



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, June 23, 2020

6:00 PM

City Hall - Liberty Center

I. CALL TO ORDER

Those individuals listed in the Call to Order were physically present in the Liberty Center. The public was not yet allowed entrance into the meeting due to COVID-19.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Absent	
Diane Driggers	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Assistant City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	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.

III. PRESENTATIONS / REPORTS

1. Information Item (ID # 4822)

City Manager's Report-T. Warner - Future Meeting Dates

COMMENTS - Current Meeting:

City Manager Tom Warner presented a list of dates for future meetings, relating to the FY 2020-2021 Budget.

IV. REGULAR AGENDA

A. Regular Session

1. Resolution 2020-22

Consider a Resolution awarding the City's credit card processing to OpenEdge.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that the current credit card processing software does not integrate with the City's financial software and customer service has not be satisfactory. Execution of a contract with OpenEdge would save the City approximately \$1,980 per year and also integrates with the City's financial software providing for less errors and flexible reporting from the financial software.

A motion was made to approve the Resolution authorizing a contract with OpenEdge for credit card processing.

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

2. Resolution 2020-23

Consider a Resolution approving a Contingent Fee Contract with the Law Firm of Perdue Brandon Fielder Collins & Mott LLP.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the recent award of contract to Perdue, Brandon Fielder Collins and Mott, LLP on April 14, 2020, for delinquent collections related to Municipal Court, Utilities, and the Municipal Library. As a formality, this contingent fee contract must be approved by Resolution prior to commencement of any collections.

A motion was made to approve the Resolution approving a Contingent Fee Contract with the Law Firm of Perdue Brandon Fielder Collins & Mott, LLP.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neal Thornton, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Driggers, Beasley, Simonson, Arnold, Smith, Thornton
ABSENT:	Carl Pickett

3. Resolution 2020-24

Consider a Resolution authorizing the City Manager to execute a Managed Plan Agreement with Liberty Computer Systems.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that due to the IT Coordinator Position currently being vacant, Liberty Computer Systems has offered their services on a month to month basis, until the position is filled. The agreement includes operational responsibilities, non-critical and critical technical support and participation in all technology meetings to assist with the planning and budgeting of IT equipment. The cost for their services is \$5,000 upon execution of the agreement and \$10,000 per month.

A motion was made to approve the Resolution authorizing the City Manager to execute the Managed Plan Agreement with Liberty Computer Systems, Inc.

ATTACHMENTS:

- Managed Service Plan Agreement (PDF)

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

4. Resolution 2020-25

Consider a Resolution transferring the deeds for five (5) properties from the Liberty Community Development Corporation (LCDC) to the City of Liberty.

COMMENTS - Current Meeting:

City Manager Tom Warner explained that deed records reflect five properties in the name of the Liberty Community Development Corporation (LCDC). The LCDC does not own assets and have traditionally transferred any purchased assets to the City of Liberty. These properties include the Liberty Fire Dept. Substation on Hwy. 90, three tracts at the Liberty Municipal Airport and the Woodsprings Lift Station.

A motion was made to approve the Resolution transferring the deeds, as discussed, from the Liberty Community Development Corporation to the City of Liberty.

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

5. Resolution 2020-26

Consider a Resolution approving Change Order No. 1 and Final Payment to TLC Trucking & Contracting for the Main B Levee Project.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the completed Main B Levee repairs, west of Bowie Street. Mr. Warner reviewed the details of Change Order No. 1, resulting in a Final Payment to the contractor, TLC Trucking and Contracting, in the amount of \$75,871.72.

A motion was made to approve the Resolution authorizing Change Order No. 1 and Final Payment to TLC Trucking, in the amount of \$75,871.72.

ATTACHMENTS:

- Main B Levee-Att #1 (PDF)
- Main B Levee-Att #2 (PDF)

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

6. Resolution 2020-27

Consider a Resolution approving Change Order No. 2 and Final Payment to Wadecon, LLC for the Holly Street Improvement Project.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on a developer's proposed construction of eight homes on Holly Street and necessary drainage improvements, resulting in the developer entering into a 380 Agreement with the City. Mr. Warner reviewed the details of previous Change Order No. 1 and current Change Order No. 2. Final Payment is in the amount of \$93,409.70.

A motion was made to approve the Resolution authorizing Change Order No. 2 and Final Payment to the contractor, Wadecon, LLC, in the amount of \$93,409.70.

ATTACHMENTS:

- Holly Street Imp Project (PDF)

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

7. Ordinance 2020-19

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY CREATING ARTICLE 3.13 REQUIRING CERTIFICATES OF OCCUPANCY OR CERTIFICATES OF COMPLIANCE FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; REQUIRING LIFE, HEALTH AND SAFETY INSPECTIONS AND FIRE SAFETY INSPECTIONS FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

Mayor Pro Tem Driggers read the caption of the Ordinance into the record as follows:

"AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF

LIBERTY CODE OF ORDINANCES, BY CREATING ARTICLE 3.13 REQUIRING CERTIFICATES OF OCCUPANCY OR CERTIFICATES OF COMPLIANCE FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; REQUIRING LIFE, HEALTH AND SAFETY INSPECTIONS AND FIRE SAFETY INSPECTIONS FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS."

City Manager Tom Warner explained that this Ordinance authorizes inspections of structures due to a change in ownership or occupancy of a residential or commercial structure. Inspections include Life, Health and Safety Inspections and Fire Safety Inspections. This will ensure that a structure is safe for occupancy prior to connection of utilities. Lengthy discussion ensued regarding current practice, inspections, associated fees, and other related issues.

A motion was made to adopt the Ordinance requiring Certificates of Occupancy and Certificates of Compliance for certain residential and commercial structures in the City of Liberty.

ATTACHMENTS:

- Certificate of Occupancy Fees-Other Cities (XLSX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neal Thornton, Council Member
SECONDER:	David Arnold, Council Member
AYES:	Driggers, Beasley, Simonson, Arnold, Smith, Thornton
ABSENT:	Carl Pickett

8. Ordinance 2020-20

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE MASTER FEE SCHEDULE CREATING FEES FOR CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE; 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 Pro Tem Driggers read the caption of the Ordinance into the record as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE MASTER FEE SCHEDULE CREATING FEES FOR CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE; 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."

This Ordinance amends the City's Master Fee Schedule to include the fees for Certificates of Occupancy and Certificates of Compliance. A motion was made to adopt the Ordinance, as presented.

ATTACHMENTS:

- Certificate of Occupancy Fees-Other Cities (XLSX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Arnold, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Driggers, Beasley, Simonson, Arnold, Smith, Thornton
ABSENT:	Carl Pickett

V. ADJOURNMENT

Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pro Tem Driggers adjourned the meeting at 7:05 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary