



**The City of Liberty**  
**City Council**  
**Regular Meeting**  
**~ Minutes ~**

1829 Sam Houston  
Liberty, TX 77575  
[www.cityofliberty.org](http://www.cityofliberty.org)

Dianne Tidwell  
City Secretary  
(936) 336-3684

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Tuesday, March 8, 2016

6:00 PM

City Council Chambers

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**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 |         |
| Brandon Davis    | City Attorney  | Present |         |

**II. INVOCATION**

The Invocation was given by Mr. Jeffrey Smart, New Work Family Worship Center, Liberty, Texas.

**III. PLEDGE OF ALLEGIANCE**

The Pledge to the American and Texas flags was led by Fire Chief Brian Hurst and Police Chief Tom Claunch, respectively.

**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.

The following Council Member comments were made:

- 1) Councilperson Huddleston reported the next Shred-It Event will take place mid-to late April,
- 2) Councilperson Jordan congratulated the Chamber of Commerce on the success of its annual banquet and recognized Chamber President Mary Anne Campbell, who was in the audience,
- 3) Mayor Pickett commented on a handout of Sam Rayburn Municipal Power Agency information regarding the Transformer Replacement Program.

## **V. PRESENTATIONS / REPORTS**

### **A. Information Item (ID # 3453)**

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on numerous City projects and their status to include:

- 1) Numerous employees are out with the flu, colds and allergies,
- 2) demolition of the Inn at Liberty is progressing well and should be complete by the end of the week,
- 3) Jubilee is March 18 & 19, Staff is working diligently to prepare for the festival,
- 4) Texas Water Development Board loans should close next week,
- 5) the U.S. Fish & Wildlife Service will hold a dedication of the Boardwalk Project at the Trinity River Refuge on March 17th, in which the U.S. Secretary of the Interior, Sally Jewel, will be in attendance,
- 6) The Liberty Police Department has been re-recognized by Texas Police Chief's Association Best Practices Recognition Program, and
- 7) the Lee College-Liberty Campus will hold a grand opening on April 5th.

## **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.

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Dennis Beasley, Councilperson                                  |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                                  |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

#### ***A. Minutes Approval***

1. Tuesday, February 09, 2016
2. Tuesday, February 23, 2016

## **VII. REGULAR AGENDA**

#### ***A. Regular Session***

##### **1. Council Action 2016-14**

Consider a request for variance to Section 10.02.123 Roads, of the City's Code of Ordinances for a section of Bowie Street from Edgewood to approximately 135 feet to the north, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Public Works Director Tom Warner reported on a variance request by a developer who is proposing construction of twenty-eight townhomes on the west side of Bowie, north of Edgewood Street. In order to provide access to the property, the developer is requesting a variance to the right-of-way widths on Bowie from Edgewood north 135 feet or to the beginning of his property line. This issue was approved by the Planning and Zoning Commission on March 2, 2016.

A motion was made to approve the variance, as presented.

**ATTACHMENTS:**

- Agenda Item Form with Map-Variance (PDF)

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Diane Huddleston, Mayor Pro Tem                                |
| <b>SECONDER:</b> | David Arnold, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

##### **2. Ordinance (ID # 3455)**

Consider adoption of an Ordinance amending Article 4.04 of the Code of Ordinances regarding Peddlers, Solicitors, and Itinerant Vendors.

**COMMENTS - Current Meeting:**

Discussion was held concerning various hours of operation and other issues relating to the proposed amendment to Article 4.04 of the Code of Ordinances regarding peddlers, solicitors, and itinerant vendors. After further discussion, consensus of the Council was that the City

Attorney re-draft the document, which will be addressed at the next Council Meeting.

ATTACHMENTS:

- Ord-Both-Peddlers (PDF)

**RESULT: NO ACTION TAKEN**

**3. Ordinance 2016-5**

Consider adoption of an Ordinance amending Article 4.13 of the Code of Ordinances regarding Fats, Oils, and Greases.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that the proposed amendment to the Ordinance regarding fats, oils, and greases was for the purpose of adding the word "not" to Article 4.13.001(b)(3) to read as follows:

"Grease traps must not be installed within the building of an establishment except when under the counter interceptors are approved by the city." A motion was made to approve the amendment.

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

**4. Council Action 2016-15**

Consider a bid for Tax Resale Property described as Fisher, Block 0-49, Lot 7 8 MH Label #TEX0008936.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that the bidder on this tax resale property had withdrawn their bid. No action was taken.

ATTACHMENTS:

- Tax Resale-Fisher (PDF)

**RESULT: NO ACTION TAKEN**

**5. Council Action 2016-16**

Consider a bid for Tax Resale Property described as Liberty Inner Blocks, Block 127, Lot Tract 5.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reported that an offer of \$4000.00 was made for the tax resale property located on Confederate Street. The CAD value is \$50,820.00, and of the offered amount, \$612.04 will be distributed to the City. A motion was made to accept the bid of \$4000.00 for the tax resale property described as Liberty Inner Blocks, Block 127, Lot Tract 5.

A motion was made to accept the offer in the amount of \$4000.00 for the above-described property.

## ATTACHMENTS:

- Tx Resale-Liberty Inner Blocks (PDF)

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                    |
| <b>MOVER:</b>    | Diane Huddleston, Mayor Pro Tem                                |
| <b>SECONDER:</b> | Libby Simonson, Councilperson                                  |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

**6. Ordinance 2016-6**

Consider adoption of an Ordinance amending Article 1.08 of the Code of Ordinances regarding Issuance of Citations.

## COMMENTS - Current Meeting:

City Attorney Brandon Davis explained that the proposed amendment to Article 1.08 of the Code of Ordinances (Issuance of Citations) authorizes the Animal Control Officer to issue citations for ordinance violations. After brief discussion of the Ordinance, a motion was made to adopt the Ordinance, as presented.

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                     |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                                  |
| <b>SECONDER:</b> | Frank Jordan, Councilperson                                    |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Potetz, Simonson, Arnold |

**B. Executive Session**

Government Code §551.087

Deliberation Regarding Economic Development Negotiation - River Property.

At 7:05 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

**C. Reconvene into Regular Session**

At 7:55 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

**1. Council Action 2016-17**

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

## COMMENTS - Current Meeting:

A motion was made to allocate \$120,000 to initiate and complete the Liberty, Texas 2016-2017 Annexation Project, as proposed.

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [6 TO 1]</b>                               |
| <b>MOVER:</b>    | Libby Simonson, Councilperson                          |
| <b>SECONDER:</b> | Dennis Beasley, Councilperson                          |
| <b>AYES:</b>     | Pickett, Huddleston, Beasley, Jordan, Simonson, Arnold |
| <b>NAYS:</b>     | Louie Potetz                                           |

## VIII. ADJOURNMENT

**A. Motion To:** Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:57 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary