



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, April 26, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on April 26, 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	6:06 PM
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. 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. No comments were made.

III. PRESENTATIONS / REPORTS

There were no Presentation / Reports given.

IV. 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, APPROVING THE

PRELIMINARY PLAT OF THE LIBERTY RANCH SUBDIVISION.

Baker & Lawson, on behalf of Von Schmidt Land and Cattle, LLC, has submitted a preliminary plat for a proposed 217 lot residential subdivision to be located on Highway 146 North. The subdivision will be divided into two phases, with Phase I consisting of 108 lots and Phase II consisting of 109 lots. The subdivision will include a 50' right-of-way, 28' wide concrete curb and gutter streets, sidewalks, underground electric utilities, on-site detention and a 0.636-acre park that will be privately maintained. The development will also have a homeowners association (HOA) and deed restrictions.

Due to the layout of the subdivision, the applicant is requesting the following variances:

1. Lot Size - Required: 6,000 sf | Proposed: 5,000 sf
2. Lot Width - Required: 60 feet | Proposed: 50 feet
3. Corner Lot Width - Required: 75 feet | Proposed: 55 feet
4. Setbacks - Required: 7.5 feet | Proposed: 5.0 feet

The Planning & Zoning Commission met on Wednesday, April 20 and voted 6-0 to approve the preliminary plat with variances, subject to the following conditions:

1. Provide a copy of the drainage easement prior to approval of the final plat
2. Provide a copy of the property owners or homeowners association bylaws prior to approval of the final plat

A motion was made by Council Member Simonson to approve the resolution approving the preliminary plat of the Liberty Ranch Subdivision with the requested variances. This motion was seconded by Council Member Smith. The Motion passed 6 to 0 with all present voting yes and Council Member Thornton being absent.

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, APPROVING AN INTERLOCAL AGREEMENT WITH THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5 FOR THE REVIEW OF DRAINAGE PLANS.

The Water Control Improvement District #5 (WCID #5) and the City are responsible for regulating drainage within the City and the City's Extraterritorial Jurisdiction (ETJ). The owner of any project that adds impervious surfaces within the City or the ETJ is required to obtain approval from both entities prior to construction. Since the drainage regulations of WCID #5 and the City are almost identical, it was determined that it would be beneficial for a single entity to review all drainage plans. This would minimize the submittal of multiple applications and plans and the issuance of two permits, one from each entity. WCID #5 and the City have mutually agreed to allow the City to review drainage plans and issue permits for projects within the City with two exceptions. Those exceptions are a.) projects that drain directly or within 500 feet of a WCID #5 channel and b.) projects located within the City's ETJ and WCID #5 boundaries must be reviewed by WCID #5. Projects located within the City, and not meeting one of the two exceptions, would be required to conform to the City's Drainage Criteria Manual.

A motion was made by Council Member Simonson to approve the resolution approving an interlocal agreement with WCID #5. This motion was seconded by Council Member Driggers. The Motion passed 6 to 0 with all present voting yes and Council Member Thornton being absent.

3. 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 THE CITY OF LIBERTY WEBSITE POLICY.

The City has recently been contacted by several groups wishing to use the City's main website to provide information that may or may not be related to the City. Currently, the City operates the main City of Liberty website, the Liberty Community Development Corporation website and other social media

sites. The purpose of the proposed website policy is as follows:

- Provide a convenient and informative resource for residents, visitors, businesses, non-profit organizations, other public agencies and schools to obtain and disseminate specific information related to city government.
- Provide information and resources that contribute to the health, safety and welfare of the public.
- To employ the latest technology designed to improve customer service and communication relating to issues of interest within the City.
- To contribute to the improvement of government services, foster economic development and enhance the sense of community within the City.
- Establish and strengthen long-term partnerships between the City and individuals and entities in the public and private sectors.
- Allow users to conduct City business transactions such as utility payments, licensing and permits.

The policy also includes guidelines regarding non-public forum status, external links, external advertisements, posting of events and service marks, trademarks and copyright. Additionally, the policy includes administrative guideline sections regarding the authority of the City Manager in implementing the policy, disclaimers, no warranty or representation, notice to the City, errors, omissions, warranty and damages and indemnification.

A motion was made by Council Member Simonson to approve the resolution adopting the website policy. This motion was seconded by Council Member Beasley. The Motion passed 6 to 0 with all present voting yes and Council Member Thornton being absent.

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, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR THE 2019 INFRASTRUCTURE COMPETITION WITH THE TEXAS GENERAL LAND OFFICE.

The Texas General Land Office (GLO) will begin accepting applications for the 2019 Infrastructure Competition. Eligible applicants, for the approximate \$61.43 million dollars in grant funds, are cities and counties within a ten (10) county area located in the Valley and Southeast Texas. The grant will provide disaster relief, long term recovery and restoration of infrastructure for local communities. The grant applications must have a total proposed cost between \$250,000 to \$1 million. The GLO recognizes that as a part of a comprehensive long-term recovery program, the repair and enhancement of local infrastructure are crucial components. If successful in receiving the grant, the City will use the grant proceeds to partially fund improvements to the water and sanitary sewer system in the Minglewood area. The water and sanitary sewer improvements in this area are anticipated to cost approximately \$2.2 million.

A motion was made by Council Member Simonson to approve the resolution authorizing the City Manager to submit a grant application for the 2019 infrastructure competition with the Texas General Land Office. This motion was seconded by Council Member Beasley. The Motion passed 6 to 0 with all present voting yes and Council Member Thornton being absent.

B. Work Session

1. Discussion of proposed City Council Agenda Presentation & Meeting Decorum Policy

The City Council does not currently have a policy regarding who and how an item may be placed on a City Council Agenda. Additionally, there are no guidelines or procedures dealing with public participation during the meeting, other than just signing up to speak during the Public Comment section of the agenda. A draft copy of a proposed City Council Agenda Preparation and Decorum Policy was sent to the Council as a starting point for City Council to begin discussions regarding the implementation of a policy. City Manager Tom Warner discussed the policy in detail and with Council's agreement, will bring the policy to them at the May 10, 2022 meeting for approval.

C. Executive Session

At 6:32 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 §551.072 - Deliberation Regarding Real Property**
Discussion regarding the possible purchase and/or sale of property.
2. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.
3. **Texas Government Code §551.071 - Private Consultation with Attorney**
Discussion with attorney regarding contemplated/pending litigation and/or regarding matters protected by the attorney/client privilege.
4. **Texas Government Code §551.074 - Personnel Matters.**
Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public office or employee.
Municipal Court Judge
LCDRC Board Members

D. Reconvene into Regular Session

At 8:23 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take action on real estate matters discussed in executive session
No action was taken.
2. Consider and take possible action on legal matters discussed in executive session.
No action was taken
3. Consider and take possible action on employment matters related to the Municipal Court Judge

A motion was made by Council Member Simonson to appoint Stephen Hebert as a substitute Municipal Court Judge. This motion was seconded by Council Member Arnold. The Motion passed 6 to 0 with all present voting yes and Council Member Thornton being absent.

V. ADJOURNMENT**A. Motion To: Adjourn**

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:25 p.m.

ATTEST:

Carl Pickett, Mayor

April Gilliland, City Secretary