



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, February 8, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on February 8, 2022 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 p.m. by Mayor Carl Pickett.

A.

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 Pastor Delmar Coward, Encounter Church, Raywood, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Lt. Chip Fairchild and the pledge to the Texas Flag was led by Public Works Director Damon Jones.

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 those individuals wishing to address the Council. Mr. Tommy Tousha of the VFW in Liberty spoke regarding the community outreach programs offered by the VFW and some current events that would be happening in February and March at the VFW hall. Pastor DelMar Coward thanked the City for all the work that is done on a daily basis and wanted to say thank you for all the help with the City Park party held annually on the 2nd weekend of September.

V. PRESENTATIONS / REPORTS**A. Lifesaver Award Presentation**

Lifesaver Awards were given to Kyle Cornelius, Jacob Cantu, Brian Hurst, Nicholas Nelson and Wesley Freeman for their acts of bravery to save an entrapped women during a house fire.

B. Mayor's Monarch Pledge Proclamation - Junior Ranger Program

Mayor Pickett, Laurie Lomas Gonzales (US Fish & Wildlife Services) and the Junior Ranger program students read the proclamation for the Mayor's Monarch Butterfly Pledge. Each Junior Ranger was presented with their own copy of the proclamation.

C. City Manager's Report - City Manager Tom Warner - Topics Include Liberty Municipal Golf Course, City Software, Wastewater Treatment Plant and Electric Load Shedding.

City Manager Tom Warner reported on the following updates:

Liberty Municipal Golf Course

City Software Upgrade

Wastewater Treatment Plant Levee

Electric Load Shedding

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

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of December 31, 2021.

E. Department Reports

Monthly reports are submitted by all departments and are attached to the agenda for the Council's review and any questions that they may have. Council Member Smith asked about the stop work order for 906 N. Main listed on the Code Enforcement Report. Assistant City Manager Chris Jarmon said the reason was they had started work without permits, but permits have been pulled for the project. Mayor Pickett asked about the photo with Christian Ecker in a hole full of water regarding a water leak at 1622 Cos St. Public Works Director Damon Jones stated that there are times they have to work the leaks hot and sometimes the water leak produces more water than the pumps can get rid of.

F. 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 next Tuesday.

G. Mayor, Council and Staff Comments

Mayor Pickett reminded everyone of a special meeting called to be held on February 22, 2022. Councilmember Smith reported on a positive phone call from a citizen on how we helped with a water leak on a bill.

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 Thornton. The motion passed 7 to 0 with all present voting yes.

A. Minutes Approval

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B. 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, DECLARING EQUIPMENT AS SURPLUS AND ORDERING AN ONLINE AUCTION.

VII. REGULAR AGENDA

A. Regular Session

1. 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, ADOPTING AN UPDATED INVESTMENT POLICY.

City Manager Tom Warner and Assistant City Manager / CFO Naomi Herrington reviewed the updated investment policy with Council. The previous update was done in 2018. A motion was made by Mayor Pro Tem Driggers to approve the resolution adopting an updated investment policy and seconded by Council Member Simonson. The motion passed 7 to 0.

2. 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, ACCEPTING THE FISCAL YEAR 2020-2021 ANNUAL AUDIT REPORT AS PRESENTED BY SWAIM, BRENTS & ASSOCIATES, P.C.

This item was passed on and will be on the February 22, 2022 meeting.

3. AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS,(OR "CITY") DECLINING TO APPROVE THE CHANGE IN RATES REQUESTED IN ENTERGY TEXAS, INC'S ("ETI" OR "COMPANY") STATEMENT OF INTENT FILED WITH THE CITY ON JANUARY 31, 2022, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC AND IN ACCORDANCE WITH TEXAS LAW.

Entergy Texas Inc. (ETI) has submitted to the Public Utility Commission (PUC) a request to have their renewable energy credit tariff approved. This rate will give ETI customers an opportunity to essentially buy green power through this proposed rate filing. In order to promote consistent rates throughout ETI's Texas service area, they are requesting the city to deny their request so all the cities in their service area may be combined in one case before the PUC. A motion was made by Council Member Thornton to adopt the ordinance declining to approve the change in rates requested by Entergy Texas Inc. and seconded by Council Member Beasley. The motion passed 7 to 0 .

4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS,

AMENDING THE MASTER FEE SCHEDULE RELATED TO FEES AT THE LIBERTY MUNICIPAL AIRPORT AND PROVIDING FOR AN EFFECTIVE DATE.

Tie-downs are a means to secure and prevent the movement of parked aircraft when not located within a hangar. Staff is proposing changes to the city's tie-down fees due to some pilots expressing interest in long-term tie-down agreements. The staff is proposing a rate of \$5 per day (with the first day free) or \$60 per month if the agreement is for longer than one week. There are currently seven (7) tie-down spaces at the Liberty Municipal Airport. A motion was made by Council Member Simonson to adopt the ordinance amending the master fee schedule related to the Liberty Municipal Airport and seconded by Council Member Thornton. The motion passed 7 to 0.

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, DESIGNATING JUNETEENTH AS AN OFFICIAL CITY HOLIDAY.

The City of Liberty currently observes thirteen (13) working days as official City holidays each year. The days observed as official holidays are: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, and Two days at Christmas to be designated by the City Manager. Each of these holidays corresponds to the official Federal Holidays, with a few differences. These differences include the federal schedule of holidays includes Columbus Day but does not include the day after Thanksgiving or the second day at Christmas. Additionally, in 2021, Juneteenth Independence Day became an official Federal Holiday. The additional working day to be considered as an official city holiday is Juneteenth Independence Day. A motion was made by Mayor Pro Tem Diane Driggers to approve the resolution to designate Juneteenth as an official City Holiday and seconded by Council Member Thornton. The motion passed 7 to 0.

6. AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF LIBERTY'S FISCAL YEAR 2021 – 2022 BUDGET AND PROVIDING FOR AN EFFECTIVE DATE.

During preparation of the Fiscal Year 2021-2022 Electric Department's Budget, the contract between the Sam Rayburn Municipal Power Agency (SRMPA) and Entergy Wholesale Operation Marketing (EWOM) had not been finalized. The existing contract expired on September 30, 2021. The new contract, in part, determines the cost the three member cities of SRMPA pay for power. Also, as a part of the original agreement with SRMPA, Liberty PTC Tubulars power is billed with the City's usage and not separately as prior to October 1, 2021. The budget amendment includes a revised revenue estimate based on the lower cost of power from SRMPA, a decrease in estimated expenditures as a result of the lower cost of power, a reduction in the number of employees and the resulting decrease in salaries and benefits and an increase in contract services. A motion was made by Council Member Simonson to adopt the ordinance amending the City of Liberty's Fiscal Year 2021-2022 Budget and seconded by Mayor Pro Tem Driggers. The motion passed 7 to 0.

B. Executive Session

At 7:35 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

C. Reconvene into Regular Session

At 8:57 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:58 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary