



The City of Liberty
City Council
Regular Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, June 12, 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	Absent	
Dennis Beasley	Councilperson	Present	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Gary Broz	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Dr. Brandon Smith, Firm Foundation Healthcare Clinic, Liberty, Tx., on behalf of North Main Baptist Church.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags was led by Baylee Chandler and Molly Barnett, members of the Liberty Lady Panthers State 4A Champions.

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 # 4138)**

Proclamation-LHS Girls Softball Team

COMMENTS - Current Meeting:

Mayor Carl Pickett read aloud a proclamation in honor of the Liberty High School Lady Panthers Softball Team winning the State 4A Championship Title. Mayor Pickett congratulated the team and the coaches on their hard work and dedication to their sport.

B. Information Item (ID # 4139)

Project Updates - City Mgr. G. Broz

COMMENTS - Current Meeting:

City Manager Gary Broz reported on the following:

- Completed the Waiver of Retroactivity for the golf course
- Work continues on the levee at Main A
- Public Works summer hours 7am-3:30pm
- Working on budget for FY 18-19
- Other current City projects

C. Information Item (ID # 4140)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported that the Council handout includes minutes from the SRMPA Meetings of March and April, 2018. Mayor Pickett further reported that the handout also includes the SRMPA Annual Engineer's Report for Fiscal Year ending September 30, 2017. This report is prepared in accordance with SRMPA's Bond Indenture and Power Sales Contracts.

D. Information Item (ID # 4141)

Department Spotlight - Street Dept.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reviewed a powerpoint presentation on the Street Department and its activities.

E. Information Item (ID # 4142)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Mayor Pickett reported that a Noon Council Meeting will be held on June 19, and a possible evening meeting also on same date, and the grand re-opening of the Sam Houston State Library.

Police Chief Tom Claunch reported on a fundraiser to be held for Sgt. Frank Longoria to be held on Saturday, June 23, 2018.

Fire Chief Brian Hurst reported on a Blood Drive to be held at the Liberty Fire Department on Friday, June 15, 2018.

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

A. Minutes Approval

1. Tuesday, May 08, 2018
2. Tuesday, May 15, 2018
3. Tuesday, May 22, 2018

B. Council Action 2018-47

Consider approval of the appointment of Larry Shaw, Interim City Manager, as the Interim General Manager of the Liberty Community Development Corporation.

C. Council Action 2018-48

Consider authorizing Larry Shaw, Interim City Manager, as a signatory on all City financial accounts.

VII. REGULAR AGENDA

A. Regular Session

1. Public Hearing (ID # 4145)

PUBLIC HEARING ON .72 SQUARE MILES FOR ANNEXATION TO INCORPORATION OF THE CITY OF LIBERTY BEGINNING AT THE NORTHEAST CORNER OF THE 2018 ANNEXATION TRACT 7, SAME BEING A POINT IN THE WEST LINE OF THE MOSS BLUFF DEVELOPMENT CORPORATION "FIRST TRACT" RECORDED IN VOLUME 1292 PAGE 555,

DEED RECORDS, LIBERTY COUNTY, TEXAS, HAVING COORDINATES OF N:9976113.12, E:4074659.56;

COMMENTS - Current Meeting:

At 6:30 p.m., Mayor Pickett opened the first, of two public hearings on the annexation of .72 square miles into the City's boundaries. Art Pertile, Olson & Olson, LLP was present to review a map of previous annexations Phase 1-8, public hearing dates, properties involved, industrial agreements, and various related issues. There were no comments from the audience.

At 6:51 p.m., Mayor Pickett closed the Public Hearing.

ATTACHMENTS:

- PH #1- Phase 9 Annexation (PDF)

2. Council Action (ID # 4120)

Presentation by the City's Financial Advisor, Bob Henderson, on the City's Plan of Finance, and take any action deemed necessary.

COMMENTS - Current Meeting:

The City's Financial Advisor, Bob Henderson, RBC Capital Markets was present to review the City's financial status to include the city's operating funds, debt, immediate needs and resources. Mr. Henderson remarked that prior to finalizing the plan, decisions will need to be made regarding proposed projects and ways to provide greater cash resources in which to reduce future debt.

Mr. Henderson stated that the City is in much better condition, than in 2010 when a comprehensive review of the City's financial condition was undertaken, and that the City can continue to address its greatest immediate needs with manageable rate impacts and begin to focus on longer term needs.

At 7:25 p.m., Mayor Pickett called for a brief recess.

At 7:30 p.m., Mayor Pickett reconvened the meeting.

3. Council Action 2018-52

Consider a variance to Section 10.02.122 Table 5, Minimum Lot Requirements-Minimum Lot Dimensions for 671 Texas, Whitmire Lot 2.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reviewed a variance request to minimum lot size requirements for 671 Texas, Whitmire Lot 2. New Work Family Worship Center owns Lots 1 & 2, and proposes to keep the house on Lot 1, remove the house on Lot 2 and construct a classroom, which will change the property use from residential to commercial. The variance was approved by the Planning and Zoning Commission, with a 3-2 vote. After brief discussion, a motion was made to approve the variance.

ATTACHMENTS:

- Agenda Form-P&Z Item (DOCX)
- Variance Information (PDF)

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

4. Information Item (ID # 4147)

Discussion of various proposed fees for the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

Lengthy discussion ensued regarding fees for use of the golf course including weekday and weekend green fees, annual fees, cart fees, cart shed rental fees, rider fee, seniors fees (65+), family fees (spouse, children 18 and under), trail fees, and other related issues.

Final fees as discussed are as follows:

DAILY FEES - To play golf	W/Cart	Walking
18 holes - Weekdays	\$25.00	\$18.00
18 holes - Weekends & Holidays	\$27.00	\$18.00
9 holes - Weekdays	\$16.00	\$11.00
9 holes - Weekends & Holidays	\$17.00	\$11.00
*Seniors - Weekdays	\$18.00	
*Seniors - Weekends & Holidays	\$20.00	
Rider Fee - per person	\$8.00	

* Seniors - 65 years of age and older

ANNUAL FEES - To play golf
Annual Fee - Individual - \$1020.00
Semi-Annual Fee - Individual - \$510.00
Annual Fee - *Family - \$1320.00
Semi-Annual Fee - *Family - \$660.00
Annual Fee - Trail Fee - \$575.00
Cart Fee - 18 holes - \$16.00 per cart
Cart Fee - 9 holes - \$8.00 per cart
Cart Shed Rental - Annual - \$780.00 (Trail Fee Included)

Rider Fee - \$8.00 per person

* Family - Spouse & Children 18 & Under

5. Ordinance 2018-15

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS PROVIDING FOR THE AMENDMENT OF THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR VARIOUS FEES RELATED TO THE LIBERTY MUNICIPAL GOLF COURSE; 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.

COMMENTS - Current Meeting:

A motion was made to adopt the Ordinance, as presented, to include the municipal golf course fees, as discussed in the previous agenda item.

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

6. Information Item (ID # 4149)

Presentation by, and discussion with, City Attorney, Brandon Davis, on the Open Meetings Act.

COMMENTS - Current Meeting:

City Attorney Brandon Davis reviewed a powerpoint presentation on the Texas Open Meetings Act. Mr. Davis spoke to covered entities, quorums, posting notices, and related information.

7. Information Item (ID # 4150)

Presentation by, and discussion with, Fire Chief Brian Hurst on Emergency Management topics.

COMMENTS - Current Meeting:

This agenda item was passed on, as Chief Hurst was not able to be present.

8. Information Item (ID # 4151)

Discussion of Fiscal Year 2018-2019 Budget related issues.

COMMENTS - Current Meeting:

Interim City Manager Larry Shaw addressed the Council regarding the Fiscal Year Budget 2018-2019. Mr. Shaw addressed future budget workshops and requested that Council inform him of any items that they would like to submit for consideration in the new budget, prior to the workshops.

ATTACHMENTS:

- Budget Information (PDF)

B. Executive Session**Government Code §551.071 - Private Consultation with Attorney.**

1. Contemplated / Pending Litigation - Discussion of the Hardin-Ames Wastewater Issues.
2. Contemplated / Pending Litigation - Discussion of the Humphreys Cultural Center.

Gov. Code §551.074 - Personnel Matters.

3. Discussion regarding the City Manager search.

At 9:11 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 9:41 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2018-49

Consider and take action, if any, on the Hardin-Ames wastewater issues, as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

2. Council Action 2018-50

Consider and take action, if any, on the Humphreys Cultural Center, as discussed in the Executive Session.

RESULT: NO ACTION TAKEN

3. Council Action 2018-51

Consider and take action, if any, on the City Manager Search, as discussed in the Executive Session.

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 9:43 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary