



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, January 10, 2017

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Absent	
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 given by Pastor Robert Searles, Mt. Rose Missionary Baptist Church.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Liberty Resident, Mr. Michael English.

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.

Mayor Pickett reported there are two upcoming Council Meetings scheduled for January 24 and

January 31st which are primarily in regard to annexation issues.

At this time, Public Works Director Tom Warner made a presentation on the Water/Wastewater Department's new self-propelled video camera for inspecting sanitary sewer lines for tap locations, line failures and blockages. The camera was demonstrated for the Council, who approved the purchase of this camera on November 8, 2016 for a cost of \$41,944.00.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3683)

LISD Video Presentation - Mayor Pickett

COMMENTS - Current Meeting:

Dr. Cody Abshier, Liberty ISD Superintendent, presented a YouTube video on the merits and qualities of Liberty High School entitled "Path to Excellence".

B. Information Item (ID # 3684)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on various City projects and the status of each to include: 1) electric upgrades continuing to move forward 2) continuing to have sinkhole issues, most recently at Travis & Adams 3) Leonard Apartments on Main Street have been demolished and preparing a bid package for sale of the property 4) Texas Water Development Board Water Project moving forward 5) public hearings to begin soon on mile 3 of the proposed annexation of property 6) other related projects.

C. Information Item (ID # 3685)

Election Update - City Sec. D. Tidwell

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that the period for signing an application for a place on the City's General Election ballot will begin January 18th and continue through February 17th. Candidate packets are ready for pick up, with this information also on the City's website.

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:	Dennis Beasley, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Beasley, Potetz, Simonson, Arnold, Glazener
ABSENT:	Diane Huddleston

A. Minutes Approval

1. Tuesday, December 13, 2016

VII. REGULAR AGENDA

A. Regular Session

1. Resolution 2017-1

Consider approval of a Resolution adopting certain civil rights and equal opportunity policies to ensure compliance with state and federal policies.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that this Resolution requires passage due to the City receiving Texas Community Development Block Grant funding through the Texas Department of Agriculture. The Resolution states that the City will comply with all federal rules and regulations governing citizen participation and civil rights procedures.

A motion was made to approve the Resolution as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Beasley, Potetz, Simonson, Arnold, Glazener
ABSENT:	Diane Huddleston

2. Information Item (ID # 3694)

Proclamation declaring January as Fair Housing Month.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that this Proclamation proclaims January, 2017 as Fair Housing Month in support of national Fair Housing laws. Mayor Pickett read the Proclamation in its entirety.

ATTACHMENTS:

- Proclamation-Fair Housing Month (DOC)

3. Ordinance 2017-1

Consider adoption of an Ordinance amending the Code of Ordinances, Article 3.09 regarding the regulation of temporary signs, abandoned signs, electronic signs and signs in the Downtown District.

COMMENTS - Current Meeting:

City Attorney Brandon Davis stated that this topic was previously discussed in a Work Session. This Ordinance amends the current Sign Ordinance in regard to temporary signs, abandoned signs, electronic signs and signs in the City's downtown district.

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3.09, REGARDING THE REGULATION OF TEMPORARY SIGNS, ABANDONED SIGNS, ELECTRONIC SIGNS, AND SIGNS IN THE DOWNTOWN DISTRICT; 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."

After brief discussion, a motion was made to adopt the Ordinance as presented.

ATTACHMENTS:

- Sign Ordinance-Mark-up (DOCX)

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

4. Council Action 2017-1

Discussion with Texas Department of Transportation Officials regarding concerns with Hwy. 146N, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported that there are major concerns regarding hazards of the roadway, and citizen's safety, on Hwy. 146 north of the Bypass. Mr. Broz reported that numerous vehicle accidents have occurred, visibility is limited in certain situations and the speed limit seems to be excessive in that vicinity. Discussed was the area from the North Main Baptist Church to the Stripes business located at Hwy. 146N and the Bypass.

Numerous citizens spoke to these issues, with possible solutions involving a turn lane, a lower speed limit, placement of a caution light, and other suggestions, with responses provided by TxDOT Area Engineer Omar DeLeon. After lengthy discussion by all the parties, consensus of the Council was to formalize a Resolution that TxDOT make changes that create a safer environment for motorists traveling on State Hwy. 146 north of the Bypass. This Resolution will be brought before Council on January 24th.

RESULT: NO ACTION TAKEN

5. Ordinance 2017-2

Consider adoption of an Ordinance amending the Fiscal Year 2016-2017 Budget.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE CITY'S BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017; PROVIDING FOR AN INCREASE IN REVENUES AND EXPENDITURES IN THE CAPITAL OUTLAY BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET, AS AMENDED AND ADOPTED; 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.

Finance Director Naomi Herrington reported that this budget amendment for capital outlay expenditures includes the following:

- Backhoe - Water Department
- Splash Pad - Park
- Radios - Police Department
- Ambulance - Fire Department

These items total \$587,095 and are to be paid with Cambridge Funds.

A motion was made to adopt the Ordinance as presented.

ATTACHMENTS:

- Exhibit A Budget Amendment (PDF)

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

6. Ordinance 2017-3

Consider adoption of an Ordinance vacating and abandoning a portion of Vera Lane between Lee Street and Still Forest Drive.

COMMENTS - Current Meeting:

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

"AUTHORIZING THE VACATING AND ABANDONMENT OF A PORTION OF VERA LANE; AND 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."

Public Works Director Tom Warner reported a request has been made to abandon the unimproved right-of-way of Vera Lane between Lee and Still Forest Drive. The City has no plans to construct a street on this right-of-way. The property owner is proposing to sell Lot 3, and due to the shape of the property a home would not be able to be built and meet the City's various setback requirements. The abandonment would provide the additional area needed to construct a home and meet the setback requirements.

After brief discussion, a motion was made to adopt the Ordinance.

ATTACHMENTS:

- Agenda Form-Vera Lane (DOCX)
- Vera Lane Map (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louie Potetz, Councilperson
SECONDER:	Libby Simonson, Councilperson
AYES:	Pickett, Beasley, Potetz, Simonson, Arnold, Glazener
ABSENT:	Diane Huddleston

7. Council Action 2017-2

Consider approval of the Preliminary Plat of the Holly Manor Subdivision, and take any action deemed necessary.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on a preliminary plat for the Holly Manor Subdivision presented by Merrick Homes. The proposed development does not include any infrastructure improvements, with utilities being connected to existing utility facilities on Holly Street. Numerous citizens spoke regarding their concerns with the water service, drainage and other related issues.

After lengthy discussion, a motion was made to approve the Preliminary Plat of the Holly Manor Subdivision.

ATTACHMENTS:

- Agenda Form-Holly Manor (DOCX)

RESULT:	APPROVED [4 TO 2]
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Carl Pickett, Dennis Beasley, David Arnold, Paul Glazener
NAYS:	Louie Potetz, Libby Simonson
ABSENT:	Diane Huddleston

8. Council Action 2017-3

Consider appointments to the 2017 Charter Review Commission.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reviewed the Charter Review Commission's duties and reported that appointments to the Charter Review Commission include five City of Liberty residents. After brief discussion, a motion was made to appoint Jaime Carter, Victor Barranco, Marsha LaFour, Paul Glazener and Courtney Daniel.

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:19 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary