# 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, July 12, 2016** | **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 | |
| Louie Potetz | Councilperson | Present | |
| Libby Simonson | Councilperson | Present | |
| David Arnold | Councilperson | Present | |
| Paul Glazener | Councilperson | Present | |
| Gary Broz | City Manager | Present | |
| Dianne Tidwell | City Secretary | Present | |
| Brandon Davis | City Attorney | Present | |

## II. INVOCATION

The Invocation was passed on.

## III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Police Chief Tom Claunch.

## 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 commented on the July 1st Fireworks Display held at the Liberty Municipal Park and thanked the employees for putting together the annual event. The Mayor also reminded the Council of the upcoming Texas Municipal League Annual Conference to be held in Austin, October 4-7, 2016.

Council Member Huddleston reported on the recent June 18th Recycling Event and its success.

# V. PRESENTATIONS / REPORTS

### A. Information Item (ID # 3549)

Project Updates - City Mgr. G. Broz

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported on current City projects to include water leaks, electric upgrades, annexation, budget work sessions and that sales tax revenues are down 5% from the current budgeted amount. Mr. Broz also spoke in regard to other entity sponsored projects to include the TxDOT overylay project on Hwy. 90 and the Methodist Church UM ARMY is in town doing minor repairs on homes.

# VI. CONSENT AGENDA

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Dennis Beasley, Councilperson |
| **SECONDER:** | Paul Glazener, Councilperson |
| **AYES:** | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

### *A. Minutes Approval*

**1.** Tuesday, June 14, 2016

# VII. REGULAR AGENDA

### *A. Regular Session*

### 1. Council Action 2016-55

Consider a contract with Public Management, Inc. For consulting services in regard to the 2016 Texas Community Development Block Grant Program (TXCDBG).

**COMMENTS - Current Meeting:**

City Manager Gary Broz reported on a contract with Public Management, Inc. For consulting services to implement completion of the sewer line repair in the Layl Subdivision. This project is in regrd to the City's 2016 Texas Community Development Block Grant Program (TXCDBG). The repairs will be made using the pipe bursting procedure, a highly utilized and highly effective method of pipe repair.

Consultant fee is not to exceed $35,090.00, from grant funds, if awarded. Following brief discussion, a motion was made to approve the contract with Public Management, Inc.

**ATTACHMENTS:**

- Public Mgmt Contract (PDF)

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

### 2. Council Action 2016-56

Presentation by Mr. Mike Weaver, Texas Municipal League, regarding employee health and COBRA benefits, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Mr. Mike Weaver, Benefits Service Specialist, Texas Municipal League Intergovernment Employee Benefits Pool was present to discuss, with Council, the Pool and related healthcare benefits. Discussed were City contribution rates, benefits that lower out of pocket expenses for members, to include $5 copay for most generic drugs, no cost for preventive/wellness care, use of in-network providers, and other related topics. Mr. Weaver reviewed the City's Rerate Notice and Benefit Verification Form and COBRA benefits.

After further discussion, a motion was made to approve the contract with TML-IEBP for healthcare and COBRA benefits.

**ATTACHMENTS:**

- Health Ins Info (PDF)
- COBRA Info (PDF)

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Diane Huddleston, Mayor Pro Tem |
| **SECONDER:** | Libby Simonson, Councilperson |
| **AYES:** | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

### 3. Council Action 2016-57

Presentation by Mr. Anthony Mills, Texas Municipal Retirement System, regarding employee retirement benefits, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Mr. Anthony Mills, Senior Regional Manager, for the Texas Municipal Retirement System was present to report on the City's plan provisions and member benefits. Mr. Mills reported on the City's 2017 employer contribution rates, City's 2 to 1 matching ratio, 5 year vesting requirement, and retirement eligibility of 5 years/age 60 or 20 years of service/any age, and other related issues.

There was no action to be taken.

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| **RESULT:** | **NO ACTION TAKEN** |

### 4. Public Hearing (ID # 3553)

Public Hearing on the 2015 Drinking Water Quality Report.

**COMMENTS - Current Meeting:**

At 7:09 p.m., Mayor Pickett opened the Public Hearing on the 2015 Drinking Water Quality Report. Public Works Director Tom Warner stated the City must notify its residents of this consumer confidence report which was done through a mass mailing. Mr. Warner reviewed the technical information on the report and stated that the City had no violations.

Mayor Pickett closed the Public Hearing at 7:13 p.m.

**ATTACHMENTS:**

- CCR Rpt 2015 (DOCX)

### 5. Council Action 2016-58

Consider a bid for Tax Resale Property described as Garrett, Block 3, Lot 1 (518 Franklin St.).

**COMMENTS - Current Meeting:**

City Attorney Brandon Davis reported that an offer of $3000.00 was made for tax resale property located at 518 Franklin Street. Total taxes owed are $22,934.87. If the bid is accepted, $366.77 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of $3000.00 for the tax resale property described as Garrett, Block 3, Lot 1.

**ATTACHMENTS:**

- Tax Resale Property (PDF)
- Tax Resale Map (PDF)
- Tax Property Pic (JPG)

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

### 6. Council Action 2016-59

Consider ratifying the Liberty Community Development Corporation's action to approve an expenditure for the Liberty Municipal Airport Drainage Project, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

City Manager Gary Broz explained that water stands between the runway and taxiway, undermining both, at the Liberty Municipal Airport. Mr. Broz reviewed the proposed drainage project to place a new ditch to the south with the addition of a culvert, and direct the water to drain a different direction. Mr. Broz continued by stating that this is a TxDOT Aviation Capital Improvement 90/10 Project, the total project cost being $656,080. The City's portion is $65,608 with a project completion time of 6-8 months. Mr. Broz reported that this expenditure was previously approved by the Liberty Community Development Corporation (LCDC) on June 21, 2016.

After further discussion of the project details, a motion was made to ratify the LCDC's action to approve the expenditure for the Liberty Municipal Airport Drainage Project.

**ATTACHMENTS:**

- Airport Drainage Project (PDF)
- Airport Drainage Proj Map (PDF)

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Diane Huddleston, Mayor Pro Tem |
| **SECONDER:** | Paul Glazener, Councilperson |
| **AYES:** | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

### 7. Council Action 2016-60

Discussion of current and future wastewater repair projects, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

City Manager Gary Broz and Public Works Director Tom Warner reported on additional funding to complete necessary wastewater repairs. The additional expenditure of $93,324.00 is required to complete the pipe bursting project, due to a sinkhole, from Edgewood Street to the Bowie Street Lift Station. This expenditure is an addition to the original contract price for sinkhole repairs to Hwy. 90, Alabama Street and Bowie Street. Mr. Broz stated that this expenditure will be funded by monies from the Cambridge Project.

A motion was made to approve the additional expenditure of $93,324 for wastewater repairs on Bowie Street.

**ATTACHMENTS:**

- WW Photos (PDF)

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

### 8. Council Action 2016-61

Discussion of Plan of Finance with the City's Financial Advisor, Bob Henderson, RBC Capital Markets, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

Mr. Bob Henderson, RBC Capital Markets, the City's Financial Advisor was present to address Council regarding Long Term Planning & a Preliminary Plan of Finance. This item was placed on the agendar for the purpose of updating the City's original 2010 Plan of Finance. Mr. Henderson reviewed the City's financial background to include operations, fund balances, debt and capital improvement needs ($5.5 million). Discussion was held regarding immediate project/needs, revenue sources, long term improvements, rate impacts, and other related issues. Approximately $34 million is needed for various improvements. Mr. Henderson stated that the City is in much better financial condition than it was in 2010.

After lengthy discussion, a motion was made to move forward with the process to issue Certificates of Obligation not to exceed $7,750,000.00 for water and sewer improvements, Liberty Municipal Library improvements, and possible purchase of equipment deemed

appropriate to complete these projects.

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| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Louie Potetz, Councilperson |
| **SECONDER:** | Libby Simonson, Councilperson |
| **AYES:** | Pickett, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener |

### 9. Council Action 2016-62

Mayor Blume, City of Hardin, to address the Council regarding wastewater flow overage invoices and related issues, and take any action deemed necessary.

**COMMENTS - Current Meeting:**

City of Hardin Mayor Stephanie Blume addressed Council regarding wastewater flow overage invoices and the related contract for wastewater service with the City of Liberty. Mayor Blume discussed per day charges, issues with contract wording, meter readings, and other related topics.

There was no action taken.

**ATTACHMENTS:**

- Hardin Request (PDF)

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| **RESULT:** | **NO ACTION TAKEN** |

### *B. Executive Session*

Government Code §551.071

Private Consultation with Attorney - Possible Litigation with the City of Hardin - Wastewater.

At 8:25 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

### *C. Reconvene into Regular Session*

At 9:14 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

### 1. Council Action 2016-63

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

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| **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 9:16 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary