



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

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

April Gilliland
City Secretary
936-336-3684

Tuesday, October 27, 2020

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
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	Absent	
Tom Warner	City Manager	Present	
Naomi Herrington	Assistant City Manager / CFO	Present	
Chris Jarmon	Assistant City Manager	Present	
Damon Jones	Public Works Director	Present	
Gary Martin	Police Chief	Present	
Brian Hurst	Fire Chief	Present	
Brandon Davis	City Attorney	Present	
April Gilliland	City Secretary	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 guest and visitors, opening the floor for public comment to those individuals wishing to address the Council. No public comments were given.

III. REGULAR AGENDA

A. Regular Session

1. Ordinance 2020-33

Consider and take action on an Ordinance approving a budget amendment to the Liberty Community Development Corporation (LCDC) Fiscal Year Budget ending September 30, 2021, in the amount of \$204,500 for the Liberty Municipal Airport

COMMENTS - Current Meeting:

On July 21, 2020, the Board of Directors approved LCDC's FY21 budget, which was ratified by City Council on August 25, 2020. That budget included \$84,000 to be transferred to the Liberty Municipal Airport for the 10% local match for the runway and taxiway rehabilitation project. In late September, TxDOT Aviation informed the City that the rehabilitation of the runway and taxiway is more extensive than originally anticipated and that the deficiencies in the pavement will require a full reconstruction. Changing from a rehabilitation project to a reconstruction project increases the cost of the project from \$840,000 to \$2,885,000. TxDOT will still pay 90% of the total project cost. However, with the new project, the 10% local match increased from \$84,000 to \$288,500, a difference of \$204,500:

Original Estimate \$ 840,000.00

Local Match (10%) \$ 84,000.00

Revised Estimate \$2,885,000.00

Local Match (10%) \$ 288,500.00

The additional matching funds required for the reconstruction of the runway and taxiway is \$204,500.00. This additional funding would be transferred from LCDC's fund balance. This will leave an unaudited fund balance of \$ 2,126,567.06. Upon completion of the project, LCDC will be reimbursed \$30,000 from CARES Act funds that were previously dedicated to the airport.

Motion was made to adopt the Ordinance approving an amendment to the Liberty Community Development Corporation's Fiscal Year 2020-2021 budget by \$204,500 to increase the transfer to the Liberty Municipal Airport.

ATTACHMENTS:

- EXHIBIT A - Runway Costs (PDF)

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

2. Work Session (ID # 4948)

Work Session to discuss the baseball and softball fields at the Municipal Park and establishing rules and procedures for the use of the fields.

COMMENTS - Current Meeting:

During the September 8, 2020, City Council Meeting, City Council was addressed by a citizen regarding conflicts with other organizations that also use the fields at the City Park. The following information is a brief synopsis of what has occurred at the fields over the last several years. Recommendations on how the City should operate the fields in the future is also provided in the sections titled as such.

The City Park has three T-ball fields, four baseball fields and four softball fields. Prior to 2010, the Liberty Youth Baseball Association (LYBA) and the Adult Softball League were the primary users of the fields. The LYBA includes both baseball and softball teams within the association. Other organizations used the fields but not on a

regular basis. In December 2013, Staff recommended, and City Council approved, keeping the utility accounts in the City's name and leasing the fields for the cost of electricity and water. Before this time, as each entity reserved a field, utility accounts were established in the renter's name. At the end of the lease, the account was placed back into the City's name and deposits refunded. Some accounts had been changed over 30 times. Charging the rental fee helped eliminate a tremendous amount of time and paperwork. The costs to rent the fields are \$40 per four-hour period or \$140 per month. The T-ball fields fee is a flat \$25 per month. The concession stands fee is \$100 per month and are currently rented by LYBA on a yearly basis. These fees have not increased since 2013.

LYBA has exclusive use of the T-ball, baseball and two softball fields from February 1st to July 31st of each year. The remaining softball fields are available for use by others through a reservation system. All fields, except the T-ball and baseball fields are leased through reservations, typically on a monthly basis, from August 1st to January 31st.

Beginning in 2011, the City began seeing the first use of the fields for select teams/leagues. Since that time, there has been a steady increase in the number of select softball team organizations requesting the use of the fields. Some of the organizations have multiple teams based on various age brackets. The number of teams within each organization ranges from one to eleven. There were three select organizations leasing the fields on a regular basis before all reservations were cancelled or suspended due to COVID-19.

On numerous occasions throughout the years, City staff has had to meet individually or as a group with each of the organizations. The meetings involved LYBA, Dirt Divas, Outlaws and Allegiance organizations. Each of organizations, other than LYBA, consist of select softball teams. The topics of discussion in these meetings ranged from the maintenance of the fields, scheduling and unavailability of the fields for their specific group. The latest meeting with this group occurred in March of this year. At that time, it was staff's understanding that the organizations would work out among themselves any scheduling or field availability issues that may arise.

With the COVID-19 pandemic occurring later in March, LYBA decided to cancel their 2020 season. In addition to refunding LYBA's lease payment, the City ceased renting any fields and refunded the select organizations their lease payments. Although the fields are available for use, games and/or tournaments are not allowed at this time.

Over the years, various organizations have made improvements to the facilities. The use of several of the improvements has been limited to the organization that installed the improvements. The ability to make these improvements have led some to believe that the fields belong to them and not the City. As a result, some of the improvements have been made with the City's knowledge while others have not.

Recommendation

In preparing a recommendation, City Staff contacted other cities and solicited their rules and procedures for operating ball fields at their respective parks. Of the eleven (11) cities contacted, four did not have city owned fields. The procedures in place for the remaining seven (7) cities ranged from first come first serve to exclusive use by youth baseball associations. Three (3) cities, Cleveland, Dayton and Navasota require lease agreements with any organization that leases their fields. In addition to requiring a lease agreement, Cleveland had the most comprehensive and strictest rules and procedures. All three cities made it abundantly clear that the City owned the fields

The components of the recommendation include the facilities, rules and regulations, field reservation application/agreements and fees. Each component of the recommendation is provided in the following sections:

Facilities

Currently, the LYBA leases all the concession stands for the entire year. Additionally, they have constructed two batting cages at their expense. The most recent cage was constructed approximately two years ago. LYBA also has a container located between the fields to store their equipment and supplies. Both LYBA and the select team organizations have been maintaining the fields to their playing requirements. The organization leasing the field(s) is given a key to the gate lock in order to turn on/off the field lights.

The following changes are recommended regarding the facilities:

- LYBA has expended approximately \$50,000 to construct the new batting cage by the softball fields. Rather than requesting reimbursement for the cost of the batting cage, LYBA has tentatively agreed to use the funds as match toward new restrooms and concession stand at the baseball fields. It should be noted that the baseball, T-ball fields and park offices are on a septic sewer system. The addition of a new restroom will require the installation of new sewer lines and a pump station.

- ☐ The City will maintain the fields during non-leased periods. During leased periods, the lessee may maintain the field(s) to their specifications. However, fields will be maintained as either baseball or softball fields with no changes to the infields.
- ☐ In order to reduce access to the lighting system, the City will install a system that will allow the lights to be turned on and off, based on reservations, from a remote location. Lessee would not have the ability to turn the lights on or off.
- ☐ The City will only lease out the concession stands during league or tournament play. The concession stands will not be leased for practices.

The estimated cost of a new restrooms and concession stands, lighting system upgrades and sewer system is \$250,000. Due to the increase in maintenance responsibilities for the Park Department an additional light equipment operator will be required. The cost for an additional employee, including benefits is \$46,000/year. This will increase the number of Park employees to four. By implementing the above changes, the City will assume full responsibility of the maintenance of the fields.

Rules and Regulations

Proposed rules and regulations were attached to the meeting agenda.

Field Reservation Applications/Agreements

Field Reservation Applications/Agreements varied from City to City with varying degree of field maintenance responsibility and cost. The reservation applications/agreements have been prepared for tournament/league play, practice and vendors.

Fees

The Proposed Fee Schedule will not change the amount charged per field or concession stand. However, the time period in which a field may be leased will be based on the use of the field whether for league play, tournaments or practice. The proposed fee schedule is provided below:

LYBA - \$8,010 -Three (3) T-Ball at \$25/mo., two (2) softball & four (4) baseball fields at \$140/mo. and three (3) concession stands for six months at \$140/mo.

Tournaments - \$100 per field per day and \$50 per concession stand per day. City will retain 10% of concession proceeds except if sponsored by a 501c3 organization.

Practices - \$40 per field without lights, four (4) hour maximum.

\$60 per field with lights, four (4) hour maximum

The funding for improvements and additional employee will be from various sources (General Fund, Cambridge Funds and Electrical Capital Improvement Program).

ATTACHMENTS:

- Liberty Municipal Park (PDF)
- Athletic Fields Survey September 2020 (XLSX)
- Park Ball Fields Reservation Rules Procedures September 2020 (DOCX)
- Liberty Municipal Park Tournament and League Reservation Request September 29 2020 (DOCX)
- Liberty Municipal Park Field Reservation Rules September 2020 (DOCX)
- Liberty Municipal Park Facility Practice Reservation Form September 29 2020 (DOCX)
- Liberty Municipal Park Vendor Request September 29 2020 (DOCX)

3. Resolution 2020-65

Consider a resolution establishing rules and procedures for the use of the fields at the Liberty Municipal Park.

COMMENTS - Current Meeting:

After a lengthy work session discussion about the Liberty Municipal Parks baseball and softball fields and establishing rules and procedures for the use of the fields.

A motion was made to approve the resolution implementing the reservation procedures and policy, the practice rules and procedures and the vendor request application for league play or tournaments at the Liberty Municipal Park.

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

IV. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 6:52 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary