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, September 27, 2022 **6:00 PM** **City Council Chambers**

I. CALL TO ORDER

This meeting was called to order on September 27, 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. No comments were made.

III. 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 Simonson to approve all items on the consent agenda and seconded by Council Member Seymour. The motion passed 7 to 0 with all present voting yes.

A. 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 EXECUTE THE FIRE PROTECTION SERVICES AGREEMENT WITH LIBERTY COUNTY.

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, DESIGNATING A REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2023 GENERAL ASSEMBLY.

IV. REGULAR AGENDA

A. Regular Session

1. 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 TIMBERLINE PRODUCTS, INC.

On September 20, 2022, the Liberty Community Development Corporation (LCDC) Board of directors authorized the General Manager to negotiate and execute an agreement with Timberline Products. Timberline Products plans to operate a glycerin refining and antifreeze/coolant production and bottling facility at 3020 Beaumont. The business is being relocated from Coldspring to Liberty. The owner of the company has provided employee salaries and anticipated investment expenditures for the business. Timberline Products plans to hire thirteen (13) employees within the first year of operation. These positions include the following: 1 – Office Manager ($18 per hour) 1 – Receptionist ($15 per hour) 2 – Sales Staff ($10 per hour plus commission) 9 – Plant/Production ($15 - $22 per hour depending on skills and experience) – 2 of these employees will be relocated from Coldspring Timberline also plans to invest approximately $1,000,000 in new furniture, fixtures, equipment and utility upgrades. In return, LCDC will provide reimbursements for utility upgrades in an amount not to exceed $30,000. The work must be completed and invoices provided before any reimbursement is made. On August 16, 2022, the LCDC Board of Directors held a public hearing regarding the potential expenditure of funds for the Timberline Products economic development agreement. The first reading of the resolution was done by City Attorney Brandon Davis.

2. 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 TIMBERLINE PRODUCTS, INC.

The second reading of the resolution was done by City Attorney Brandon Davis. A motion was made by Council Member Simonson to approve the resolution authorizing an award and disbursement of Liberty Community Development Corporation Funds for an Economic Development Grant to Timberline Products, Inc. and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

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, RATIFYING THE EXPENDITURE OF LIBERTY COMMUNITY DEVELOPMENT CORPORATION FUNDS TO PAY THE DEBT ON THE FIRE TANKER TRUCK FINANCED BY THE LIBERTY COMMUNITY DEVELOPMENT

CORPORATION.

On September 20,2022, the Liberty Community Development Corporation (LCDC) Board of Directors authorized the General Manager to pay the debt for a fire tanker truck. In April of 2014, the LCDC Board of Directors accepted a loan from the H-GAC Gulf Coast Economic Development District to purchase a tanker truck for the Fire Department. The loan terms were for a 20-year loan at 4% simple interest. The current outstanding balance of that loan is $335,639.57. Staff recommends using proceeds from LCDC’s fund balance to pay off the remainder of the loan. Paying off the loan would save LCDC future interest payments, free up $35,000 per year in the budget to allocate to other priorities, and ensure that LCDC was not paying for a piece of equipment beyond its useful life. LCDC has an estimated fund balance of $2.57 million as of July 31, 2022. After paying off the tanker truck loan, the estimated fund balance would be $2.23 million. This represents an approximate 13.2% decrease in the fund balance. Funds are allocated in LCDC’s FY23 budget to pay for the debt. The note would need to be paid in October prior to the next monthly payment. A motion was made by Council Member Simonson to approve the resolution ratifying the expenditure of Liberty Community Development Corporation Funds to pay the debt on the Fire Tanker Truck financed by the Liberty Community Development Corporation in the amount of $335,639.57 and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

4. AN ORDINANCE AMENDING CHAPTER 4, BUSINESS REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 4.11, DIVISION 3, SECTION 4.11.062, REGULATING GAME ROOMS IN THE CITY, AND PROVIDING FOR AN EFFECTIVE DATE.

During the September 13th City Council Meeting, several citizens were in attendance and addressed the City Council regarding a potential game room to be located on Vera Lane. A game room is defined by State Statutes as "a building, facility, or other place that is operated for profit and that contains six or more operational amusement redemption machines". Also, by State Statutes, the County has jurisdiction over game rooms located in both the unincorporated and incorporated areas of the County. In conjunction with the County's jurisdiction, the City has jurisdiction over game rooms within the City of Liberty. Proposed changes in the City's ordinance include: 1. Must meet County Game Room Regulations, 2. Must obtain a County Game Room Permit, and 3. If there is a conflict between County and City Regulations, the most restrictive regulations apply. A motion was made by Council Member Simonson to adopt the Ordinance Amending Article 4.11, Division 3, Section 4.11.062, regulating game rooms in the City and seconded by Council Member Driggers. The motion passed 7 to 0 with all present voting yes.

B. Work Session

1. Work Session to discuss Recreational Vehicle Ordinance.

City Manager Tom Warner held a work session regarding issues with the current recreational vehicle ordinance. The issues covered in the work session are as follows:

1. RV parking
2. Commercial Use of RVs
3. Appeals
4. Living During Construction
5. Connecting to Utilities
6. Occupancy
7. Grandfathering
8. Park Development
9. Accessory Structure

City Manager Tom Warner advised Council that an updated ordinance will be brought for them to review and approve based on the discussion.

2. Work Session to discuss Fire Stations No. 1 and No. 2

City Manager Tom Warner began the work session by explaining that the architect had completed the schematic design phase and prepared cost estimates for the renovations to Station No.1 and the construction of Fire Station No. 2. Mr. Warner explained the issues with Fire Station 1 and reviewed the blueprints for Fire Station 2. Mr. Warner explained that the cost estimates for construction have increased since the beginning of the project and to complete the project it would require additional funding. Council agreed with using Cambridge funding as this is a one-time expenditure that is needed.

C. Executive Session

At 7:52 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 negotiations.

D. Reconvene into Regular Session

At 8:22 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

V. ADJOURNMENT

A. Motion To: Adjourn

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

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Carl Pickett, Mayor

ATTEST:

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April Gilliland, City Secretary