Wording: Consider proposal award for lawn maintenance of various
City properties and the Hwy. 90 Medina.
Department: Public Works
Subject: Lawn Maintenance Bid Proposal No. 2015-006
Background: On December 3, 2015, bids were received for lawn maintenance services at twenty-three (23) City properties. The properties included the water plants and tower sites, City Hall, Cultural Center Fire Station & Annex, Police Station, pocket parks, sewer plant monument and flag sites Hwy 90 median, the Mercy Hospital site and various lift station sites. Four firms were contacted, of which, two submitted bids. The bids were submitted by Noack Locksmith and Flying N Landscaping in the amounts of $4,105.00/week and $2,385.00/week, respectively. The bid tabulation for Lawn Maintenance is enclosed. Although the cost appears to be higher than the current contract, the proposed contract includes fertilizing, pruning and mulching that was not included in the current contract. Those services were paid for separately.
Fiscal Impact: The cost for each facility is included in the respective Department's Budget.
Staff Recommendation: Staff recommends awarding the bid to Flying N Landscaping.
Purpose: Maintaining City properties improves the appearance of the City and with regards to the water and sewer related sites is mandated by the TCEQ..

Attachment: Lawn Maintenance Agenda Form Dec 8 2015 (3416 : Lawn Maintenance Proposals)

BID TABULATION
Bid 15-06
ANNUAL LAWN MAINTENANCE SERVICES CONTRACT FOR VARIOUS CITY PROPERTIES AND HWY 90 MEDIAN

Location	Noack Locksmith (weekly)	Flying N Landscaping (weekly)	Current Contract (Weekly)
Monta Street Water Plant	$175.00	$80.00	$80.00
Trinity Street Water Plant	80.00	40.00	40.00
FM 563 Lift Station	55.00	40.00	30.00
Washington Lift Station	160.00	40.00	30.00
Forest Hills Lift Station	55.00	40.00	30.00
Palmer Street Water Tower	90.00	40.00	40.00
Municipal Library and Cultural Center	275.00	130.00	100.00
City Hall	325.00	150.00	110.00
Fire Station	325.00	100.00	100.00
Fire Department Annex	235.00	100.00	100.00
Police Station & Animal Shelter	325.00	225.00	100.00
Canfield Park	175.00	70.00	70.00
Sewer Plant	245.00	150.00	125.00
San Jacinto Water Tower	45.00	40.00	30.00
Public Works Service Center	150.00	80.00	60.00
North Water Plant	165.00	80.00	80.00
Hwy 90 West Monument and Flag Site	125.00	75.00	50.00
Hwy 90 East Flag and Triangle Median	NI	NI	50.00
Hwy 90 Median Mowing	600.00	575.00	400.00
Hwy 90 Median	60.00	100.00	100.00
Palmer Pocket Park	135.00	70.00	70.00
Trinity Pocket Park	80.00	60.00	60.00
Browning Pocket Park	160.00	60.00	60.00
Old Mercy Hospital Site	65.00	40.00	40.00
Total	$4,105.00	$2.385.00	$1,955.00

NI – Not Included in Contract.

Attachment: Lawn Maintenance Bid Tab Dec 2015 (3416 : Lawn Maintenance Proposals)

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM
Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 3417)

DOC ID: 3417 A

AN ORDINANCE AMENDING ARTICLE 4.11 OF THE CODE OF ORDINANCES, AMENDING ARTICLE 4.11.003, REGARDING TAXES CHARGED FOR AMUSEMENT MACHINES, AND AMENDING ARTICLE 4.11.011, REGARDING THE DISTANCE REQUIREMENTS FOR COIN OPERATED MACHINES; ESTABLISHING AN EFFECTIVE DATE, AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

WHEREAS, The City Council of the City of Liberty, Texas has previously adopted an ordinance regulating amusement machines;

WHEREAS, the City Council of the City of Liberty, Texas finds that the fees and taxes charged for amusement machines should be amended; and

WHEREAS, the City Council of the City of Liberty, Texas finds that it is in the best interest of the citizens of Liberty to regulate the location of coin operated machines.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

Section 1: Section 4.11.003 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Sec. 4.11.003. Occupation tax.

(A) Levied. There is levied an annual occupation tax equal to the maximum amount of money allowed by the state of Texas on coin-operated machines used for recreation or amusement purposes. The occupation tax shall be levied upon the owner of such coin-operated machines, save and except local religious, charitable and educational organizations authorized under the laws of the state; and the tax levied in this section shall be paid to the city, who shall issue an occupation tax receipt and, for each machine on which the occupation tax is paid, an occupation tax tag. The occupation tax shall be due and payable on January 1st of each year. Such occupation tax receipt and tax tag shall specify the number of recreation or amusement machines for which it is used and the address of the legal owner. The occupation tax tag shall be affixed to each machine on which the occupation tax is paid.

(B) Substituting machines. In the event the owner of any of the recreation or amusement machines wishes to substitute a different machine for one within the city on which the occupation tax has been paid, the owner will remove the tax tag from the machine to be replaced and place it upon the substitute machine; provided, however, that the machine that is replaced by the substitute machine shall not be operated for profit within the city again

until an occupation tax tag is affixed to it. In the event the tax tag is mutilated, the owner will turn in the mutilated occupation tax tag to the permit department and receive a new tag. There shall be a $6.00 charge for the new tag.

Section 2: Section 4.11.011 of the Code of Ordinances of the City of Liberty is amended to read as follows:

Sec. 4.11.011. Nuisance Declared.

Because of the rapid proliferation of such businesses in the city and the observed congestion, late hours, potential for being an attractive nuisance to minors and the questioned legality of such activities, the city council hereby finds that a further proliferation and concentration of such businesses constitutes a nuisance to the health, safety and welfare of the city. Accordingly, subsequent to the passage of the ordinance from which this article is derived, no coin-operated machine used for recreation or amusement purposes shall be located within 300 feet of a church, school or hospital. Any businesses existing as of the time of the passage of this article shall be permitted to continue, however, if they should cease operations, or violate any of the provisions of this article or any other applicable city, state or federal law, their license shall be subject to revocation and such may not be renewed unless they meet all provisions of any applicable law, including the spacing requirements of this section.

Section 3: That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two days is hereby dispensed with.

Section 4: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of

Liberty, this _____ day of _____, 2015.

_____
Carl Pickett, Mayor

Attest:

_____

City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Miscellaneous Issues

ORDINANCE (ID # 3418)

DOC ID: 3418 A

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; AMENDING THE TAXES AND FEES CHARGED FOR COIN-OPERATED MACHINES AND AMUSEMENT CENTERS; 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.

WHEREAS, the City previously adopted a Master Fee Schedule which sets forth all rates and fees charged by the City of Liberty; and

WHEREAS, the City Council finds it more efficient to have the City's fees set in one Ordinance, which can be amended as necessary by Ordinance; and

WHEREAS, the attached "Exhibit A" represents the amended taxes and fees to be charged by the City for coin-operated machines and amusement centers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS:

Section 1.

That all rates or schedules of rates which are in conflict herewith are to the extent of such conflict only, expressly amended, changed and repealed.

Section 2.

That the fee schedule attached hereto as "Exhibit A" amends the previous Master Fee Schedule to include the new amended rates shown in "Exhibit A" amending the taxes and fees charged on coin-operated machines amusement centers, and is hereby adopted as fully set forth herein.

Section 3.

That the Ordinance containing all current rates and fees charged by the City of Liberty shall take effect immediately from and after its passage as indicated below.

Section 4.

That the requirement contained in Section 3.10 of the Home Rule Charter of the City of Liberty, Texas that all ordinances be read on two separate days is hereby dispensed with.

PASSED AND ADOPTED this the _____ day of December 2015.

_____

Carl Pickett, Mayor

ATTEST:

_____

Dianne Tidwell, City Secretary

The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Electric

COUNCIL ACTION (ID # 3419)

DOC ID: 3419

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The City of Liberty
City Council
1829 Sam Houston
Liberty, TX 77575

Meeting: 12/08/15 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3420)

DOC ID: 3420

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