



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, June 28, 2022

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on June 28, 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 Chipper Smith		X		
Council Member Tommy Brents	X			
Council Member Ed Seymour	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. Mayor Pickett invited everyone to the July 3rd Fireworks in the Liberty Municipal Park at 9:30 pm to celebrate Independence Day. Mayor Pickett informed every one of the LHS State Softball Celebration being held on July 19, 2022, located at the Daniel Pavilion (City Hall Grounds) at 5:30 pm. Mayor Pickett also thanked Chief Martin for being the City's representative at the LISD School Board Meeting regarding the School Resource Officer Contract. City Manager Tom Warner reminded Council that the 2022-2023 budget preparations are beginning with budget work sessions being held July 12 - 15, 2022.

III. REGULAR AGENDA

A. Executive Session

At 6:06 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 §551.071 - Private Consultation with Attorney**
Discussion with attorney regarding contemplated/pending litigation and/or regarding matters protected by the attorney/client privilege.
2. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.

B. Regular Session

At 6:56 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on legal matters discussed in the Executive Session.
No action was taken.
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 A CHAPTER 380 AGREEMENT FOR A WETLANDS STUDY.**

A motion was made by Council Member Brents to approve the resolution approving a chapter 380 agreement for wetlands study and seconded by Council Member Beasley. The motion passed 6 to 0 with all present voting yes and Council Member Smith being absent.

3. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AMENDING THE MASTER FEE SCHEDULE RELATED TO SEPTIC SYSTEM PERMIT FEES AND PLAT FILING FEES, AND PROVIDING FOR AN EFFECTIVE DATE.**

In areas of the city in which a resident requests sanitary sewer service and the property is not within 200 feet of an existing sanitary sewer line, the resident may be allowed to install an aerobic sewer system. Although the plan review of the aerobic system can be conducted by the City, the inspection of the aerobic system during installation must be performed by an individual licensed by TCEQ. Currently, the City does not have an employee licensed to perform these inspections and must hire a third party to conduct the inspections. The cost of the inspection is \$450.00. The City does not currently have a fee associated with this type of inspection. The city currently charges a preliminary plat review fee of \$25.00 and a final plat review and filing fee of \$100.00 and \$50.00, respectively. In an effort to cover the City's cost for these reviews and the increase in filing fees. Changes in the permit fees in the Master Fee Schedule are proposed as follows:

1. Preliminary Plat Review Fee: \$100.00
2. Final Plat Review Fee: \$200.00
3. Final Plat Filing Fee: \$100.00
4. Septic System Permit Fee: \$450.00

A motion was made by Council Member Simonson to approve the ordinance amending the Master Fee Schedule related to Septic System Permit Fees and Plat Filing Fees and seconded by Council Member Driggers. The motion passed 6 to 0 with all present voting yes and Council Member Smith 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, APPROVING CHANGE ORDERS NUMBER 1 AND 2 FOR THE CULTURAL CENTER RENOVATIONS PROJECT.**

As a part of the Cultural Center Renovations, the contractor was required to perform an asbestos survey of the areas to be disturbed by the construction. The results of the asbestos survey revealed the flashing adhesive at the tower pipe support bases contained asbestos. The cost to remove the asbestos at these locations is \$6,267.50.

Additionally, during the inspection review of damaged concrete masonry units (CMU) blocks, the contractor, Brazos Roofing, and the engineer, WJE, found an additional 56 CMU blocks that needed replacement above the 50 included in the contract. The cost to remove and replace the additional 56 CMU blocks is \$13,160.00.

As a result of these findings, the following change orders are proposed:

1. Change Order No. 1 - Replacement of asbestos flashing adhesive at the tower support bases - \$6,267.50.
2. Change Order No. 2 - Removal and replacement of 56 additional damaged CMU blocks - \$13,160.00.

A motion was made by Council Member Brents to approve the resolution approving change orders number 1 and 2 for the Cultural Center Renovations project and seconded by Council Member Beasley. The motion passed 6 to 0 with all present voting yes and Council Member Smith 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, AWARDED THE BID FOR THE LIBERTY MUNICIPAL GOLF COURSE PARKING LOT EXPANSION PROJECT TO AMERICAN PARKING CONTROL.

The FY 2022 Capital Improvement Budget includes several paving projects at the Liberty Municipal Golf Course. The paving projects included the expansion of the existing parking lot, the cart staging area on the south side of the pro shop and the cart storage area. The firm of Whitely & Oliver Engineering, LLC prepared the plans and specifications for the proposed improvements. During the plan preparation, an additional area was added to the total project to include the road from the parking lot to the maintenance buildings and private cart storage area. This added approximately 250 square yards of base preparation and paving to the project. The total amount budgeted for the project was \$96,800.00. Four bids were received for the project, ranging from the apparent low bid of \$179,862.94 to the high bid of \$407,108.44. The apparent low bid was submitted by American Parking Control of Houston. The difference in the budget amount and the low bid is primarily due to the added area to be paved, the increase in cost of labor and materials, and an underestimation, in the original budget, of the cost of handwork. The engineer has reviewed the bids and qualifications of the apparent low bidder and is recommending the project be awarded to American Parking Control for the amount of \$179,862.94.

A motion was made by Council Member Driggers to approve the awarding the bid for the Liberty Municipal Golf Course Parking Lot Expansion Project to American Parking Control and seconded by Mayor Pickett. The motion failed 3 to 3 with Mayor Pickett, Council Members Driggers and Seymour voting Yes, Council Members Brents, Beasley and Simonson voting No, and Council Member Smith being absent.

C. Work Session

1. City Council discuss the proposed City Council Agenda Preparation and Meeting Decorum Policy.

City Attorney Brandon Davis began the work session by going over the proposed City Council

Agenda Preparation and Meeting Decorum Policy. Attorney Davis noted that he emailed the Council for their comments and the policy that was attached to the agenda was changed and the revised policy based on the comments received before the meeting was the policy passed out to them for review during this work session. The policy covers open government requirements, meeting schedules, meeting agendas, notices and preparation, and public participation in open meetings and public hearings. Council members discussed public participation in meetings as that is where the most revisions were made. After several comments and discussions on what the Council would like to see, Attorney Davis will make the revisions to the policy and bring it back to a future meeting for further review.

IV. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 7:50 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary