The City of Liberty
City Council
Special Called Meeting
~ Minutes ~

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

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, March 17, 2009 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

The Meeting was called to order on March 17, 2009 at the City Council Chambers, 1829 Sam Houston, Liberty,TX at 6:03 PM by Mayor Carl Pickett.

II. INVOCATION

Mayor Pickett dispensed with the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pickett dispensed with the Invocation.

IV. ACKNOWLEDGEMENT OF GUESTS AND VISITORS / PUBLIC COMMENT

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 public.

Mayor Pickett reported there would be a special called meeting of the City Council on Tuesday, March 24, 2009.

V. REGULAR AGENDA

A. Regular Session

1. Council Action 2009-18

Consider Approval of a Contract with Mark Beausoleil for Insurance and FEMA Claim Services.

COMMENTS - Current Meeting:

Liberty Attorney Mark Beausoleil was present to address the Council regarding insurance claims and issues due to Hurricane Ike. Mr. Beausoleil is working in conjunction with Mordecai Disaster Recovery Consultants whose mission is to assist individuals and entities with maximizing monies received from insurance claims and FEMA public assistance. Mr. Beausoleil reported that they would be reviewing insurance documents and estimates, and assessing damages.

A motion was made to approve the agreement with Mr. Beausoleil, subject to a change in #10 of this document regarding the description "new money" and to remove the words "sole discretion"; also contingent upon both attorneys approval of the language changes.

ATTACHMENTS:

- Attachment #1 - BEAUSOLEIL CONTRACT Claim Services (DOC)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Mike McCarty, Mayor Pro-Tem
SECONDER:	Dennis Beasley, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

2. Council Action 2009-19

Consider Approval of an Agreement for City of Liberty Web Site Design.

COMMENTS - Current Meeting:

City Manager Ron Wood reviewed, with Council, a Website Design Hosting Cost Analysis. Lengthy discussion was held regarding various fees, project completion date, previous website design experience, and other related topics. Council directed the City Manager to obtain a list of websites, for their review, previously designed by A-1 Tel-Com, as they have previously viewed websites created by the other proposer, Level 7 Solutions.

There was no action taken on this agenda item.

ATTACHMENTS:

- Attachment #2 - Web Site Cost Analysis2 (XLS)
- Attachment #3 - Web Site Proposal A-1 Telcom ()

3. Ordinance 2009-6

Consider Adoption of an Ordinance Setting Forth Requirements for Users of the Wastewater Treatment Plant and Regulating the Discharge of Waste into the Wastewater System.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of two Ordinances into the record as follows:

OPTION #1 -

"AN ORDINANCE SETTING FORTH UNIFORM REQUIREMENTS FOR USERS OF THE CITY OF LIBERTY WASTEWATER TREATMENT PLANT, REGULATING THE DISCHARGE OF WASTE INTO THE WASTEWATER BEING INJECTED INTO T HE SYSTEM; PROVIDING STANDARDS FOR PRETREATMENT; PROHIBITING THE INJECTION OF VARIOUS SUBSTANCES INTO THE SYSTEM; PROVIDING FOR THE PAYMENT OF FEES; PROVIDING VARIOUS REPORTING REQUIREMENTS; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE INCLUDING A FINE OF $200.00 A DAY FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CIVIL REMEDIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE THEREOF; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

OPTION #2 -

"AN ORDINANCE TO REPLACE ORDINANCE #698 FOR THE PURPOSES OF SETTING FORTH UNIFORM REQUIREMENTS FOR USERS OF THE CITY OF LIBERTY WASTEWATER TREATMENT PLANT, REGULATING THE DISCHARGE OF WASTE INTO THE WASTEWATER BEING INJECTED INTO THE SYSTEM; PROVIDING STANDARDS FOR PRETREATMENT; PROHIBITING THE INJECTION OF VARIOUS SUBSTANCES INTO THE SYSTEM; PROVIDING FOR THE PAYMENT OF FEES; PROVIDING VARIOUS REPORTING REQUIREMENTS; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE INCLUDING A FINE OF $200.00 A DAY FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CIVIL REMEDIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE THEREOF; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT THIS ORDINANCE BE READ ON TWO SEPARATE DAYS."

Discussed were various details of these ordinances, including Option #2 being the "greener" option in regard to the environment, stricter limits for contaminants that can be introduced into the system, violations, and various other permitting requirements.

Mr. Steve Jordan, Schaumberg & Polk was present to discuss issues related to this ordinance. Mr. Jordan and City Attorney Randy Gunter will work together in regard to pollutant limits and other related changes, to this document.

There was no action taken on this agenda item.

ATTACHMENTS:

- Attachment #4 - Wastewater Ordinance - Industrial Option #2 (DOC)
- Attachment #5 - Wastewater Ordinance - Industrial Option 1 (DOC)

4. Council Action 2009-20

Consider Amending the Membership Requirements of the Airport Advisory Board.

COMMENTS - Current Meeting:

A motion was made to amend the membership requirements of the Airport Advisory Board to include eight (8) members, instead of the prior seven; and to appoint Councilperson McCarty as the eighth member to this board.

ATTACHMENTS:

- Attachment #6 - AAB March 09 (DOC)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

5. Ordinance 2009-5

Consider Adoption of an Ordinance to Allow the Fire Department to Bill Internally for Fire Service Calls.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE LIBERTY FIRE DEPARTMENT TO CHARGE THE COST OF CERTAIN EMERGENCY AND RESCUE SERVICES WITHIN THE RESPONSE AREA OF THE LIBERTY FIRE DEPARTMENT; 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."

Fire Chief Fred Collins reported that it is common practice for fire departments to recoup funds for these service calls by billing insurance companies. Discussion ensued regarding billing for these services to individuals and entities with insurance, as opposed to those without insurance, mutual aid calls, and other related issues. Chief Collins will review the ordinance for changes and will bring this item before the Council at the meeting of April 14, 2009.

There was no action taken on this agenda item.

6. Council Action 2009-21

Consider Proposals for Demolition of the Liberty Bell Tower.

COMMENTS - Current Meeting:

City Manager Ron Wood presented to Council proposals for the demolition of the Liberty Bell Tower located behind the Humphreys Cultural Center. The bell tower incurred damage related to the original construction and received possible damage from high winds associated with Hurricane Ike. There are concerns regarding the structural integrity of the tower and that repairs to this structure would likely exceed the tower's replacement cost.

The City received several proposals: Pelco Construction -$26,250.00; Nest Construction Services - $35,510.00; and GTT, Inc. - $12,719.00. Mr. Wood recommended GTT, Inc. as they were the lowest proposer and would already be on-site for the Cultural Center Expansion Project.

A motion was made to accept the proposal from GTT, Inc.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Frank Jordan, Councilperson
SECONDER:	Diane Huddleston, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

B. Executive Session

Deliberation Regarding Real Property. Gov. Code 551.072
Consultation With Attorney. Gov. Code §551.071

1. Discussion of possible property purchase for additional city facilities.

At 7:46 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:48 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

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

There was no action taken.

VI. COUNCIL MEAL

Council shared an evening meal.

VII. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, the meeting was adjourned at 8:49 p.m.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dennis Beasley, Councilperson
SECONDER:	Frank Jordan, Councilperson
AYES:	Pickett, Beasley, Huddleston, McCarty, Potetz, Jordan
ABSENT:	Al Simonson

Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary