



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 10, 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	
Libby Simonson	Councilperson	Present	
David Arnold	Councilperson	Present	
Paul Glazener	Councilperson	Present	
Chipper Smith	Councilperson	Present	
Tom Warner	Acting City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by former Council Member Frank Jordan.

III. PLEDGE OF ALLEGIANCE

The pledge to the American and Texas flags were 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. Mr. Frank Jordan reported on the proposed property purchase, and lack of communication with the owner, regarding Tract 26 on the Bypass.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4165)

Project Updates - Interim City Mgr. L. Shaw

COMMENTS - Current Meeting:

Acting City Manager Tom Warner reported on a recent power outage in the Regency Subdivision, caused by the blow out of an underground cable. Mr. Warner reported that it was discovered that the contractor that had been awarded the bid for electric distribution underground system maintenance, did not bring the project to completion.

B. Information Item (ID # 4166)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Carl Pickett reported that the Agency would next meet on July 17, 2018 and that the Express Feeder Project is near completion, providing redundancy in the power system.

C. Information Item (ID # 4167)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Mayor Pickett expressed appreciation to the City Staff and various departments that assisted with the July 3rd Independence Day Celebration, and reminded Council of the upcoming budget work sessions to be held July 17-19, 2018.

Council Member Beasley showed a brief powerpoint presentation of a vehicle accident on Hwy 146N, stating that communication, with TXDOT and other officials, must be increased in order to remedy these type occurrences.

Mayor Pickett further reported on the following:

- TML Newly Elected City Officials Orientation
- TML Annual Conference, Ft. Worth
- Fire Department Fundraiser
- Police Department Fundraiser for Sgt. Longoria.

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:	Libby Simonson, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

A. Minutes Approval

1. Tuesday, June 05, 2018
2. Tuesday, June 12, 2018
3. Tuesday, June 19, 2018
4. Tuesday, June 19, 2018
5. Tuesday, June 26, 2018

VII. REGULAR AGENDA**A. Regular Session****1. Council Action 2018-56**

Presentation by Paula Torres, Executive Director of the Bridgehaven Children's Advocacy Center on statistics, services, and support methods, and take any action deemed necessary.

COMMENTS - Current Meeting:

Paula Torres, Executive Director, Bridgehaven Children's Advocacy Center addressed the Council regarding the Center's mission to provide hope and care to children who are victims of abuse and to work with government agencies whose focus is to protect and defend the victims. Ms. Torres explained that Bridgehaven is a non-profit organization that assists in minimizing the trauma associated with child abuse investigations. Ms. Torres further reported on the Center's funding sources; grants, fundraising, and funds received from individuals, businesses, and local government. Ms. Torres expressed appreciation to the City for their past support.

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

2. Information Item (ID # 4169)

Presentation by City Attorney Brandon Davis, on the topic of Ethics.

COMMENTS - Current Meeting:

City Attorney Brandon Davis presented a powerpoint related to Ethics. Mr. Davis addressed, in detail, topics such as nepotism, conflicts of interest and dual office holding.

3. Public Hearing (ID # 4170)

Public Hearing on the 2017 Drinking Water Quality Report.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported that the City must notify its residents of this report which was done through a mass mailing with the utility bills. Mr. Warner addressed various technical information on the report and stated there were two minor violations related to reporting. Mr. Warner concluded by stating that the City's water system meets all Federal drinking water requirements and received a Superior Rating.

As this item was posted as a Public Hearing and not identified as such at the beginning of discussion, following adoption of the Annexation Ordinance, Mayor Pickett reopened this item, calling a Public Hearing to be open at 7:09 p.m. Mayor Pickett invited discussion and comments, from the audience, on the Drinking Water Quality Report. There being no comments, Mayor Pickett closed the Public Hearing at 7:10 p.m.

ATTACHMENTS:

- Drinking Water Quality Info (PDF)

4. Ordinance 2018-16

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 0.72 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 #19347, 19371, 19280, 19452; 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 CERTAIN PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# 19369 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:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS ANNEXING A 0.72 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 #19347, 19371, 19280, 19452; 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 CERTAIN PROPERTY IDENTIFIED BY LIBERTY COUNTY APPRAISAL DISTRICT RECORDS AS PROPERTY ID# 19369 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."

Akilah Mance, Attorney, Olson & Olson, reported on previous annexations, properties now annexed as Tract 9A (all four USA Owned Tracts), property excluded by Agricultural

Agreement, properties listed for next phase 9B (gas storage companies), industrial agreements, and other related information. These annexations Phase 1 - 9A is property to the south and east, along the Trinity River.

A motion was made to adopt the Ordinance as presented.

Following the adoption of this Ordinance, Mayor Pickett reopened the agenda item regarding the 2017 Drinking Water Quality Report. (See Minutes for VII.A.3).

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

5. Information Item (ID # 4173)

Discussion on the proposed adoption of the 2018 International Swimming Pool and Spa Code.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported on proposed adoption of the 2018 Pool and Spa Code. Mr. Warner stated this code establishes minimum requirements for design, construction, alteration, repair and maintenance of swimming pools, spas, hot tubs and aquatic facilities. This Code establishes provisions that protect the public health, safety and welfare. Mr. Warner further stated that this Code is compatible with all the International Codes and a new edition is put into effect every 3 years.

6. Council Action 2018-57

Consider, and take action, on granting a payment plan for utilities installation in the Raven Hills Subdivision.

COMMENTS - Current Meeting:

Public Works Director Tom Warner reported that Dan Murph, Raven Hills Subdivision has sold two additional lots and has requested the City run electric and water service to these homes in the rear of the subdivision, at a cost of \$32,410.22. Mr. Murph has agreed to four, quarterly payments of \$8,102.55, with the initial payment to be paid in advance. After discussion of preparing an agreement for such, a motion was made to grant a payment plan for utilities installation in the Raven Hills Subdivision.

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

7. Resolution (ID # 4171)

Consider a Resolution appointing a representative to fill an unexpired term on the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding an appointment to fill the unexpired term on the SRMPA

Board of Directors, left by previous City Manager Gary Broz. Discussion ensued regarding the Cambridge Project, filling the unexpired term promptly, as opposed to possibly filling the position with a new city manager. A motion was made to appoint Bruce Halstead, former mayor and SRMPA Board Member to the unexpired term on the Board of Directors.

RESULT:	DEFEATED [2 TO 5]
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Libby Simonson, Paul Glazener
NAYS:	Pickett, Huddleston, Beasley, Arnold, Smith

B. Executive Session

Government Code §551.072

Deliberation Regarding Real Property.

1. Discussion of the purchase of real property.

At 7:30 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 7:57 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2018-58

Consider and take action, if any, on the purchase of real property, as discussed in the Executive Session.

COMMENTS - Current Meeting:

A motion was made to approve the purchase of property along Beaumont Avenue and the Bypass for utility purposes, as discussed in the Executive Session.

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

VIII. ADJOURNMENT

A. 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