



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, April 11, 2023

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on April 11, 2023 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. INVOCATION

Invocation was given by Pastor Edwin Hardy, St. John's Missionary Baptist Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Public Works Director, Damon Jones and the pledge to the Texas Flag was led by Police Chief, Gary Martin.

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. No public comments were made.

V. PRESENTATIONS / REPORTS

- A. City Manager's Report - City Manager Tom Warner - Topics include Highway 90 Waterline Improvement Project, Elevated Storage Tanks Rehabilitation, Jubilee, Street Rehabilitation Project, and Electrical Projects.

City Manager Tom Warner reported on the following updates:

- 2023 Jubilee
- Highway 90 Waterline Project
- Elevated Storage Tank Rehabilitation Project
- Street Rehabilitation Program
- Electrical Projects

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

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of February 28, 2023.

C. Department Reports

Monthly reports are submitted by departments and are attached to the agenda for the council to review and to comment on or ask questions that they may have. The reports were scrolled through to show the various pictures and events of the departments.

D. Sam Rayburn Municipal Power Agency - Mayor Pickett

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, stated that the meeting for SRMPA is held on the third Tuesday of each month in Livingston. It will be the Annual meeting and a regular meeting to follow.

E. Mayor, Council and Staff Comments

Chris Jarmon gave an update on the Golf Course with a Grand Opening May 5, 2023 and an early soft opening by invitation only. Council Member Simonson thanked all city employees for their hard work on Jubilee.

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 7 to 0 with all present voting yes.

A. Minutes Approval

1. March 14, 2023

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, AUTHORIZING THE CITY MANAGER TO EXECUTE FINAL PAYMENT TO MYRON MCDOWELL CONSTRUCTION FOR THE T-HANGAR ROOF REPLACEMENT PROJECT AT THE LIBERTY MUNICIPAL AIRPORT.

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE SETTLEMENT RELEASE DOCUMENTS WITH ALLERGAN, CVS, WALGREENS, AND WALMART AS ADDITIONAL SETTLING PARTIES WITHIN THE NATIONAL OPIOID SETTLEMENT PARTICIPATION PREVIOUSLY AUTHORIZED BY THE CITY.

D. A RESOLUTION ADOPTING THE ATTACHED POLICIES IN CONNECTION WITH THE

CITY OF LIBERTY, TEXAS, PARTICIPATION IN FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN.

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, AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXECUTE THE NECESSARY DOCUMENTS ASSOCIATED WITH THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT.**

In FY 2021, the City submitted an application for a Staffing for Adequate Fire Emergency Response (SAFER) Grant with the U.S. Department of Homeland Security. On March 9, 2023, the U.S. Department of Homeland Security sent a Grant Award Letter to the City indicating our application had been approved in the amount of \$271,168.00. The SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters, to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. This SAFER Grant is for the volunteers to aid in the recruitment and retention, advanced firefighter training - EMT School, Advanced Firefighter Training - Firefighter II, NFPA Entry-Level Physical, Print Marketing and Event Booth, LED Recruiting Sign, and PPE Equipment - Facepiece, SCBA, New Turnouts. The training, print marketing and the PPE is a four-year funding commitment. There is no local match required. A motion was made by Council Member Simonson to approve the resolution to accept and execute the necessary documents associated with the Staffing for adequate Fire and Emergency Response (SAFER) Grant and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

- 2. City Council hold a public hearing on the condemnation of three (3) hazardous and unsafe structures to determine if the structures should be repaired or demolished: 606 Santa Anna, 618 San Jacinto (Guest House) and 1801 Reese**

At 6:51 p.m., Mayor Pickett opened the Public Hearing on the condemnation of three (3) hazardous and unsafe structures to determine if the structures should be repaired or demolished. The Code of Ordinances requires the City Council to hold a public hearing to determine if a structure complies with the City's Hazardous Building Ordinance and, if not, to determine if the structure should be (1) repaired (2) vacated and repaired or (3) demolished. The Code of Ordinances specifies that if a structure is fifty (50) percent damaged, decayed, or deteriorated, it shall be demolished or if the cost of repairs exceeds fifty (50) percent of the value of the structure, it shall be demolished. The public hearing will consider the following structures:

1. 606 Santa Anna
2. 618 San Jacinto (Guest House)
3. 1801 Reese

City Attorney Brandon Davis questioned Code Enforcement Officer, Daryl Marek, regarding the condition of each structure. It was asked if the structures met building code requirements and whether or not the property posed a safety and health hazard to the public. Mr. Marek answered that the structures do not meet building code requirements and that each of the three properties are a safety and health hazard to the public. The condition of each property was shown in photos attached to the agenda packet. Property representatives for 606 Santa Anna and 618 San Jacinto spoke with the council about the future intentions of their properties.

At 7:20 p.m., Mayor Pickett closed the Public Hearing.

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, AUTHORIZING THE MAYOR TO SIGN ORDERS OF ABATEMENT FOR THE DEMOLITION AND REMOVAL OF STRUCTURES SUBJECT TO THE PUBLIC HEARING HELD ON APRIL 11, 2023.

The following structures have been inspected by City Staff and found to be unsafe structures as defined by the City of Liberty's Code of Ordinances, Article 3.05, Hazardous Structures and by the 2018 International Property Maintenance Code. Additionally, these structures have deteriorated to a condition that they are no longer considered suitable for repair.

1. 606 Santa Anna
2. 618 San Jacinto (Guest House)
3. 1801 Reese

If not demolished by the owner, demolition funds are available in the Inspections & Permits operating budget.

A motion was made by Council Member Simonson within thirty (30) days from the date of the public hearing held on April 11, 2023, that the property located at 606 Santa Anna St is a public nuisance and public necessity requires the demolition and removal of the identified structure and seconded by Council Member Smith. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Simonson within ninety (90) days from the date of the public hearing held on April 11, 2023, that the property located at 618 San Jacinto St. (Guest House/Accessory Structure Only) is a public nuisance and public necessity requires the demolition and removal of the identified structure and seconded by Council Member Seymour. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Brents within thirty (30) days from the date of the public hearing held on April 11, 2023, that the property located at 1801 Reese St is a public nuisance and public necessity requires the demolition and removal of the identified structure and seconded by Council Member Simonson. The motion passed 7 to 0 with all present voting yes.

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 TRANSFER OF FUNDS FROM THE CAMBRIDGE FUND TO THE GOLF COURSE RENOVATION PROJECT.

The original budget for the Golf Course Renovation Project included \$200,000 in architectural fees and \$2,886,348.10 in construction costs. The additional footage of paved concrete cart paths will increase the construction costs by approximately \$20,000. Also, there have been additional costs associated with the reopening of the course not directly related to the architectural fees or construction costs. These costs include the purchase of additional sod, fertilizer, restroom renovations, tee sign & posts, hole flags/flag sticks & cups, directional signage, pro shop/cart storage electrical work, a new transformer, driving range bag stands & dividers and course rating. The final estimated cost of the above items is \$200,000. If the total amount of these expenditures is less than \$200,000, the remaining funds will be returned to the Cambridge Fund. A motion was made by Council Member Smith to approve the resolution authorizing the transfer of funds from the Cambridge Fund to the Golf Course Renovation Project and seconded by Council Member Driggers. The motion passed 7 to 0 with all present

voting yes.

B. Work Session

1. City Council hold a work session to review proposed changes to the City's sign ordinance.

Assistant City Manager Chris Jarmon opened the work session presenting to the Council the proposed changes to the current sign ordinance. The proposed revisions are below:

Updates to when temporary signs are allowed at any time
Changes to when a temporary sign may be located on a property
How long a temporary sign can be displayed
Adding flag signs to the definition of temporary signs
Changes to the wind resistance of signs
Changes to the maximum height requirement

The council agreed that the changes were reasonable and would be brought back to the Council for future approval.

2. City Council hold a work session to consider adding improper fence maintenance as a code enforcement violation.

Assistant City Manager Chris Jarmon presented to the Council the reason for the proposed changes due to the number of dilapidated fences around town. Staff is requesting authorization to add improper fence maintenance as a code enforcement violation. The council agreed that the changes were reasonable and would be brought back to the Council for future approval.

C. Executive Session

The Executive Session was passed on as there were no items to discuss.

1. **Texas Government Code §551.071 - Private Consultation with Attorney**
Discussion with attorney regarding contemplated/pending litigation and/or regarding matters protected by attorney/client privilege.
2. **Texas Government Code §551.074 - Personnel Matters.**
To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
3. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.

D. Reconvene into Regular Session

There was no need to reconvene as there was no Executive Session.

1. Consider and take possible action on legal matters discussed in executive session.
2. Consider and take possible action on personnel matters discussed in the executive session.
3. Consider and take possible action on economic development matters discussed in executive session.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 7:56 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary