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, September 11, 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	City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Boy Scout Caleb Lawson, Troop #56, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledges to the U.S. and Texas flags was given by Boy Scout Cameron Lawson, Troop #56, Liberty, Texas.

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. Ed Seymour addressed Council regarding his concern for the disrepair of the City's streets and requested that the City consider a street maintenance program.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4229)

Project Updates - City Manager Tom Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the upcoming TML Region XVI Meeting to be held in Beaumont, Main “A” Levee repairs, DigTech returning to complete underground electric rehab in Regency Place and Travis Park, and other City projects.

B. Information Item (ID # 4230)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett reported the next meeting of the Agency would take place on Tuesday, September 18, and that consideration of appointments to the Sam Rayburn Municipal Power Agency Board of Directors would take place later in this meeting.

C. Information Item (ID # 4231)

Recycling Report - Councilperson Huddleston

COMMENTS - Current Meeting:

Councilperson Huddleston reported that a "Shred Event' has been scheduled for Saturday, September 22, 2018, from 9 a.m. until Noon, in the City Hall Parking Lot.

D. Information Item (ID # 4232)

Mayor, Council and 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, Simonson, Arnold, Glazener, Smith

A. Minutes Approval

1. Tuesday, August 14, 2018

2. Tuesday, August 28, 2018

3. Wednesday, August 29, 2018

B. Council Action 2018-87

Consider approval of the abandonment of an electrical easement on the east side of Lot 1, Block 2, Section 1 of the Featherstone Subdivision.

ATTACHMENTS:

- Electric Easement Map (PDF)

C. Council Action 2018-88

Consider acceptance of the 2019 Routine Airport Maintenance Program (RAMP) Grant Agreement.

ATTACHMENTS:

- 2019 RAMP Grant Agreement (PDF)

VII. REGULAR AGENDA

A. Regular Session

1. Council Action 2018-89

Consider approval of the newly appointed City Manager's employment contract.

COMMENTS - Current Meeting:

A motion was made to approve the employment contract of the new City Manager, Tom Warner, effective August 30, 2018 with changes as discussed.

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

2. Ordinance (ID # 4251)

CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3, CREATING SECTION 3.08.132, REGULATING RECREATIONAL VEHICLES ON COMMERCIAL PROPERTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

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

"AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ARTICLE 3, CREATING SECTION 3.08.132, REGULATING RECREATIONAL VEHICLES ON COMMERCIAL PROPERTIES; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF

THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

After lengthy discussion regarding recreational vehicles on commercial, business or industrial properties and placement of these vehicles for occupancy, the ordinance will be brought back to Council for further discussion.

RESULT:	**NO ACTION TAKEN**

3. Public Hearing (ID # 4234)

Public Hearing on the Proposed Budget for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

At 6:40 p.m., Mayor Pickett opened the Public Hearing on the Proposed Budget for Fiscal Year 2018-2019. City Manager Tom Warner reviewed a powerpoint presentation on the budget document. There were no comments from the public.

After brief discussion, Mayor Pickett closed the Public Hearing at 6:47 p.m.

4. Ordinance 2018-20

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; 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:

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 ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING NECESSARY FUNDS FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS, PROJECTS AND ACCOUNTS; 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."

A motion was made to adopt the Ordinance, as presented.

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

5. Council Action 2018-90

Consider ratification of the property tax revenue increase reflected in the Fiscal Year 2018-2019 Budget.

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell reported that adoption of a budget that raises more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. This vote is in addition to and separate from the vote to adopt the budget and the vote to set the tax rate.

A motion was made to ratify the property tax revenue increase reflected in the Fiscal Year 2018-2019 Budget.

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

6. Public Hearing (ID # 4237)

Public Hearing on the proposed Tax Rate for Fiscal Year 2018-2019.

COMMENTS - Current Meeting:

At 6:49 p.m., Mayor Pickett opened the Public Hearing on the Proposed Tax Rate for Fiscal Year 2018-2019. Finance Director Naomi Herrington reported on the proposed rate of $0.5851, rollback and effective rates, and other tax related information. There were no comments from the public.

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

7. Resolution 2018-6

Consider a Resolution appointing a representative to the Sam Rayburn Municipal Power Agency Board of Directors.

COMMENTS - Current Meeting:

A motion was made to reappoint Mayor Carl Pickett as a representative to the Sam Rayburn Municipal Power Agency Board of Directors, term ending September, 2020.

RESULT:	**APPROVED [6 TO 0]**
MOVER:	David Arnold, Councilperson
SECONDER:	Dennis Beasley, Councilperson
AYES:	Huddleston, Beasley, Simonson, Arnold, Glazener, Smith
ABSTAIN:	Carl Pickett

8. Resolution 2018-7

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

COMMENTS - Current Meeting:

A motion was made to appoint City Manager Tom Warner to fill the unexpired term (ending Sept. 2019) on the Sam Rayburn Municipal Power Agency Board of Directors, left vacant by the retirement of former City Manager Gary Broz.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Carl Pickett, Mayor
SECONDER:	David Arnold, Councilperson
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Glazener, Smith

9. Council Action 2018-91

Consider appointments to the Liberty Municipal Library Board.

COMMENTS - Current Meeting:

Library Director Dana Abshier reported on the Liberty Municipal Library Board and related terms of office. Councilperson Huddleston nominated those individuals recommended by the Library Director.

A motion was made to appoint June Damek and Stacy Sundgren, and the reappointments of Joanne Knepper, Yvonne Lawrence and Mitzi Kline to the Liberty Municipal Library Board.

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

10. Council Action 2018-92

Consider a Request for Proposal award for employee health, dental and vision insurance.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on bids received from First Liberty National Bank and Hall & Associates, for employee health, dental and vision insurance. Mr. Warner reviewed each of the plans and their related benefits. The Staff recommended United HealthCare for health insurance and Cigna for dental and vision insurance, provided through Hall and Associates.

A motion was made to award the proposal for employee health insurance to United

Healthcare and Cigna for dental and vision insurance.

ATTACHMENTS:

- Bid Tab-Ins 2018 (XLS)

RESULT:	**APPROVED [5 TO 0]**
MOVER:	Libby Simonson, Councilperson
SECONDER:	Paul Glazener, Councilperson
AYES:	Beasley, Simonson, Arnold, Glazener, Smith
ABSTAIN:	Carl Pickett, Diane Huddleston

11. Council Action 2018-93

Consider a nomination to the Liberty County Central Appraisal District Agricultural Advisory Board.

COMMENTS - Current Meeting:

A nomination was not made to the CAD Agricultural Advisory Board.

ATTACHMENTS:

- CAD-Ag Board Info (PDF)

RESULT:	**NO ACTION TAKEN**

12. Council Action 2018-81

Consider a nomination to the Liberty County Central Appraisal District, Appraisal Review Board.

COMMENTS - Current Meeting:

A motion was made to nominate Mr. Howard Brister to the Liberty County Central Appraisal District, Appraisal Review Board.

ATTACHMENTS:

- CAD-ARB Info (PDF)

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

13. Council Action 2018-94

Consider approval of the appointment of the City Manager as the General Manager of the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

A motion was made to appoint City Manager Tom Warner as the General Manager of the Liberty Community Development Corporation.

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

14. Council Action 2018-95

Consider authorizing City Manager, Tom Warner, as a signatory on all City financial accounts.

COMMENTS - Current Meeting:

A motion was made to authorize new City Manager Tom Warner as a signatory on all City financial accounts.

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

15. Council Action 2018-96

Consider approval of an Interlocal Contract with Liberty County, Precinct 1, for paving of the parking lot at the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that Liberty County Precinct 1 Commissioner, Bruce Karbowski has agreed to provide County manpower and equipment to repair the parking lot at the Liberty Municipal Golf Course. Commissioner Karbowski will retain the services of a contractor for the asphalt overlay. The City will be responsible for the cost of the overlay, for an estimated cost of $30,000. The funds will be transferred from the Liberty Community Development Corporation to the Golf Course to pay for materials.

A motion was made to approve the Interlocal Contract with Liberty County Precinct 1 for paving the parking lot at the Liberty Municipal Golf Course.

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

16. Council Action 2018-97

Consider approval of an Electric Department Emergency Operations Plan.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that this Plan addresses the necessary steps for the restoration of the electric system in case of emergency. This plan also defines various processes and reporting to the Federal Emergency Management Agency (FEMA) for reimbursement.

A motion was made to approve the Electric Department Emergency Operations Plan.

ATTACHMENTS:

- Summary EOP (PDF)

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

17. Council Action 2018-98

Consider acceptance of a Texas Department of Emergency Management Hazard Mitigation Grant for a Wastewater Treatment Plant Floodwall and Levee.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the City's application for a Hazard Mitigation Grant has been approved. The first phase includes design of the floodwall and levee protection, preparation of construction documents and revised cost estimation. The second phase of the project will include construction of the floodwall and levee.

The estimated cost of Phase I of the project is $310,000.00 with a Federal and City share of $232,500.00 (75%) and $77,500 (25%), respectively. The estimated total cost of the project is $5,100.000.00.

A motion was made to approve the Hazard Mitigation Grant from the Texas Department of Emergency Management for construction of a floodwall and levee at the City's Wastewater Treatment Plant.

ATTACHMENTS:

- Hazard Mitigation Grant Info (PDF)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Paul Glazener, Councilperson
SECONDER:	Libby Simonson, 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 7:26 p.m.

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Carl Pickett, Mayor

ATTEST:

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Dianne Tidwell, City Secretary