



The City of Liberty
City Council
Regular Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, January 9, 2018

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor Pro Tem	Present	
Dennis Beasley	Councilperson	Present	
Louie Potetz	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Deacon, Tuan Hoank, Immaculate Conception Catholic Church, Liberty.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags was led by Abby Hajovsky, Liberty High School Junior.

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.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 3997)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on current City projects and issues.

B. Information Item (ID # 3998)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported on recent Sam Rayburn Municipal Power Agency board appointments, meeting minutes and the next monthly meeting.

C. Information Item (ID # 3999)

Mayor, Council & Staff Comments

COMMENTS - Current Meeting:

There were no comments.

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, December 12, 2017

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 4000)

PUBLIC HEARING ON THE PROPOSED ANNEXATION OF 1.66 SQUARE MILES BEGINNING AT THE SOUTHEAST CORNER OF 2017 ANNEXATION TRACT 6, SAID POINT BEING IN THE UNITED STATES OF AMERICA TRACT RECORDED IN VOLUME 740 PAGE

682, DEED RECORDS, LIBERTY COUNTY, TEXAS HAVING COORDINATES OF N:9976419.62, E:4066479.28.

COMMENTS - Current Meeting:

At 6:23 p.m., Mayor Pickett opened the first of two Public Hearings on the annexation (Phase 7) of 1.66 square miles into the City's boundaries. Mr. Art Pertile, Attorney, Olson & Olson was present to discuss the annexation process. Mr. Pertile reviewed a map of the proposed annexation, property owners, agriculture agreements and 380 development agreements, public hearing dates and the adoption of the annexation ordinance having been scheduled for February 13, 2018.

At 6:34 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- PH Notices - Annexation-Phase 7 (DOC)

2. Council Action 2018-1

Consider approval of a bid for Tax Resale Property described as .2296 acres, Abshier, Lot 18 19 (815 Robbie St.).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on the tax resale property located at 815 Robbie Street. An offer of \$57,000.00 has been made, with total taxes owed to all taxing entities in the amount of \$55,167.52. If the bid is accepted, \$13,804.67 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of \$57,000.00 for the tax resale property described as 0.2296 acres, Abshier, Lot 18 19.

ATTACHMENTS:

- 815 Robbie (PDF)
- Map - Robbie St (PDF)
- Robbie Pic #1 (JPG)
- Robbie Pic #2 (JPG)

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

3. Council Action 2018-2

Consider approval of a bid for Tax Resale Property described as 0.406 acres, Westwood Acres. Lot 38 39 (Westwood Avenue).

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on the tax resale property located on Westwood Avenue. An offer of \$4,274.00 has been made, with total taxes owed to all taxing entities in the amount of \$32,522.00. If the bid is accepted, \$790.81 will be distributed to the City of Liberty.

After brief discussion, a motion was made to accept the bid of \$4,274.00 for the tax resale property described as 0.406 acres, Westwood Acres, Lot 38 39.

ATTACHMENTS:

- Westwood Acres (PDF)
- Map - Westwood Avenue (PDF)
- Westwood Pic #1 (JPG)
- Westwood Pic #2 (JPG)
- Westwood Pic #3 (JPG)

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

4. Ordinance 2018-1

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 5TH DAY OF MAY, 2018 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS. CONSIDER ADOPTION OF UNA ORDENANZA DEL MUNICIPIO DE LA CIUDAD DE LIBERTY, TEXAS, ORDENA UNA ELECCIÓN MUNICIPAL GENERAL QUE SE LLEVARÁ A CABO EL DÍA 5 DE MAYO DEL 2018, CON EL PROPÓSITO DE ELEGIR UNO ALCALDE Y TRES MIEMBROS DEL CONSEJO; AUTORIZANDO UN ACUERDO DE ELECCIÓN JUNTA ELECTORAL Y LOS CONTRATOS DE SERVICIOS POR/ENTRE LA CIUDAD DE LIBERTY, EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY, CALQUIER OTRA ENTIDAD DE CONTRACCIÓN Y EL SECRETARIO DEL CONDADO DE LA CIUDAD DE LIBERTY, PROVEYENDO UNA VOTACIÓN ADELANTADA; PROVEYENDO DOS DÍAS DE DOCE HORAS DE VOTACIÓN ADELANTADA; PROVEYENDO LA PUBLICACIÓN Y NOTIFICACIÓN DE ELECCIÓN; ESTABLECIENDO OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LA ELECCIÓN; PROVEYENDO UNA CLÁUSULA DE SEPARACIÓN, PROVEYENDO UNA FECHA EFECTIVA; Y PRESCINDIENDO CON LOS REQUISITOS DE LA SECCIÓN 3.10 DE LA CARTA CONSTITUCIONAL QUE ESTA ORDENANZA SE LEERÁ EN DOS DÍAS SEPARADOS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 5TH DAY OF MAY, 2018 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCIL MEMBERS; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION

SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

A motion was made to adopt the Ordinance ordering the General Election for officers on Saturday, May 5, 2018.

ATTACHMENTS:

- 2018 Joint Election Agreement (DOCX)

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

5. Ordinance 2018-2

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON THE 5TH DAY OF MAY, 2018 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS. CONSIDER ADOPTION OF UNA ORDENANZA DEL MUNICIPIO DE LA CIUDAD DE LIBERTY, TEXAS, ORDENA UNA ELECCIÓN MUNICIPAL ESPECIAL QUE SE LLEVARÁ A CABO EL DÍA 5 DE MAYO DEL 2018, CON EL PROPÓSITO CONSIDERACIÓN DE VOTANTE DE PROPOSICIONES QUE ENMIENDAN LA CARTA DE REGLA DE CASA; AUTORIZANDO UN ACUERDO DE ELECCIÓN JUNTA ELECTORAL Y LOS CONTRATOS DE SERVICIOS POR/ENTRE LA CIUDAD DE LIBERTY, EL DISTRITO ESCOLAR INDEPENDIENTE DE LIBERTY, CALQUIER OTRA ENTIDAD DE CONTRACCIÓN Y EL SECRETARIO DEL CONDADO DE LA CIUDAD DE LIBERTY, PROVEYENDO UNA VOTACIÓN ADELANTADA; PROVEYENDO DOS DÍAS DE DOCE HORAS DE VOTACIÓN ADELANTADA; PROVEYENDO LA PUBLICACIÓN Y NOTIFICACIÓN DE ELECCIÓN; ESTABLECIENDO OTROS PROCEDIMIENTOS PARA LA REALIZACIÓN DE LA ELECCIÓN; PROVEYENDO UNA CLÁUSULA DE SEPARACIÓN, PROVEYENDO UNA FECHA EFECTIVA; Y PRESCINDIENDO CON LOS REQUISITOS DE LA SECCIÓN 3.10 DE LA CARTA CONSTITUCIONAL QUE ESTA ORDENANZA SE LEERÁ EN DOS DÍAS SEPARADOS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ORDERING A SPECIAL ELECTION TO BE HELD ON THE 5TH DAY OF MAY, 2018 FOR THE PURPOSE OF VOTER CONSIDERATION OF PROPOSITIONS AMENDING THE HOME RULE CHARTER; AUTHORIZING A JOINT ELECTION AGREEMENT AND ELECTION SERVICES CONTRACT BY AND BETWEEN THE CITY OF LIBERTY, THE LIBERTY INDEPENDENT SCHOOL DISTRICT, ANY OTHER CONTRACTING ENTITIES AND THE LIBERTY COUNTY CLERK; PROVIDING FOR EARLY VOTING; PROVIDING FOR TWO TWELVE-HOUR DAYS OF EARLY VOTING; PROVIDING FOR PUBLICATION AND NOTICE OF ELECTION; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

City Attorney Brandon Davis led review and discussion of the proposed Charter Amendments, those amendments are as follows (see Exhibit "A" to this ordinance for a detailed description):

1. Section 1.02 Boundaries - amending Charter language to better describe the current and future boundaries of the City.
2. Section 4.06 Health Authority - removal of this section appointing a Public Health Authority.
3. Section 5.07 Conducting and Canvassing Elections - amending Charter language to follow State Law regarding the conduct and canvass of elections.
4. Section 8.02(b) Department of Planning and Zoning - amending Charter language to create term limits for Planning and Zoning Commission Members.
5. Section 9.04 - Notice of Public Hearing on Budget - amending Charter language to follow State Law regarding notice and hearing requirements for setting the budget.
6. Section 9.18 Taxes; When Due and Payable - amending Charter language that taxes are due and payable according to State Law.
7. Section 13.13(a) Charter Review Commission - amending Charter language to create term limits for Charter Review Commission Members.

A motion was made to adopt the Ordinance ordering a Special Election for voter consideration of proposed Charter Amendments, with changes to the text of #4 and #7 changing the word "members" to "individuals" in the term limit language.

ATTACHMENTS:

- Charter Measures-Ord Exhibit A (DOCX)
- 2018 Joint Election Agreement (DOCX)

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

6. Ordinance 2018-3

Consider adoption of an Ordinance amending the Master Fee Schedule to include solid waste rate increases.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR AN INCREASE IN THE FEES FOR SOLID WASTE COLLECTION SERVICES FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS; PROVIDING THAT ALL RATES OR SCHEDULES OF RATES CONFLICTING HERewith ARE AMENDED; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS."

Discussion was held regarding a proposed increase in solid waste fees which will be passed to the customer. After review of those fees, a motion was made to adopt the Ordinance amending the Master Fee Schedule.

ATTACHMENTS:

- SOLID WASTE FEES- Exhibit A (DOCX)
- LT's Rate Adjustment Request (PDF)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:52 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary