



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, May 28, 2019

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Absent	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	

II. 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.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 4444)

City Manager's Report - City Mgr. T. Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the upcoming "Shred It" event to be held June 1, Charter Review Commission scheduled for June 5, Main "B" Levee design, requests for proposals, health insurance and repairs at the Golf Course.

2. Information Item (ID # 4445)

Finance Report - Finance Dir. N. Herrington

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reviewed the City's various funds and status of each, also reporting that property tax revenues have reached 104% of budgeted amounts and sales tax revenues are 55% of budgeted amounts.

3. Information Item (ID # 4446)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Police Chief Martin reported on current programs and activities of the Liberty Police Department.

IV. REGULAR AGENDA**A. Regular Session****1. Ordinance (ID # 4447)**

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 RANGE AND TOURNAMENT 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:

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 THE MASTER FEE SCHEDULE FOR ALL RATES AND FEES CHARGED BY THE CITY OF LIBERTY; PROVIDING FOR RANGE AND TOURNAMENT 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."

Lengthy discussion was had regarding the need to adjust fees and add items relative to the operation of the Municipal Golf Course. Changes to the Master Fee Schedule will be brought before Council at a later date. No action was taken.

ATTACHMENTS:

- MASTER Fee Schedule (DOCX)

RESULT: NO ACTION TAKEN

2. Resolution 2019-7

Consider approval of a Resolution establishing a Homebuilder Incentive Program in the City of Liberty.

COMMENTS - Current Meeting:

Asst. City Manager Chris Jarmon reported that the City is proposing the adoption of a Homebuilder Incentive Program. Mr. Jarmon explained that this program would apply to owner-occupied single-family homes which have at least 1,400 square feet, built on a slab and contain mostly brick, masonry, or stone facade. Mr. Jarmon reviewed the program structure, its requirements, and that each individual home builder must enter into an agreement with City in order to participate in the program.

A motion was made to approve the Homebuilder Incentive Program.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

3. Council Action 2019-34

Consider approval of a Chapter 380 Economic Development Agreement with Sleep Inn & Suites, Liberty Strive Partners, LLC.

COMMENTS - Current Meeting:

Asst. City Manager Chris Jarmon reported that Liberty Strive Partners, LLC desires to build a 54-room Sleep Inn & Suites in Liberty. The developer is requesting a rebate of the hotel occupancy tax revenue collected by the city for a five year period, for a total amount not to exceed \$350,000.00. In consideration of the rebate, the 380 Agreement specifies what standards the developer must meet. This includes building the hotel, beginning construction within 9 months of execution of the agreement, employ no less than nine employees and continue operations for at least five years.

After lengthy discussion, a motion was made to approve the Chapter 380 Economic Development Agreement with Strive Partners, LLC for the construction of a 54-room Sleep Inn & Suites.

ATTACHMENTS:

- Chapter 380 Agreement -Sleep Inn (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

4. Council Action 2019-35

Consider award of contract for the Sanitary Sewer Line Extension Project on Hwy. 146 North.

COMMENTS - Current Meeting:

City Manager Tom Warner reviewed the sewer line extension on Hwy. 146N north, which is approximately 3000 feet. The intended line was originally planned for the west side of Hwy. 146, however, due to numerous utilities on the west side, the line had to be relocated to the east side of the highway. This line extension will serve PLC Construction, who is paying their pro rata share, as will any other individual or business that taps into the line. Bids were received for this project, the low bidder being 5-T Utilities, in the amount of \$339,671.95.

After further review of the bids submitted, a motion was made do award the contract to 5-T Utilities.

ATTACHMENTS:

- Bid Tab- Hwy 146 Sewer Line Extension Final (XLSX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

5. Council Action 2019-38

Consider authorizing the City Manager to execute an emergency contract to repair the sanitary sewer line on Bowie Street, from Cos to Martin Luther King Drive.

COMMENTS - Current Meeting:

This agenda item was passed on. No action was taken.

RESULT:	NO ACTION TAKEN
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6. Council Action 2019-39

Consider award of bid for Uniform Rental and Laundry Services for various City Departments.

COMMENTS - Current Meeting:

Finance Director Naomi Herrington reported that bids were opened on May 18, for uniform rental and laundry services. Bids were submitted by Cintas and Uni First, which included, not only uniforms, but door mats and miscellaneous janitorial supplies. Ms. Herrington stated that funds are budgeted in each department for the above-mentioned items.

After review of the bids and breakdown of the weekly costs, a motion was made to award the bid to Uni First.

ATTACHMENTS:

- Uniform Bid Tab (XLSX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

7. Council Action 2019-40

Consider approval of an agreement to participate in the Workforce Solutions Internship Program.

COMMENTS - Current Meeting:

Asst. City Manager Chris Jarmon reported on the Liberty County Workforce Solutions Internship Program. The participating interns may work up to 30 hours per week, for up to 6 weeks, and are paid by Workforce Solutions. The City needs only to provide a worksite location and a supervisor for the work to be conducted.

A motion was made to participate in the Workforce Solutions Internship Program.

ATTACHMENTS:

- Workforce Solutions-Exhibit A (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

8. Ordinance 2019-15

Consider adoption of an Ordinance authorizing a temporary moratorium on the issuance of residential building permits until June 11, 2019.

COMMENTS - Current Meeting:

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

"AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS, ENACTING A TEMPORARY MORATORIUM STAYING THE ISSUANCE OF CERTAIN RESIDENTIAL BUILDING RELATED PERMITS IN THE CITY; 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 Manager Tom Warner reported that the City's building permit fees are based on the cost of the proposed structure or improvement. It was further explained that the Texas Legislature passed H.B. 852 which prohibits this practice in regard to residential homes. The bill was

signed on May 21 and is immediately effective. Mr. Warner stated that staff requests a moratorium on the issuance of residential building permits, until a new fee structure can be established.

A motion was made to adopt the Ordinance, placing a moratorium on residential building permits until June 11, 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

B. Executive Session

Gov. Code §551.074 - Personnel Matters. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- Discussion of appointments to the Liberty Community Development Corporation Board of Directors.
- Discussion of appointments to the City of Liberty Planning & Zoning Commission.

At 7:19 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 8:13 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2019-36

Consider appointments to the Liberty Community Development Corporation Board of Directors.

COMMENTS - Current Meeting:

A motion was made to appoint Mark Campbell, Kathrine McCarty and Dan VanDeventer to the Liberty Community Development Corporation Board of Directors.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor ProTem
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

2. Council Action 2019-37

Consider appointments to the City of Liberty Planning and Zoning Commission.

COMMENTS - Current Meeting:

A motion was made to appoint Tyler Jackson to the Planning and Zoning Commission (P&Z) and Richard Jenner to the P&Z alternate position.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Diane Huddleston, Mayor ProTem
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Thornton
ABSENT:	Chipper Smith

V. WORK SESSION

1. Work Session (ID # 4455)

Discussion of a proposed ordinance regulating wireless telecommunications facilities to include permit requirements and other related information.

COMMENTS - Current Meeting:

City Manager Tom Warner and City Attorney Brandon Davis led a lengthy discussion on wireless communication tower facilities, which included topics such as state and federal standards and requirements, possible permit constraints, lighting, fencing, and other related issues.

ATTACHMENTS:

- Ordinance-Telecommunications (DOCX)

2. Work Session (ID # 4456)

Discussion regarding the recent 2019 Liberty Jubilee and 2020 Jubilee dates, budget and other festival topics.

COMMENTS - Current Meeting:

City Manager Tom Warner led a discussion on the recent 2019 Liberty Jubilee and next years' 2020 Jubilee. Discussed were the various activities and amount of participation by the public, Jubilee revenues and expenses, dates for the 2020 festival and other related issues.

Council consensus was to hold the 2020 Jubilee on the usual fourth weekend of March (March 27 & 28) and for city staff to promptly begin the planning process.

ATTACHMENTS:

- Jubilee Revenues and Expenses (PDF)
- Jubilee-March & April 2020 Calendar (PDF)

VI. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:46 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary