



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, June 13, 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	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

An Invocation was not offered.

III. PLEDGE OF ALLEGIANCE

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

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 everyone of the City's July 3rd Fireworks Display at the Liberty Municipal Park
- Chief Brian Hurst reported on the Fire Department's Annual BBQ Fundraiser
- City Manager Gary Broz reported there would be a Noon Council Meeting on Tuesday, June 20 for the second public hearing on Phase IVa annexation.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3808)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the following:

- Wastewater Project design almost complete, Phase I to be out for bid soon
- Water Project preliminary design has received TWDB approval
- Splash Pad Project projected to be complete by the end of June
- Airport Drainage Project has begun
- New Building Inspector, Robert Stoddard has begun work
- Continuing work with FEMA and State on sinkhole reimbursements
- Budget Season in progress
- Other various activities.

B. Information Item (ID # 3809)

SRMPA Report - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the last meeting of the Agency was held on May 16th in Liberty, with the Board Members touring the new SRMPA office in the Norwood Building. Meetings of the Sam Raubyburn Municipal Power Agency are held on the third Tuesday of each month in Livingston, at the Livingston City Hall.

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, May 09, 2017
2. Tuesday, May 16, 2017

B. Council Action 2017-43

Consider renewal of an Interlocal Agreement between the City of Liberty and the Texas A&M Forest Service for parking Forest Service vehicles at the Public Works Service Center, and take any action deemed necessary.

ATTACHMENTS:

- Agenda Form -Forest Service (DOCX)
- Interlocal Agreement-Forest Service (PDF)

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 3811)

Public Hearing on the proposed annexation of 0.8 square miles beginning at the Southeast Corner of the Baylor University Tract as recorded in Volume 1041 Page 584, Deed Records, Liberty County, Texas having coordinates of N:9988894.72, E:4053081.60; but excluding the Baylor University Tract recorded in Volume 1041 Page 584.

COMMENTS - Current Meeting:

At 6:12 p.m., Mayor Pickett opened the first of two Public Hearings on the Phase IVa annexation of property into the city' boundaries. Mr. Art Pertile, Olson & Olson, LLP was present to report on the annexation which consists of .8 square miles. Mr. Pertile reviewed a map of the proposed areas, along with those of Phases 1-3 previously annexed. Mr. Pertile further reviewed the various agreements, property owners, second public hearing to be held on Tuesday, June 20th at Noon, schedule for completing this Phase IVa annexation and other related annexation information.

At 6:23 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- Public Hearing Notices - Phase IVa (DOC)

2. Council Action 2017-44

Discussion of possible levee project with the Water Control District No. 5 and the National Resources Conservation Service, and take any action deemed necessary.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding joint projects for rehabilitation of the pump station and the levee at Main "A". Water Control Improvement District #5 has hired Freese Nichols to develop plans for repair of two of the gravity pipes and the levee slope failure at Main "A". The repairs will be two (2) separate projects whereby WCID has received a \$2 million grant from FEMA to repair the gravity flow pipes and outfall with flag gates at the pump station. WCID also received a \$2 million grant from National Resources Conservation Service for repair of the levee.

The City is willing to assist NRCS with cash or in-kind services for levee repair. However, bidding these two issues as one project could possibly create a \$1 million savings, as well as, a time savings by use of a more aggressive repair schedule. Both grants are a 75/25 match, with each the City and WCID #5 providing for the 25% portion.

After further discussion, a motion was made to authorize moving forward with the combined project and approving an expenditure of up to \$500,000 (the City's portion of the match).

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

3. Council Action (ID # 3812)

Receive Final Report from the 2017 Charter Review Commission, and take any action deemed necessary.

COMMENTS - Current Meeting:

Councilperson Glazener, Charter Review Commission Member, reported on the Commission's Final Report of recommended changes. After discussion of the eight suggested changes, consensus of the Council was that additional information for each change be brought back to Council at a later date.

4. Public Hearing (ID # 3814)

Public Hearing on the 2016 Drinking Water Quality Report.

COMMENTS - Current Meeting:

At 7:02 p.m., Mayor Pickett opened the Public Hearing on the 2016 Drinking Water Quality Report. Tom Warner, Public Works Director, stated that the Texas Commission on Environmental Quality requires that this report be sent to each citizen served by the City's water system, prior to July 1st. Mr. Warner reviewed the technical information on the report and stated the City's water system meets or exceeds all Federal (EPA) drinking water requirements.

After brief discussion, Mayor Pickett closed the Public Hearing at 7:03 p.m.

ATTACHMENTS:

- Agenda Form-Drinking Water Quality Rpt (DOCX)
- 2016 Drinking Water Quality Report (PDF)

5. Council Action 2017-45

Consider ratifying the Liberty Community Development Corporation's approval of funding improvements to the parking lots at the Liberty-Dayton Regional Medical Center, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mayor Pickett reported that the parking lots at the Liberty-Dayton Regional Medical Center have been resurfaced. Mayor Pickett stated that this \$45,000 project was completed due to the generosity of two donors, Mr. Bill Sjolander, River Ranch and Angel Brothers Construction. There remained a \$14,000 bill for placement of the asphalt on the parking lots, \$11,000 of which has been paid by the hospital. Mayor Pickett requested that the Council ratify the LCDRC's action to fund the final \$3000 of this project, as the hospital provides numerous services and benefits to the citizens of the community.

A motion was made to approve funding the requested \$3000 for resurfacing of the parking lots at the Liberty-Dayton Regional Medical Center.

RESULT:	APPROVED [4 TO 3]
MOVER:	Louie Potetz, Councilperson
SECONDER:	David Arnold, Councilperson
AYES:	Carl Pickett, Diane Huddleston, Louie Potetz, David Arnold
NAYS:	Dennis Beasley, Libby Simonson, Paul Glazener

6. Public Hearing (ID # 3817)

Public Hearing on the condemnation of the structure located at 3015 Grand.

COMMENTS - Current Meeting:

This agenda item did not require a Public Hearing as the structure under discussion had been removed by the property owner.

ATTACHMENTS:

- 3015 Grand (PDF)
- IMG_2766 (JPG)

7. Council Action 2017-46

Consider an Order of Abatement for the structure located at 3015 Grand.

RESULT:	NO ACTION TAKEN
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8. Public Hearing (ID # 3819)

Public Hearing on the condemnation of the structure located at 628 Lamar.

COMMENTS - Current Meeting:

At 7:22 p.m., Mayor Pickett opened the Public Hearing on the structure located at 628 Lamar. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation. The property owner was present and expressed a desire to remove the structure herself.

Mayor Pickett closed the Public Hearing at 7:36 p.m.

ATTACHMENTS:

- 628 Lamar (PDF)

9. Council Action 2017-48

Consider an Order of Abatement for the structure located at 628 Lamar.

COMMENTS - Current Meeting:

A motion was made that the structure located at 628 Lamar is found to be a public nuisance, and that the property owner be given 90 days to remove the structure, or the City is authorized to secure the demolition.

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

10. Public Hearing (ID # 3821)

Public Hearing on the condemnation of the structure located at 710 Lamar.

COMMENTS - Current Meeting:

At 7:38 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 710 Lamar. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 7:41 p.m.

ATTACHMENTS:

- 710 Lamar (PDF)

11. Council Action 2017-49

Consider an Order of Abatement for the structure located at 710 Lamar.

COMMENTS - Current Meeting:

A motion was made that the structure located at 710 Lamar is found to be a public nuisance, and that the property owner be given 30 days to remove the structure, or the City is authorized to secure the demolition.

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

12. Public Hearing (ID # 3823)

Public Hearing on the condemnation of the structure located at Trinity and Austin.

COMMENTS - Current Meeting:

At 7:43 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at Trinity & Lamar. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 7:50 p.m.

ATTACHMENTS:

- Trinity @ Austin Revised (PDF)

13. Council Action 2017-50

Consider an Order of Abatement for the structure located at Trinity and Austin.

COMMENTS - Current Meeting:

A motion was made that the structure located at Trinity & Lamar is found to be a public nuisance, and that the property owner be given 30 days to remove the structure, or the City is authorized to secure the demolition.

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

14. Public Hearing (ID # 3825)

Public Hearing on the condemnation of the structure located at 419 Austin.

COMMENTS - Current Meeting:

At 7:51 p.m., Mayor Pickett opened the Public Hearing on the condemnation of the structure located at 419 Austin. City Attorney Brandon Davis questioned Public Works Director Tom Warner regarding the condition of the structure, if the structure meets building code requirements and whether or not the property posed a safety and health hazard to the public. The condition of the property was shown in a powerpoint presentation.

Mayor Pickett closed the Public Hearing at 7:53 p.m.

ATTACHMENTS:

- 419 Austin Revised (PDF)

15. Council Action (ID # 3826)

Consider an Order of Abatement for the structure located at 419 Austin.

COMMENTS - Current Meeting:

A motion was made that the structure located at 419 Austin is found to be a public nuisance, and that the property owner be given 30 days to remove the structure, or the City is authorized to secure the demolition.

16. Public Hearing (ID # 3827)

Public Hearing on the condemnation of the structure located at 2711 Grand.

COMMENTS - Current Meeting:

This agenda item did not require a Public Hearing as the structure under discussion had been removed by the property owner.

ATTACHMENTS:

- 2711 Grand (PDF)
- IMG_2764 (JPG)
- IMG_2765 (JPG)

17. Council Action 2017-47

Consider an Order of Abatement for the structure located at 2711 Grand.

RESULT: NO ACTION TAKEN

B. Executive Session

At 7:58 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as follows:

Gov. Code §551.071 - Consultation with Attorney.

- Wastewater Contracts
- Terri Carter and Ron Carter v. City of Liberty

Gov. Code §551.072 - Deliberations Regarding Real Property

- 1309 N. Main Street, Liberty, Texas

C. Reconvene into Regular Session

At 8:47 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2017-51

Discussion on the sale, or other options for use, of the City property located at 1309 N. Main Street, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was moved (from being Item #6 on the agenda) to the Executive Session for discussion, as authorized under Government Code §551.072-Deliberations Regarding Real Property.

A motion was made to move forward with the real estate transaction, as discussed in the Executive Session.

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

2. Council Action 2017-52

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

COMMENTS - Current Meeting:

A motion was made that the wastewater contract with the City of Hardin be terminated; said termination to be effective July 1, 2022.

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

3. Council Action 2017-53

Consider and take action, if any, regarding Terri Carter & Ron Carter v. City of Liberty, as discussed in the Executive Session.

RESULT:	NO ACTION TAKEN
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VIII. ADJOURNMENT**A. Motion To:** Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:50 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary