



The City of Liberty City Council

Regular Meeting

~ Minutes ~

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

April Gilliland
City Secretary
936-336-3684

Tuesday, January 11, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on January 11, 2022 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 p.m. by Mayor Carl Pickett.

Attendee Name	Present	Absent	Late	Arrived
Mayor Carl Pickett	X			
Mayor Pro Tem Diane Driggers	X			
Council Member Dennis Beasley	X			
Council Member Libby Simonson		X		
Council Member David Arnold	X			
Council Member Chipper Smith	X			
Council Member Neal Thornton	X			

II. INVOCATION

Invocation was given by Liberty County Judge, Jay Knight.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Assistant City Manager / Community Development Chris Jarmon and the pledge to the Texas Flag was led by Assistant City Manager / CFO Naomi Herrington.

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 individuals wishing to address the Council about items not on the agenda. There were no comments.

V. PRESENTATIONS / REPORTS

A. City Manager's Report - City Manager Tom Warner - Topics include Wastewater Treatment Plant, Covid-19, Humphreys Cultural Center and Electric Projects.

City Manager Tom Warner reported on the following updates:

- Wastewater Treatment Plant Flood Mitigation Improvements and Outfall Replacement Project
- COVID-19
- Humphreys Cultural Center Repairs
- Upcoming Electrical System projects for Fiscal Year 2021-2022
- Electrical System projects currently underway
- Jubilee 2022

B. Finance Report - Assistant City Manager / CFO Naomi Herrington

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of November 30, 2021.

C. Department Reports

Monthly reports are submitted by all departments and are attached to the agenda for the Council's review and any questions the Council may have.

D. Sam Rayburn Municipal Power Agency - Mayor Pickett

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, stated that the next meeting is scheduled for Tuesday, January 19, 2022 in Livingston.

E. Mayor, Council and Staff Comments

Candidate packets for the May 7, 2022 General Election are available for pickup. Filing for Place on the Ballot begins January 19, 2022.

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.

A motion was made by Council Member Beasley to approve all items on the consent agenda and seconded by Council Member Driggers. The motion passed 6 to 0 with all present voting yes and Council member Simonson absent.

A. Minutes Approval

1. 12/14/2021 Council Minutes

VII. REGULAR AGENDA

A. Executive Session

At 6:33 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Title 5, Chapter 551 of the Texas Government Code.

1. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
- Discussion regarding economic development matters

B. Regular Session

At 7:18 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on permit fees for the Liberty County Sheriff's Department facility.

No action was taken.

2. First reading - A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS; SAID RESOLUTION AUTHORIZING AN AWARD AND DISBURSEMENT OF LIBERTY COMMUNITY DEVELOPMENT CORPORATION FUNDS FOR AN ECONOMIC DEVELOPMENT GRANT TO SWAMPSMOKE, LLC.

Mayor Pickett read the caption of the resolution with the City Attorney, Brandon Davis, reading the full resolution. After some discussion with the City Council, it was decided to pass on the second reading and bring back more details on the business before approving.

3. Second Reading - A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS; SAID RESOLUTION AUTHORIZING AN AWARD AND DISBURSEMENT OF LIBERTY COMMUNITY DEVELOPMENT CORPORATION FUNDS FOR AN ECONOMIC DEVELOPMENT GRANT TO SWAMPSMOKE, LLC.

Agenda item was passed on and will be brought back at a future meeting.

4. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH LIBERTY COUNTY PRECINCT ONE (1) FOR THE MAINTENANCE OF STREETS, ROADS, DITCHES AND RECREATIONAL AREAS.

A motion was made by Council Member Driggers to approve the interlocal agreement with Liberty County Precinct one for maintenance and seconded by Council Member Thornton. The motion passed 6 to 0 with all present voting yes and Council member Simonson being absent.

5. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, REJECTING THE BID RECEIVED FOR THE 2021 – 2022 CITY WIDE STREET REHABILITATION PROJECT.

A motion was made by Council Member Arnold to approve the rejection of the bid received for the 2021-2022 city wide street rehabilitation project and seconded by Council Member Beasley. The motion passed 6 to 0 with all present voting yes and Council member Simonson being absent.

6. AN ORDINANCE AMENDING ARTICLE 4.09 OF THE CODE OF ORDINANCES; REGULATING MOBILE FOOD VENDORS AND MOBILE FOOD VENDOR PARKS; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION; AND PROVIDING

FOR AN EFFECTIVE DATE.

A motion was made by Council Member Arnold to adopt the ordinance establishing rules and regulations for Mobile Food Truck parks and seconded by Council Member Thornton. The motion passed 6 to 0 with all present voting yes and Council member Simonson being absent.

7. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AMENDING THE MASTER FEE SCHEDULE BY ADDING A ONE-TIME LICENSE FEE FOR MOBILE FOOD TRUCK PARKS; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion was made by Council Member Smith to adopt the ordinance adding a one-time license fee for Mobile Food Truck Parks and seconded by Council Member Thornton. The motion passed 6 to 0 with all present voting yes and Council member Simonson being absent.

8. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT - CARES ACT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMMUNITY RESILIENCY PROGRAM; AND AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT PROGRAM.**

At 7:58 p.m., Mayor Pickett opened the Public Hearing in regard to the submission of an application to the Texas Department of Housing and Community Affairs (TDHCA) for a Community Resiliency Program application associated with the community Development Block Grant Cares Act Program. The discussion began with Patrick Wiltshire from Public Management providing details regarding the grant and application to be submitted. No citizens attended to provide public comment. After a brief discussion, Mayor Pickett closed the Public Hearing at 8:02 p.m.

A motion was made by Council Member Beasley to approve the resolution authorizing the submission of a Community Development Block Grant - CARES Act Application. The motion was seconded by Council Member Arnold. The motion passed 6 to 0, with all present members voting Yes and Council Member Simonson being absent.

9. **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, A HOME RULE MUNICIPALITY EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AUTHORIZING THE ELECTION SERVICES CONTRACT BETWEEN THE LIBERTY COUNTY ELECTIONS ADMINISTRATOR OFFICE AND THE CITY OF LIBERTY.**

A motion was made by Council Member Driggers to approve the Election Services Contract with the Liberty County Elections Administrator Office for the May 7, 2022 Election. The motion was seconded by Council Member Thornton. The motion passed 6 to 0, with all present members voting Yes and Council Member Simonson being absent.

C. Executive Session

At 8:11 p.m., Mayor Pickett closed the open meeting and opened the Executive Session as authorized by Title 5, Chapter 551 of the Texas Government Code.

1. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**

- To discuss or deliberate regarding commercial or financial information received from a business prospect.

- Business Proposals

2. Texas Government Code §551.071 - Private Consultation with Attorney.

- To seek advice regarding contemplated /pending litigation.

D. Reconvene into Regular Session

At 8:52 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

No Action was taken on executive session items.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:53 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary