



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, August 8, 2017

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 Louie Potetz	☐	☐	☐	
Councilperson Libby Simonson	☐	☐	☐	
Councilperson David Arnold	☐	☐	☐	
Councilperson Paul Glazener	☐	☐	☐	

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 # 3863)

Project Updates - City Mgr. G. Broz

B. Information Item (ID # 3880)

Sam Rayburn Municipal Power Agency-Mayor Pickett

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, July 11, 2017
2. Wednesday, July 12, 2017
3. Thursday, July 27, 2017
4. **Council Action (ID # 3878)**
Consider the dates of March 23rd and 24th for the 2018 Liberty Jubilee.

VII. REGULAR AGENDA

A. Regular Session

1. **Council Action (ID # 3864)**
Mr. Larry Brown to address the Council regarding repair of the structure located at 608 Garrett Street, and take any action deemed necessary.
2. **Council Action (ID # 3882)**
Consider an Interlocal Agreement between the City of Liberty and the Liberty County Historical Commission regarding negotiations for access and usage of the Branch Cemetery property.
 - Interlocal Agreement-Historical Commission (DOCX)
3. **Council Action (ID # 3883)**
Consider hiring C. Bruce Stratton, Attorney, to conduct negotiations with adjoining property owners for access and usage of the Branch Cemetery property.
4. **Public Hearing (ID # 3865)**
Public Hearing on the condemnation of the structure located at 3002 Neyland.
 - Agenda Item Dilapidated Structure 3002 Neyland August 8 2017 (DOCX)
 - Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
 - DSC05329 (JPG)
 - DSC05330 (JPG)
 - IMG_3103 (JPG)
 - IMG_3104 (JPG)
 - IMG_3105 (JPG)
 - IMG_3106 (JPG)
 - IMG_3489 (JPG)
 - IMG_3490 (JPG)
 - IMG_3491 (JPG)
 - IMG_3492 (JPG)
 - IMG_3493 (JPG)
 - IMG_3494 (JPG)

5. Council Action (ID # 3866)

Consider an Order of Abatement for the structure located at 3002 Neyland.

6. Public Hearing (ID # 3867)

Public Hearing on the condemnation of the structure located at 138 McManus.

- Agenda Item Dilapidated Structure 138 McManus August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05040 (JPG)
- DSC05041 (JPG)
- IMG_3088 (JPG)
- IMG_3485 (JPG)
- IMG_3486 (JPG)

7. Council Action (ID # 3868)

Consider an Order of Abatement for the structure located at 138 McManus.

8. Public Hearing (ID # 3869)

Public Hearing on the condemnation of the structure located at 109 John.

- Agenda Item Dilapidated Structure 109 John August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- DSC05408 (JPG)
- DSC05409 (JPG)
- DSC05410 (JPG)
- DSC05411 (JPG)
- DSC05412 (JPG)
- DSC05413 (JPG)
- DSC05414 (JPG)
- IMG_3100 (JPG)
- IMG_3101 (JPG)
- IMG_3102 (JPG)
- IMG_3487 (JPG)
- IMG_3488 (JPG)

9. Council Action (ID # 3870)

Consider an Order of Abatement for the structure located at 109 John.

10. Public Hearing (ID # 3871)

Public Hearing on the condemnation of the structure located at 205 Chesson.

- Agenda Item Dilapidated Structure 205 Chesson August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 7.17.17 (added name) (DOCX)
- IMG_3091 (JPG)
- IMG_3092 (JPG)
- IMG_3093 (JPG)
- IMG_3094 (JPG)
- IMG_3095 (JPG)
- IMG_3480 (JPG)
- IMG_3481 (JPG)
- IMG_3482 (JPG)

11. Council Action (ID # 3872)

Consider an Order of Abatement for the structure located at 205 Chesson.

12. Information Item (ID # 3887)

Report on the status of the dilapidated structure located at 419 Minglewood.

- Agenda Item Dilapidated Structure 419 Minglewood August 8 2017 (DOCX)
- Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (DOCX)
- IMG_3096 (JPG)
- IMG_3097 (JPG)
- IMG_3098 (JPG)
- IMG_3099 (JPG)
- IMG_3483 (JPG)

13. Ordinance (ID # 3881)

Consider adoption of an Ordinance lengthening the school speed limit zone on Panther Lane.

- Agenda Form-Panther Lane Speed Zone (DOCX)

14. Council Action (ID # 3885)

Consider a variance to Section 3.08.116, Occupancy of Recreational Vehicle Outside of Park, and take any action deemed necessary.

- Agenda Form Varaince Occupancy of RV Outside of Park 1837 N San Jacinto (DOCX)
- Variance Info - 1837 N San Jacinto (PDF)

15. Council Action (ID # 3886)

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements-Side Yard Setback for 114 Valley Drive, and take any action deemed necessary.

- Agenda Form- Varaince Side Yard Setback 104 Valley (DOCX)
- Variance Info - 114 Valley Drive (PDF)

16. Council Action (ID # 3873)

Consider setting the date, time and location for a Public Hearing on the proposed budget for Fiscal Year 2017-2018.

17. Council Action (ID # 3874)

Consider approval of the proposed tax rate for Fiscal Year 2017-2018.

18. Council Action (ID # 3875)

Consider setting the date, time and location for public hearings on the proposed tax rate for Fiscal Year 2017-2018.

19. Council Action (ID # 3879)

Consider award of proposal for Employee Life and Dependent Life Insurance.

20. Council Action (ID # 3884)

Consider award of lease for a new vehicle for the City Manager.

21. Council Action (ID # 3888)

Consider removal of Liberty Community Development Corporation Board Member Mike McCarty.

- Removal Request (PDF)

B. Executive Session

Consultation with Attorney - Gov. Code §551.071

(B) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.

C. Reconvene into Regular Session

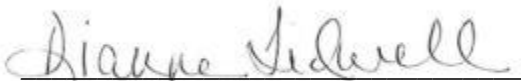
1. Council Action (ID # 3889)

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 August, 2017 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 _____, 2017.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.A

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3863)

DOC ID: 3863



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

5.B

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Reports

INFORMATION ITEM (ID # 3880)

DOC ID: 3880



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 11, 2017

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

The meeting was called to order on July 11, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

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	6:00 PM
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 Rev. Greg Bellard, Olive Bethel Baptist Church, Hardin, Texas.

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

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 Jul 11, 2017 6:00 PM (Minutes Approval)

City Manager Gary Broz reported that there would be Council Meetings held on August 12 and August 22, 2017.

Mayor Pickett thanked those that made the July 3rd Independence Day Celebration a great success.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3844)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on various City projects to include the Texas Water Development Board Water Project, Splash Pad, Airport Drainage Project, Library, Annexation, City Hall A/C issues, proposed Hwy. 146N turn lane, sinkhole at Alabama and Washington, meter readings for cities of Ames and Hardin, and other numerous projects.

B. Information Item (ID # 3845)

Presentation by HR Green regarding the Wastewater Rehabilitation Project, Phase 1.

COMMENTS - Current Meeting:

HR Green Engineers Rebekah Sandt and Mike Halde, were present to discuss Phase I of the city's Sanitary Sewer System Improvements. This phase encompasses recommendations and design of the proposed improvements. Discussed were the project objectives, recent inspections and assessment of the manholes, lift stations and wastewater treatment plant. Further discussion included prioritization of improvements, project and bid schedule, recommended design and costs.

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, Huddleston, Beasley, Potetz, Simonson, Arnold, Glazener

A. Minutes Approval

1. Tuesday, June 13, 2017
2. Tuesday, June 20, 2017

VII. REGULAR AGENDA

A. Regular Session

1. Ordinance 2017-10

Consider an Ordinance of the City of Liberty, Texas annexing a 514 Acre (0.8 square miles) tract of land, providing for the extension of certain boundary limits of the City to include certain territory identified by Liberty County Appraisal District Records as Property ID #26828; #26830; and #26852; providing that annexed territory bears pro rata part of taxes; adopting a Service Plan for the annexed properties; authorizing the Mayor to execute Development Agreements for property identified by Liberty County Appraisal District Records as Property ID #13567 and #26853 to remain in the Extraterritorial Jurisdiction of the City; providing a savings clause; and dispensing with the requirement of Section 3.10 of the Home Rule Charter that all ordinances be read on two separate days.

COMMENTS - Current Meeting:

Mr. Art Pertile, Olson & Olson LLP, was present to discuss adoption of the Phase 4A Annexation. Mr. Pertile reported that public hearings on the annexation were held on June 13 and June 20, 2017. Reviewed was a map of the properties involved; with two properties annexed are now included in the City Limits, and three properties not annexed, but now included the City's ETJ pursuant to a Chapter 43 Development Agreement. Phase 4A annexed a 514 acre tract of land; 0.8 square miles.

After further discussion of the proposed annexation and related issues, a motion was made to adopt the Ordinance, excluding Property ID # 26852 (William Martin Daniel Trust No. 1) and authorizing the Mayor to execute a Chapter 43 Development Agreement. This property will not be annexed into the City limits, but included in the City's ETJ.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Diane Huddleston, Mayor Pro Tem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener
NAYS:	Louie Potetz

2. Resolution 2017-9

Consider a Resolution declaring the intention of the City of Liberty, Texas, to annex certain territory described as .68 square miles beginning at the Southeast Corner of 2017 Annexation Tract 4a, said point being in the most westerly east line of William Martin Daniel Trust Tract as recorded in Volume 1396 Page 318, Official Public Records, Liberty County, Texas, having coordinates of N:9984778.88, E:4059206.88; setting the dates, times, and places for two public hearings at which all interested parties shall have an opportunity to be heard; providing for publication of notices of such public hearings; and directing preparation of a Municipal Service Plan for the territory proposed to be annexed.

COMMENTS - Current Meeting:

Mr. Art Pertile, Olson & Olson LLP, reported on the City's intent to annex additional property described as Phase 5 Annexation. Mr. Pertile explained that this annexation includes two non-ag exemp properties, the U.S. Dept of Interior and U.S. Fish and Wildlife Service. There are also two Ag-Exempt Properties for a total of .68 square miles. The properties were

further reviewed, with two public hearings on the annexation scheduled for August 15, 2017 at Noon and August 22, 2017 at 6:00 p.m.

RESULT:	APPROVED [6 TO 1]
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener
NAYS:	Louie Potetz

3. Council Action 2017-55

Mr. Larry Brown to address the Council regarding repair of the structure located at 608 Garrett, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Larry Brown addressed the Council regarding the structure located at 608 Garrett Street. At the April 11, 2017 Council Meeting, after discussion of the structure and its state of disrepair, Mr. Brown was given 90 days to repair the structure or the City would be authorized to secure the demolition.

Mr. Brown stated that he did not understand that the 90 days included completion of his project, as he has not yet requested the required permits to commence repair. After lengthy discussion, a motion was made that Mr. Brown return to the August 8, 2017 Council Meeting with a documented plan for repair and completion.

ATTACHMENTS:

- IMG_3079 (PDF)
- IMG_3080 (PDF)
- IMG_3081 (PDF)

RESULT:	APPROVED [6 TO 1]
MOVER:	David Arnold, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Pickett, Huddleston, Beasley, Potetz, Arnold, Glazener
NAYS:	Libby Simonson

4. Council Action (ID # 3849)

Mr. David Papillion, Mayor Pro Tem, City of Ames, to address the Council regarding wastewater issues, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. David Papillion, Mayor Pro Tem, City of Ames, addressed the Council regarding wastewater issues, to include the previous repairs to their system. Mr. Papillion reviewed the repairs to include sewer line smoke testing, manhole repair, televising areas of inflow and infiltration and applying for grants to assist with their wastewater system defects. Lengthy discussion was held, with Mr. Papillion requesting that the City of Liberty not charge the City of Ames overflow charges both on the daily and monthly caps, as the City of Ames does not have the funds to pay both these and will only incur more debt each month, that they are not able to pay. Mr. Papillion stated that whatever the Council may choose to do for the City of Ames, would obviously have to be done for the City of Hardin.

Council stated they would take the City of Ames' request under consideration. No action was taken.

At 7:30 p.m., Mayor Pickett called for a short recess.

At 7:34 p.m., Mayor Pickett reopened the meeting.

5. Council Action 2017-56

Consider quotes for employee health insurance, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on a proposed change to the City's employee Health Insurance. Mr. Broz stated that after receiving quotes providing similar benefits, Blue Cross Blue Shield, through First Liberty National Bank, is recommended for the 2017-2018 Fiscal Year. Representatives Mike Weaver of the Texas Municipal League and Milton Fregia, First Liberty National Bank spoke to their respective insurance benefits. The deductible will increase from \$500 to \$1500.00, but additional premium cost will not be passed to the employee. After lengthy discussion, a motion was made to approve the quote from Blue Cross Blue Shield for employee health insurance.

RESULT:	APPROVED [6 TO 0]
AYES:	Pickett, Beasley, Potetz, Simonson, Arnold, Glazener
ABSTAIN:	Diane Huddleston

6. Council Action 2017-57

Discussion and update of the Texas Municipal Retirement System, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Anthony Mills, Texas Municipal Retirement System, addressed the Council with an update of the City's plan and its retirement benefits. Mr. Mills reported the city's plan provisions of an employee deposit rate of 7% of the employee's gross compensation, a 2-1 City match and a vesting requirement of 5 years. Retirement eligibility is 5 years/age 60, or 20 years/any age. The only way to receive the City's matching funds is to retire from TMRS. Mr. Mills further addressed TMRS investments and actuarial funding regarding the cost of the City's plan.

RESULT:	NO ACTION TAKEN
----------------	------------------------

7. Council Action 2017-58

Consider quotes for employee life insurance, and take any action deemed necessary.

COMMENTS - Current Meeting:

This agenda item was passed on.

RESULT: NO ACTION TAKEN

8. Council Action 2017-59

Consider ratifying the Liberty Community Development Corporation's action to fund a joint levee project between the City of Liberty, Water Control Improvement District #5, Natural Resources Conservation Service, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed joint project for rehabilitation of the pump station and the levee at Main "A". Freese & Nichols has been hired by WCID to develop plans for repair of two of the gravity pipes and the levee slope failure at Main "A". These repairs are designated as two separate projects. 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.

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 each providing a 25% portion.

A motion was made to ratify the Liberty Community Development Corporation's action to approve the combined projects, providing for a cost savings.

ATTACHMENTS:

- NRCS Slope Repair (PDF)

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

9. Council Action 2017-61

Consider an Interlocal Agreement with the Water Control Improvement District #5 for levee repairs, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager stated that in with the previous vote approving the joint projects, the City proposed to fund its 25% through the Liberty Community Development Corporation. WCID #5 will manage the grant/construction and will employ a grant administrator.

After further discussion, a motion was made to approve the contract with WCID #5, to include an expenditure of up to \$534,435, to be paid as the work is completed.

ATTACHMENTS:

- Interlocal Agreement- WCID (PDF)

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

10. Council Action 2017-62

Consider ratifying the Liberty Community Development Corporations' expenditure for the Liberty Municipal Park Trail Project, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed upgrade to the walking trail at the Liberty Municipal Park, stating three bids were received. Bids were reviewed by Schaumburg & Polk, Inc., with the recommendation the project be awarded to Hayden Paving Inc., to include Addendum A, for a total contract amount of \$305,335.88. Discussion was held regarding the project to include the 6 ft. wide overlay of the trail and other project components:

- Blocking off the trail so that it may not be driven on (Addendum A - rocks)
- Additional picnic tables and benches
- Concrete crossing, with crossings marked
- Additional trash receptacles.

A motion was made to ratify the Liberty Community Development Corporation's action to award the bid to Hayden Paving, Inc, to include Addendum A, for a total cost of \$305,335.88.

ATTACHMENTS:

- Park Trail Info (PDF)

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

11. Council Action 2017-63

Consider ratifying the Liberty Community Development Corporation's action to purchase five (5) steel poles for baseball fields at the Liberty Municipal Park, and take any action deemed necessary.

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the proposed replacement of five (5) poles at the Liberty Municipal Park. The project would consist of replacing five wooden poles at the baseball field at the Liberty Municipal Park with five steel poles. A quote was received from Techline Sports Lighting for \$6500 each for a 70 ft. galvanized steel direct embedded pole. After brief discussion, a motion was made to ratify the Liberty Community Development Corporation's action to purchase five steel poles at \$6500.00 each, for a total cost of \$32,500.00.

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

12. Council Action 2017-64

Consider ratifying the Liberty Community Development Corporation's action to hire E.P. Breaux for installation of steel poles and lights at the Liberty Municipal Park, and take any action deemed necessary.

COMMENTS - Current Meeting:

Mr. Broz reported that E.P. Breaux, while working in the City of Liberty on the Express Feeder would be willing to install the steel poles at the Liberty Municipal Park, however, the cost was excessively high. After brief discussion, a motion was made to ratify the Liberty Community Development Corporation's action to authorize the City Manager to negotiate with E.P. Breaux, or other vendors, for the pole installation for a cost not to exceed \$33,000.00.

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

13. Council Action 2017-65

Consider approval of a bid for tax Resale Property described as being a Mobile Home on Lot 1-4, Block 74, Liberty, Texas (450 Alabama).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on the tax resale property located at 450 Alabama. An offer of \$2,000.00 has been made, with total taxes owed to all taxing entities in the amount of \$19,261.96. If the bid is accepted, \$5,512.92 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of \$2,000.00 for the tax resale property described as a mobile home on Lot 1-4, Block 74, Liberty, Label #TRA0226166.

ATTACHMENTS:

- Tax Property-450 Alabama (PDF)
- IMG_5880 (JPG)
- IMG_5881 (JPG)
- IMG_5882 (PDF)
- IMG_5883 (PDF)

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

14. Council Action 2017-66

Consider approval of a bid for Tax Resale Property described as Liberty Inner Blocks, Block 116, Lot PT 2 TR8 (919 Sam Houston).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on the tax resale property located at 919 Sam Houston. An offer of \$15,250.00 has been made, with total taxes owed to all taxing entities in the amount of \$19,933.07. If the bid is accepted, \$3,462.17 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of \$15,250.00 for the tax resale property described as Liberty Inner Blocks, Block 116, Lot PT 2 TR 8.

ATTACHMENTS:

- Tax Property-919 Sam Houston (PDF)
- IMG_5884 (PDF)
- IMG_5885 (JPG)
- IMG_5886 (JPG)
- IMG_5888 (PDF)

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

15. Information Item (ID # 3861)

Public Hearing on the 2016 Drinking Water Quality Report.

COMMENTS - Current Meeting:

At 8:44 p.m., Mayor Pickett opened the Public Hearing on the 2016 Drinking Water Quality Report. A previous public hearing on this topic was also held at the June 13, 2017 Council Meeting. As there were no questions or comments, Mr. Warner stated that there were no violations and the City's water system meets or exceeds all Federal (EPA) drinking water requirements.

At 8:45 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- 2016 Drinking Water Quality Report (PDF)

B. Executive Session

Gov. Code §551.072 - Deliberation Regarding Real Property

Gov. Code §551.071- Private Consultation with Attorney on all subjects or matter authorized by law:

- When the governmental body seeks the advice of its attorney about pending or contemplated litigation and/or a settlement offer.
- On a matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act.
- Consider legal advice regarding items specifically listed on the agenda.

1. Real Estate - Branch Cemetery

At 8:46 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 9:42 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2017-60

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

COMMENTS - Current Meeting:

Council consensus was to authorize the City Attorney to inform the public and the Liberty County Historical Commission that an attorney of the Commission's choosing would be hired to handle negotiations with property owners to secure access to the Branch Cemetery. The Commission will escrow funds with the City and be responsible for all attorney fees.

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 9:50 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 11, 2017 6:00 PM (Minutes Approval)



The City of Liberty City Council

Work Session

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Wednesday, July 12, 2017

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

The meeting was called to order on July 12, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:00 PM by Mayor Carl Pickett.

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	

II. WORK SESSION

1. Work Session (ID # 3842)

The Liberty City Council will conduct a Work Session regarding the Proposed Budget for Fiscal Year 2017-2018.

COMMENTS - Current Meeting:

City Manager Gary Broz and Finance Director Naomi Herrington held discussion with the Council regarding FY 2017-2018 budget issues. Topics of discussion included tax values, health insurance, review of the various funds, transfers, water and sewer rate comparison, Fire and Police retention, salary increase and numerous additional related items.

III. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:58 p.m.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 12, 2017 6:00 PM (Minutes Approval)



The City of Liberty City Council

Work Session

~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Thursday, July 27, 2017

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

The meeting was called to order on July 27, 2017 at the City Council Chambers, 1829 Sam Houston Liberty, TX at 6:01 PM by Mayor Carl Pickett.

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	6:09 PM
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	

II. WORK SESSION

1. Work Session (ID # 3862)

The Liberty City Council will conduct a Work Session regarding the Proposed Budget for Fiscal Year 2017-2018.

COMMENTS - Current Meeting:

City Manager Gary Broz and Finance Director Naomi Herrington held discussion with the Council regarding FY 2017-2018 budget issues. Topics of discussion included:

- leaving the ad valorem tax rate at .61, review of the M&O and Debt Rates
- changing from TML to Blue Cross Blue Shield for employee health coverage
- 3% salary increase for employees
- providing a balanced general fund
- transfers and other fund balances
- Cambridge funds
- water and sewer rate increases
- additional budget related items.

Minutes Acceptance: Minutes of Jul 27, 2017 6:00 PM (Minutes Approval)

III. ADJOURNMENT

1. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 7:50 p.m.

.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

Minutes Acceptance: Minutes of Jul 27, 2017 6:00 PM (Minutes Approval)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

6.A.4

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Jubilee

COUNCIL ACTION (ID # 3878)

DOC ID: 3878



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.1

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Demolition

COUNCIL ACTION (ID # 3864)

DOC ID: 3864



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.2

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Agreements

COUNCIL ACTION (ID # 3882)

DOC ID: 3882

Agreement

This agreement ("Agreement") is made and entered into between the **City of Liberty**, a home rule municipal corporation of the State of Texas ("City"), acting by and through **Carl Pickett**, its duly authorized City Mayor, and the **Liberty County Historical Commission** (hereinafter "Historical Commission"), acting by and through **Linda Jamison**, its duly authorized Chairman (hereinafter, the "Parties").

RECITALS

WHEREAS, the City recognizes that protecting the heritage and history of the City of Liberty is of great importance; and

WHEREAS, the Branch Cemetery is located near the corner of Travis Street and Cypress Street; and

WHEREAS, the Branch Cemetery is currently in deplorable condition and needs to be restored and adequately maintained; and

WHEREAS, the City does not currently have legal access to the cemetery; and

WHEREAS, individuals are currently trespassing on the cemetery property and are using it as a pasture for animals; and

WHEREAS, the Historical Commission is willing to cover all costs, including but not limited to any legal fees, incurred by the City in negotiating with and removing the trespasser from the cemetery and the costs incurred by the City in obtaining legal access to the cemetery; and

WHEREAS, the Historical Commission agrees to place TEN THOUSAND DOLLARS (\$10,000.00) in escrow with the City to cover said costs; and

WHEREAS, the City agrees to hire an attorney chosen by the Historical Commission to represent the City in the Branch Cemetery negotiations; and

WHEREAS, both the Historical Commission and the City understand and agree that the final decisions regarding the cemetery belong to the City of Liberty.

NOW, THEREFORE, the City of Liberty contracts with the Historical Commission to hire an attorney and to negotiate with adjoining land owners regarding access and usage of the cemetery, in exchange for consideration of the mutual covenants, promises and agreements herein expressed, the parties agree as follows:

AGREEMENT

1.

City agrees to hire an attorney selected by the Historical Commission to represent the City in negotiations with the adjoining land owners regarding access to the cemetery and to represent the city in the removal of trespassers from the Branch Cemetery property. The City will not spend any of its own money obtaining access to the property or removing trespassers from the Branch Cemetery. The Historical Commission agrees to pay for all fees, including legal fees, associated with the removal of trespassers from the Branch Cemetery property and obtaining access to the Branch Cemetery. The Historical Commission shall place TEN THOUSAND DOLLARS (\$10,000.00) in escrow with the City to cover said expenses. Additionally, the Historical Commission agrees to pay any fees arising hereunder that are greater than the \$10,000 escrow payment. The City agrees to keep the Historical Commission involved in all negotiations and decisions regarding the Branch Cemetery. However, both the Historical Commission and the City recognize and agree that the final decisions regarding the Branch Cemetery belong to the City of Liberty. This agreement shall take place in conjunction with the previously agreed upon agreement between the City and the Historical Commission.

2.

The term of this Agreement is for a period beginning on _____, and lasting until the issues discussed herein are resolved.

3.

City and Historical Commission covenant and agree that in the event either party fails to comply with, or breaches, any of the terms and provisions of this Agreement, each party shall provide written notice to the other as soon as reasonably possible after the non-breaching party becomes aware of the failure to comply or breach of contract. In the event that the breaching party fails to cure or correct such breaches within a reasonable time following the receipt of notice, such reasonable time not to exceed 60 days, the non-breaching party shall have the right to declare this agreement immediately terminated, and neither party shall have further responsibility or liability hereunder.

4.

City and Historical Commission covenant that neither they nor any of their respective officers, members, agents, employees, program participants, or subcontractors, while engaged in performing this Agreement shall, in connection with the employment, advancement, or discharge of employees, or in connection with the terms, conditions or privileges of their employment, discriminate against persons because of their age, except on the basis of a bona fide occupational qualification, retirement plan, or statutory requirement.

5.

City and Historical Commission, in the execution, performance or attempted performance of this Agreement, will not discriminate against any person or persons because of sex, race, religion, age, disability, color, national origin, or familial status, nor will Contractor permit its agents, employees, subcontractors or program participants to engage in such discrimination.

6.

The provisions of this Agreement are severable and if for any reason a clause, sentence, paragraph or other part of this Agreement shall be determined to be invalid by a court or federal or state agency, board or commission having jurisdiction over the subject matter thereof, such invalidity shall not affect other provisions which can be given effect without the invalid provision.

7.

The failure of City or Historical Commission to insist upon the performance of any term or provision of this Agreement or to exercise any right herein conferred shall not be construed as a waiver or relinquishment to any extent of City's or Historical Commission's right to assert or rely upon any such term or right on any future occasion.

8.

Should any action, whether real or asserted, at law or in equity, arise out of the execution, performance, attempted performance or non-performance of this Agreement, venue for said action shall lie in Liberty County, Texas.

9.

The governing bodies of City and the Historical Commission have approved the execution of this Agreement, and the persons signing the Agreement have been duly authorized by the governing bodies to sign this Agreement on behalf of the governing bodies.

10.

This written instrument constitutes the entire agreement by the parties hereto concerning the property and services to be transferred and performed hereunder, and any prior or contemporaneous, oral or written agreement which purports to vary from the terms hereof shall be void.

11.

The parties agree that this agreement may be executed in duplicate originals.

12.

Notice to City shall be deemed given when delivered in person to the City Manager, or the next business day after the mailing of said notice addressed to said City by United States mail, certified or registered mail, return receipt requested, and postage paid at 1829 Sam Houston St., Liberty, TX 77575.

IN WITNESS WHEREOF, the parties hereto have executed this agreement to multiples in Liberty, Liberty County, Texas, this ____ day of _____, A.D. 2017.

ATTEST:

CITY OF LIBERTY

City Secretary_____
Carl Pickett
Mayor

ATTEST:

HISTORICAL COMMISSION

Linda Jamison
Chairman



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.3

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3883)

DOC ID: 3883



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.4

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3865)

DOC ID: 3865

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.4
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 3002 Neyland.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 3002 Neyland is accessible and the property is not maintained on a regular basis. The building structure or portion thereof was in such a condition that it constituted a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If the structure is not removed by the property owner, the City will incur the cost of removing the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 3002 Neyland be declared a public nuisance and demolition material be removed within thirty (30) days. It is also recommended that if not removed within the thirty (30) days, the City Manager or his designee is authorized to secure the removal.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Item Dilapidated Structure 3002 Neyland August 8 2017 (3865 : PH-3002 Neyland)

June 29, 2017

Emagene C. Jones
3002 Neyland St.
Liberty, TX 77575

Jenni Miller
3002 Neyland St.
Liberty, TX 77575

Jeff Jones
3002 Neyland St.
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on August 8, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **3002 Neyland Parcel ID#: 62978 GID: 006870-000026-007 Legal Description: Oaks, Block 2, Lot 15, PT 14 acres .6857**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not be completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson
Code Enforcement Officer







CUSTOM FLOORS
&
PAPERES
since 1953
CARPET - VINYL
TILE - CERAMIC
MSTRONG-SHAW
PRODUCTS
3002 NEYLAND
36-336-2291

NOTICE
This property is for sale.
For more information, please call
36-336-2291

Attachment: IMG_3103 (3865 : PH-3002 Neyland)











M FLOORS

&

PRODUCTS

established since 1953

IT - VINYL

CERAMIC

LONG & SHAW

PRODUCTS







Attachment: IMG_3494 (3865 : PH-3002 Neyland)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.5

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3866)

DOC ID: 3866



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.6

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3867)

DOC ID: 3867

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.6
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 138 McManus.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 138 McManus is not accessible and the property is not maintained on a regular basis. The building structure or portion thereof was in such a condition that it constituted a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If the structure is not removed by the property owner, the City will incur the cost of removing the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 138 McManus be declared a public nuisance and demolition material be removed within thirty (30) days. It is also recommended that if not removed within the thirty (30) days, the City Manager or his designee is authorized to secure the removal.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Item Dilapidated Structure 138 McManus August 8 2017 (3867 : PH-138 McManus)

June 29, 2017

Michael C. McCarty
P.O. Box 307
Liberty, TX 77575

Danella McCarty
P.O. Box 307
Liberty, TX 77575

Maynard Jones
134 McManus St.
Liberty, TX 77575

Michael C. McCarty
134 McManus St.
Liberty, TX 77575

Danella McCarty
134 McManus St.
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on August 8, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **138 McManus Parcel ID#: 17982 GID: 000091-000163-003 Legal Description: Geo Orr, Tract 42, Acres 30.9**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards

- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson
Code Enforcement Officer







Attachment: IMG_3088 (3867 : PH-138 McManus)







The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.7

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3868)

DOC ID: 3868



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.8

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3869)

DOC ID: 3869

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.8
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 109 John.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 109 John is not accessible and the property is maintained on a regular basis. The building structure or portion thereof was in such a condition that it constituted a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If the structure is not removed by the property owner, the City will incur the cost of removing the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 109 John be declared a public nuisance and demolition material be removed within thirty (30) days. It is also recommended that if not removed within the thirty (30) days, the City Manager or his designee is authorized to secure the removal.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Item Dilapidated Structure 109 John August 8 2017 (3869 : PH-109 John)

June 29, 2017

George C. John
109 John St.
Liberty, TX 77575

First Liberty National Bank
By serving CEO Kelly Stretcher
1900 Sam Houston
Liberty, TX 7757

Scarlett Capital Fund I LLC
By Serving Corporation Service Company
2711 Centerville Rd.
Suite 400
Wilmington, DE 19808

Scarlett Capital Fund I LLC
By Serving Trustee: R. Scott Wolfrom
815 Walker St.
Suite 350
Houston, TX 77002

International Revenue Service of the United States of America
By Service United States Attorney for the Eastern District of Texas
350 Magnolia Ave
Suite 150
Beaumont, TX 77701

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on August 8, 2017 at the Liberty City Hall, 1829 Sam Houston Street,**

Attachment: Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (3869 : PH-109 John)

Liberty, Texas 77575 to determine if the building located at: **109 John Parcel ID#: 63135 GID: 006887-000028-006 Legal Description: Oak Place, Block C, Lot 3**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson
Code Enforcement Officer





7.A.8.d

Attachment: DSC05409 (3869 : PH-109 John)













Attachment: IMG_3100 (3869 : PH-109 John)











The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.9

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3870)

DOC ID: 3870



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.10

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Public Hearing

PUBLIC HEARING (ID # 3871)

DOC ID: 3871

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.10
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 205 Chesson.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 205 Chesson is accessible and the property is not maintained on a regular basis. The building structure or portion thereof was in such a condition that it constituted a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance.
Fiscal Impact: If the structure is not removed by the property owner, the City will incur the cost of removing the structure and will place a lien on the property for the demolition and associated costs.
Staff Recommendation: Staff recommends that the structure at 205 Chesson be declared a public nuisance and demolition material be removed within thirty (30) days. It is also recommended that if not removed within the thirty (30) days, the City Manager or his designee is authorized to secure the removal.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Item Dilapidated Structure 205 Chesson August 8 2017 (3871 : PH-205 Chesson)

July 14, 2017

MC Malone
PO Box 531
Liberty, TX 77575

MC Malone
205 Chesson Ln
Liberty, TX 77575

Amy B. Webb
205 Chesson
Liberty, TX

Green Tree Acceptance- Louisiana Inc.
3232 Sherwood Forest Blvd.
#225
Baton Rouge, LA 70816

Jorge L. Perez
104 Tanner St
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on August 8, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **205 Chesson Parcel ID#: 36955 GID: 003180-000005-001 Legal Description: Chesson, Lot 6, Acres .2296**

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation

- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson
Code Enforcement Officer



















The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.11

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Condemnations

COUNCIL ACTION (ID # 3872)

DOC ID: 3872



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.12

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Condemnations

INFORMATION ITEM (ID # 3887)

DOC ID: 3887

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.12
Agenda Wording: Public Hearing on the Condemnation of the Structure Located at 419 Minglewood.
Department: Public Works/Inspections
Subject: All buildings or structures which are unsafe, unsanitary or do not provide adequate egress or which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health are considered unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Liberty Code of Ordinances.
Background: The structure at 419 Minglewood was not accessible and the property was not maintained on a regular basis. The building structure or portion thereof was in such a condition that it constituted a public nuisance. This determination is based on the lack of adequate sanitation, structural hazards, faulty construction materials, hazardous or unsanitary premises and inadequate maintenance. The structure has been removed.
Fiscal Impact: The structure has been removed by the property owner and the City will not will incur the cost of removing the structure.
Staff Recommendation: Since the structure at 419 Minglewood has been removed by the property owner no Staff Recommendation or action by City Council is required.
Purpose: To eliminate a hazard to public health, safety and welfare.

Attachment: Agenda Item Dilapidated Structure 419 Minglewood August 8 2017 (3887 : Dilapidated Structure-419 Minglewood)

June 29, 2017

Link Brown Jr.
P.O. Box 1466
Liberty, TX 77575

Link Brown Jr.
419 Minglewood
Liberty, TX 77575

Cynthia M. Brown
P.O. Box 1466
Liberty, TX 77575

Cynthia M. Brown
419 Minglewood
Liberty, TX 77575

Cynthia M. Brown
3322 Beaumont Ave
Liberty, TX 77575

Cynthia M. Brown
3249 Old Beaumont Rd.
Liberty, TX 77575

To Whom It May Concern:

The City is concerned about property in which you have an ownership interest. You are hereby given notice that a hearing will be held before the Liberty City Council at **6:00 o'clock p.m. on August 8, 2017 at the Liberty City Hall, 1829 Sam Houston Street, Liberty, Texas 77575** to determine if the building located at: **419 Minglewood Parcel ID#: 59373 GID: 006420-000020-000 Legal Description: Melonson Tract, Lot 12 Tract 2, Acres .75**

Attachment: Formal Demand Letter for Dilapidation and hearing notice 6.29.17 (3887 : Dilapidated Structure-419 Minglewood)

As the Code Enforcement Officer for the City of Liberty, it is my finding that the structures located on the Property are substandard and constitute a public nuisance. This determination is based on my finding of the following conditions:

- 1) Inadequate sanitation
- 2) Structural hazards
- 3) Nuisance
- 4) Faulty materials of construction
- 5) Hazardous or unsanitary premises
- 6) Inadequate maintenance

Based on the above conditions, I have ordered that the structures located on the Property be either demolished or repaired, within thirty (30), days to meet all building codes currently adopted by the City of Liberty. Prior to the start of construction, plans detailing the proposed work on the buildings, including proposed timelines for construction, must be submitted to the City for approval. The City has the right to deny construction permits if the proposed improvements identified in the plans will not be completed to Code requirements within the time allotted.

If the building is not brought up to code or demolished within thirty (30) days the City will set a hearing before the City Council asking that the building be declared a public nuisance and be demolished.

If you have any questions please feel free to call me at (936)336-3684.

Sincerely,

Samantha Johnson
Code Enforcement Officer



Attachment: IMG_3096 (3887 : Dilapidated Structure-419 Minglewood)



Attachment: IMG_3097 (3887 : Dilapidated Structure-419 Minglewood)









The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.13

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Speed Zones

ORDINANCE (ID # 3881)

DOC ID: 3881 A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING A SCHOOL ZONE ON PANTHER LANE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Liberty, Texas (the "City") has the authority to create and alter by ordinance school zones in the city limits; and

WHEREAS, a school zone currently starts on Panther Lane approximately 540 feet north of Jefferson Drive; and

WHEREAS, students routinely cross Panther Lane outside of the existing school zone to reach the adjacent shopping center; and

WHEREAS, relocating the school zone closer to Jefferson Drive would be in the best interest of LISD students so that they may cross Panther Lane safely; and

WHEREAS, pursuant to the authority of the City Council, the City hereby relocates the existing school zone from 540 feet north of Jefferson Drive to approximately 230 feet North of Jefferson Drive.

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

Section 1: That the school zone located on Panther Lane shall be relocated from its current location 540 feet north of Jefferson Drive to a new position on Panther Lane 230 feet north of Jefferson Drive.

Section 2: Any person violating this ordinance shall be guilty of a Class C misdemeanor.

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 that it is published in the newspaper on two separate dates.

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

Liberty, this 8th day of August, 2017.

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.13
Agenda Wording: Consider adoption of an Ordinance lengthening the school speed limit zone on Panther Lane.
Department: Public Works
Subject: Request to lengthen the school speed limit zone on Panther Lane.
Background: A representative from Liberty Independent School District (LISD) contacted the City requesting that the school speed limit zone on Panther Lane be extended closer to Jefferson Drive. The representative indicated that students are crossing the open field adjacent to the High School and Panther Lane on their way to the shopping center. The school zone begins approximately fifty (50) feet north of the driveway to the shopping center. Liberty ISD is requesting the school zone be lengthened to the south side of the driveway.
Fiscal Impact: The estimated cost to relocate the sign is \$50.00.
Staff Recommendation: Staff recommends the southern limit of school speed limit zone on Panther Lane be relocated from 540 feet north of Jefferson Drive to 230 feet north of Jefferson Drive.
Purpose: The increase in the length of the school speed limit zone will improve student safety.

Attachment: Agenda Form-Panther Lane Speed Zone (3881 : Panther Lane Speed Zone)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.14

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Variance Requests

COUNCIL ACTION (ID # 3885)

DOC ID: 3885

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.14
Agenda Wording: City Council consider a resolution authorizing a variance to Section 3.08.116, Occupancy of Recreational Vehicles Outside of Park.
Department: Public Works/Inspections
Subject: Variance for 1837 N. San Jacinto.
Background: The <u>Code of Ordinances</u> Section 3.08.116 allows the placement of a recreational vehicle at an owner's residence as long as the RV is placed on the side or rear yard area and not used for occupancy longer than fourteen (14) days in a twelve (12) month period. Recently, the Inspections Department notified the property owner at 1837 N. San Jacinto, Mr. Kerry Myers, regarding the placement of an RV in front of his residence. The RV is currently placed in the driveway. Mr. Myers was informed that the RV would have to be placed in the side or rear yard. A variance to this section of the ordinance has been requested by Mr. Myers due to space constraints on his property. A copy of his variance application is enclosed.
Fiscal Impact: N/A
Staff Recommendation: Staff recommends denial of the variance.
Purpose: Denial of the variance will prohibit the placement of the RV at 1837 San Jacinto.

Attachment: Agenda Form Variance Occupancy of RV Outside of Park 1837 N San Jacinto (3885 : Variance-RV-Outside of Park)

VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
 - a. A copy of the deed(s) to the subject property verifying legal ownership.
 - b. A Legible site plan or plot plan of the subject property.
 - c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): Kerry Myers

Name of Agent, if applicable: _____

Phone Number: _____

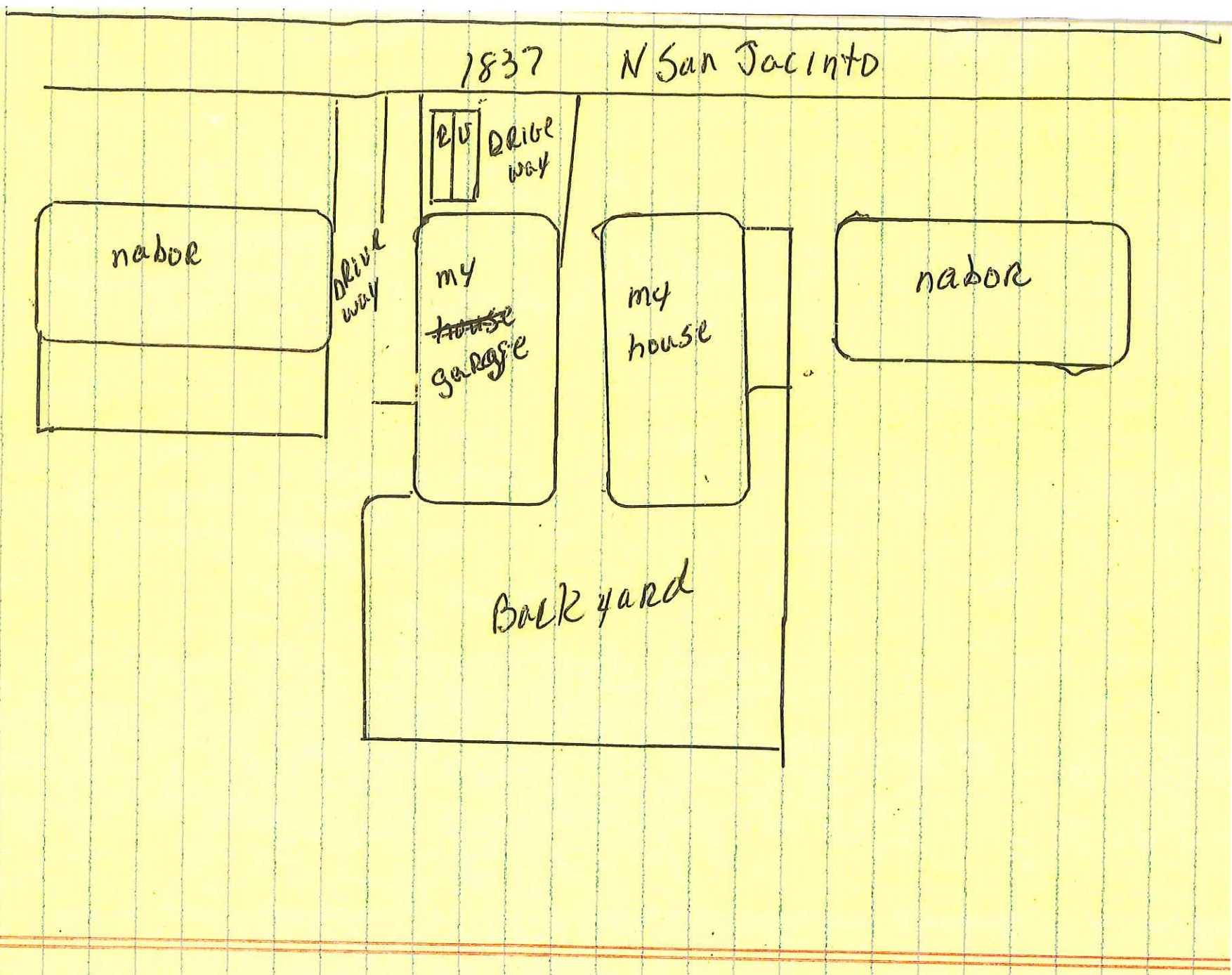
Fax Number: _____

Mailing Address: _____

Property Data:

Street address: 1837 N. San Jacinto

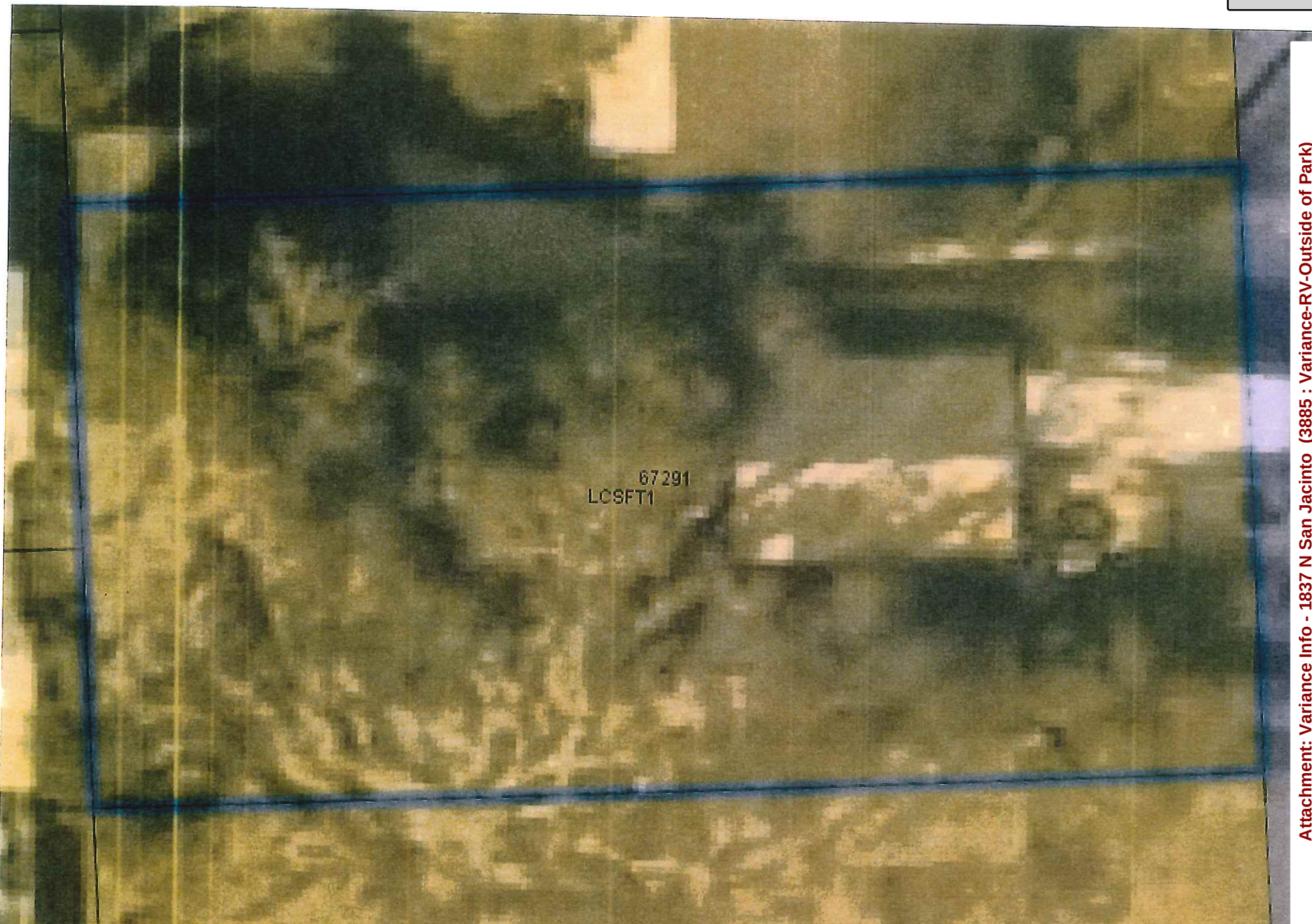
Legal Description: Cougar Fw RU



Attachment: Variance Info - 1837 N San Jacinto (3885 : Variance-RV-Outside of Park)

I Kerry Myers is stating that I don't live in the Cougar RV that is parking my drive way at 1837 N San Jacinto St. Lot 57. This RV has been park in this drive sence 2007. I use it for storage and have it in case of a hurricane I can hookup to it an evacuate.

I would be more than happy to move it to the side or to the backyard, but due to lack of room to get there we have it on nabor's property.



Attachment: Variance Info - 1837 N San Jacinto (3885 : Variance-RV-Outside of Park)

LCCAD DISCLAIMER

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and approximate relative location of property boundaries.
 PREPARED BY LIBERTY COUNTY CAD -- CHIEF APPRAISER: Lana McCarty



Parcels
Abstracts

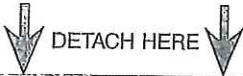
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Packet Pg. 105

Liberty County Appraisal District & BIS Consulting - www.bisconsultants.com
This product and relative contents are the property of the respective governmental entity and BIS Consultants. Use is restricted for official purposes.

Upon sale of this vehicle, the purchaser must apply for a new title within 30 days unless the vehicle is purchased by a dealer. Until a new title is issued, the vehicle record will continue to reflect the owner's name listed on the current title. SEE BACK OF TAB FOR ADDITIONAL INFORMATION.

AMERICAN GENERAL FINANCIAL
SERVICES
437 SW WILSHIRE BLVD STE A
BURLESON, TX 76028-5300



TEXAS CERTIFICATE OF TITLE



CERTIFIED COPY

TEXAS DEPARTMENT OF MOTOR VEHICLES

10609287

VEHICLE IDENTIFICATION NUMBER: 4YDF2872472505934
YEAR MODEL: 2007
MAKE OF VEHICLE: COUG
BODY STYLE: CT
TITLE/DOCUMENT NUMBER: 12610139292145229
ORIGINAL TITLE DATE: 08/08/2007
MODEL: 7800
MFG. CAPACITY IN TONS: 5JE700
WEIGHT: 06/21/2017
LICENSE NUMBER: 06/21/2017
CERTIFIED COPY DATE: 06/21/2017

PREVIOUS OWNER: FUN TIME RV SALES CLEBURNE, TX
OWNER: KERRY MYERS
P O BOX 7063
LIBERTY, TX 77575
ODOMETER READING: REMARK(S)

X SIGNATURE OF OWNER OR AGENT MUST BE IN INK

UNLESS OTHERWISE AUTHORIZED BY LAW, IT IS A VIOLATION OF STATE LAW TO SIGN THE NAME OF ANOTHER PERSON ON A CERTIFICATE OF TITLE OR OTHERWISE GIVE FALSE INFORMATION ON A CERTIFICATE OF TITLE.
WARNING: THIS IS A REPLACEMENT CERTIFICATE OF TITLE AND MAY BE SUBJECT TO THE RIGHTS OF A PERSON UNDER THE ORIGINAL CERTIFICATE. ANY PURCHASER OR LIENHOLDER MAY REQUIRE THE SELLER TO GUARANTEE AGAINST ANY LOSS CLAIMED UPON THE PRESENTATION OF THE ORIGINAL CERTIFICATE OF TITLE.

DATE OF LIEN: 07/27/2007
1ST LIENHOLDER: AMERICAN GENERAL FINANCIAL SERVICES
437 SW WILSHIRE BLVD STE A
BURLESON, TX 76028-5300

1ST LIEN RELEASED: DATE: BY: AUTHORIZED AGENT

DATE OF LIEN: 2ND LIENHOLDER: 3RD LIENHOLDER:

2ND LIEN RELEASED: DATE: BY: AUTHORIZED AGENT
3RD LIEN RELEASED: DATE: BY: AUTHORIZED AGENT

IT IS HEREBY CERTIFIED THAT THE PERSON HEREIN NAMED IS THE OWNER OF THE VEHICLE DESCRIBED ABOVE WHICH IS SUBJECT TO THE ABOVE LIENS.

RIGHTS OF SURVIVORSHIP AGREEMENT
WE, THE MARRIED PERSONS WHOSE SIGNATURES APPEAR HEREIN, HEREBY AGREE THAT THE OWNERSHIP OF THE VEHICLE DESCRIBED ON THIS CERTIFICATE OF TITLE SHALL FROM THIS DAY FORWARD BE HELD JOINTLY, AND IN THE EVENT OF DEATH OF ANY OF THE PERSONS NAMED IN THE AGREEMENT, THE OWNERSHIP OF THE VEHICLE SHALL VEST IN THE SURVIVOR(S).

Attachment: Variance Info - 1837 N San Jacinto (3885 : Variance-RV-Outside of Park)

9 PGS
CERT

2017011984

VOL. 149 PAGE 246

No. 6239

ESTATE OF § IN THE PROBATE COURT
JOEL WAYNE MYERS § OF
DECEASED § LIBERTY COUNTY, TEXAS

APPLICATION TO
CLOSE ESTATE

COMES NOW, DOROTHY JEAN MYERS, Administratrix of the Estate of Joel Wayne Myers, Deceased and request this honorable court to enter an order closing the estate based upon the following ground:

I.

The Administratrix would show that she and Kerry Wayne Myers are the only heirs at law of Joel Wayne Myers, deceased. The Administratrix would show that she is a surviving widow of the deceased and that Kerry Wayne Myers is the only child of the deceased. Kerry Wayne Myers resides at 1837 North San Jacinto Street, Liberty, Texas.

II.

The Administratrix would further show that she has entered into an agreement for the distribution of the estate. It has been agreed by and between the Administratrix and Kerry Wayne Myers, that Kerry Wayne Myers shall receive the following property from said estate.

1. 1981 Ford Pickup VIN# 1FTDX15G2BKA20931
2. 16FT Boat Motor and Trailer
3. Remington 30-06 Semi-automatic rifle
4. Miscellaneous Tools and Chains
5. Lot 57 in the San Jacinto Park subdivision situated in the George Orr League, Abstract No. 91 Liberty County, Texas

It is FURTHER AGREED by and between the Administratrix and Kerry Wayne Myers that Kerry Wayne Myers will assume and pay the indebtedness on the 1981 Ford Pickup and lot 57 in the San Jacinto Park Subdivision, George Orr League, Abstract No. 91, Liberty County, Texas.

It is FURTHER AGREED by and between the Administratrix and Kerry Wayne Myers that the Administratrix shall receive the remainder of the property in the estate, as described in Exhibit "A" attached hereto and incorporated herein for all purposes.

CERTIFIED COPY
STATE OF TEXAS
COUNTY OF LIBERTY
The foregoing is a true and correct photostatic copy of the original record now in my hands custody and possession, in the same is recorded in the Probate Records in my office and having been taken Number no standard format. Therefore, certify as:

JUN 19 2017

PAULETTE WILLIAMS
COUNTY CLERK
LIBERTY COUNTY TEXAS
Claribeth Macias

CLARIBETH MACIAS



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.15

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Variance Requests

COUNCIL ACTION (ID # 3886)

DOC ID: 3886

CITY OF LIBERTY

City Council Agenda Item Form

Council Meeting Date: August 8, 2017
Agenda Item No. VII.A.15
Agenda Wording: City Council approve a resolution authorizing a variance to Section 10.02.122 Table 5, Minimum Lot Requirements – Side Yard Setback for 114 Valley Drive.
Department: Public Works/Inspections
Subject: Variance for 114 Valley Drive.
Background: The <u>Code of Ordinances</u> Section 10.02.122 Table 5, Minimum Lot Requirements, Side Yard Setbacks requires a 7.5' side yard setback for standard single-family residential lots. The property owner at 144 Valley Drive, Mr. Thomas James, desires to construct an RV carport on the side of his home. The proposed carport would extend 6.5' into the 7.5' into the side yard setback. A variance to the side yard setback has been requested by Mr. James to allow the construction of the RV carport. A copy of his variance application is enclosed. On August 2, 2017, the Planning & Zoning Commission voted 3-0 to approve the variance.
Fiscal Impact: N/A
Staff Recommendation: Staff recommends approval of the variance.
Purpose: The variance will allow the construction of the RV carport at 114 Valley Drive.

Attachment: Agenda Form- Variance Side Yard Setback 104 Valley (3886 : Variance-Side Yard Setback)

VARIANCE APPLICATION

Instructions:

1. Please type or print with ink.
2. Applications must be completed, and accompanied by all required materials at the time of submittal. Incomplete submittals will be returned to the applicant. The City of Liberty cannot guarantee a deadline extension to allow for the submittal of omitted information or materials.
3. Application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request will be processed by an agent, the application must be accompanied by a notarized "Designation of Agent Form" signed by all legal owners of the property.
4. The Following items shall accompany the application:
 - a. A copy of the deed(s) to the subject property verifying legal ownership.
 - b. A Legible site plan or plot plan of the subject property.
 - c. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - d. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc.)

Owner/Agent Information:

Name of Owner(s): THOMAS JAMES

Name of Agent, if applicable: _____

Phone Number: _____

Fax Number: _____

Mailing Address: 114 VALLEY Dr.
LIBERTY, TX. 77575

Property Data:

Street address: 114 VALLEY Dr. LIBERTY, TX. 77575

Legal Description: _____

Attachment: Variance Info - 114 Valley Drive (3886 : Variance-Side Yard Setback)

Variance Request:

I/ We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Planning and Zoning commission and City Council of the City of Liberty consider the following variance request to the City of Liberty Code of Ordinances:

List brief description and ordinance(s)

REQUEST to build an R.V. CARPORT INSIDE of the
7' PROPERTY LINE limit - IT WILL NOT FIT ANY other WAY.

NEIGHBORS ON AFFECTED SIDE HAVE NO PROBLEM
with it.

It will be about a foot from property line

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Planning and Zoning Commission must make a finding of hardship. As noted in the instructions, **you must attach a letter** describing the reason for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Planning and Zoning Commission must determine that **all** of the following criteria are met. **State how your variance request meets these four criteria. Please note that the hardship cannot be based solely on financial or self-imposed conditions.** (Attach additional pages for multiple variance requests or if additional space is needed.)

1. The granting of the variance will not be detrimental to the public safety health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:

it's just a COVER FOR OUR R.V.

2. The granting of the variance is not based on a hardship which is self-imposed:

NO hardship. THIS IS the ROOM that we HAVE.

3. The hardship is not based solely on the cost of complying with the regulation:

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

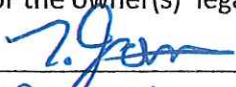
Notice:

The City of Liberty does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions. A plat vacation and replat pursuant to Chapter 212, Texas Local Government Code may be required for such authority.

Signature(s) of Owner(s)/ Agent:

This is to certify that the information provided above is true and correct and that I am the owner of record of the property or the owner(s)' legally authorized agent.

Signature: _____



Date: _____



Signature: _____



Date: _____


For Office Use Only

Submittal Date: _____

Planning and Zoning Meeting Date: _____

City Council Meeting Date: _____

Received By: _____

For Office Use Only

Planning & Zoning Approval/Denial: _____

City Council Approval/Denial: _____



14' 4"

COVER to Be
46' L x 14' H x 12' W
PARTIAL SIDE ON LEFT SIDE (7 1/2 ft)
18" ON RIGHT SIDE.
COVER IS BOLTED/SCREWED TOGETHER
BOLTED TO DRIVEWAY



Attachment: Variance Info - 114 Valley Drive (3886 : Variance-Side Yard Setback)



Attachment: Variance Info - 114 Valley Drive (3886 : Variance-Side Yard Setback)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.16

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Budget Issues

COUNCIL ACTION (ID # 3873)

DOC ID: 3873 A

EXPLANATION:

The governing body of a municipality is required to hold a public hearing on the proposed budget. The hearing must be at least fifteen days after the date the proposed budget is filed with the City Secretary and prior to the date that the Council passes the tax levy ordinance. The budget must be passed before the tax levy ordinance can be passed. Texas LGC §102.006. Any person may attend and/or participate in the hearing.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.17

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Tax Rate

COUNCIL ACTION (ID # 3874)

DOC ID: 3874



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.18

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Tax Rate

COUNCIL ACTION (ID # 3875)

DOC ID: 3875

EXPLANATION:

Tax payers must be provided the opportunity to express their views regarding the proposed tax rate. A public hearing on a tax rate may not be held before the 7th day after the date the notice of public hearing is given. The 2nd public hearing may not be held earlier than the 3rd day after the date of the 1st hearing. Management recommends holding the public hearings on August 22nd and August 29th.

Adoption of the tax rate ordinance will take place on September 12, 2017.



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.19

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Insurance

COUNCIL ACTION (ID # 3879)

DOC ID: 3879



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.20

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Vehicles

COUNCIL ACTION (ID # 3884)

DOC ID: 3884



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.A.21

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Misc.

COUNCIL ACTION (ID # 3888)

DOC ID: 3888

Gary Broz

From: Carl Pickett <cpickett@pickettandpickett.com>
Sent: Thursday, July 27, 2017 5:16 PM
To: Gary Broz
Subject: council meeting 8/8

Please place on the agenda for the subject meeting an item, being a take action item, regarding the removal of mike mccarty as a member of the liberty community development corporation - carl pickett

Carl Pickett
Pickett & Pickett, P.C.
P. O. Box 10225
524 Travis
Liberty, Texas 77575

936-336-5604
936-336-7752(fax)

Attachment: Removal Request (3888 : L CDC Board Mbr Removal)



The City of Liberty

City Council
1829 Sam Houston
Liberty, TX 77575

7.C.1

Meeting: 08/08/17 06:00 PM

Department: Administration
Category: Executive Session Items

COUNCIL ACTION (ID # 3889)

DOC ID: 3889