



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 25, 2023

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on April 25, 2023 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			
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. REGULAR AGENDA

A. Executive Session

At 6:01 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 attorney/client privilege.

B. Regular Session

At 6:39 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on the Proposed Settlement Agreement with the City of Hardin regarding the disposal of wastewater at Liberty's Wastewater Treatment Plant as discussed in the executive session.

A motion was made by Council Member Simonson to approve the proposed settlement agreement with Hardin as discussed in executive session, authorize the attorneys to finalize the same, and authorize the mayor to execute the final settlement agreement and was seconded by Council Member Beasley. The motion passed 6 to 0 with Council Member Seymour being absent.

2. Consider and take possible action on the Proposed Wastewater Disposal Contract amendments with the City of Hardin.

A motion was made by Council Member Simonson to approve the amended proposed Hardin Wastewater Disposal Contract as discussed in executive session, authorize the attorneys to finalize the same, and authorize the mayor to execute the final amended wastewater disposal contract and was seconded by Council Member Beasley. The motion passed 6 to 0 with Council Member Seymour being absent.

3. **AN ORDINANCE AMENDING ARTICLE 3.09 OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, REGULATING SIGNS WITHIN THE CITY.**

On April 11, 2023, the City Council held a work session to review and discuss the city's sign ordinance. During the work session, staff proposed the following changes to the ordinance:

- Allow commercial property owners to place a banner sign on their fence.
- Extend the time limit for temporary signs to 45 days.
- Add height limits to freestanding signs.
- Reduce wind load requirements for foundation design.
- Increase the height by which sign foundations are exempt from needing an engineer's seal.

A motion was made by Council Member Driggers to adopt the Ordinance amending article 3.09 of the code of ordinances of the City of Liberty, Texas, regulating signs within the City and was seconded by Council Member Simonson. The motion passed 6 to 0 with Council Member Seymour being absent.

4. **AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY'S CODE OF ORDINANCES, BY ADDING ARTICLE 3.14, BUILDING NUMBERING, AND ESTABLISHING AN EFFECTIVE DATE.**

The Fire Department has recently had difficulty in locating specific residences during emergency calls due to building numbering that cannot be seen from the street or due to the lack of any building numbering. The fire code currently requires building numbering on any commercial or industrial buildings. The building codes only require building numbering on new residential, commercial and industrial buildings. The proposed addition to the code of ordinances would require building numbering on all new or existing residential, commercial and industrial buildings. This proposed addition will also require the numbering of utility meters where there are multiple meters on the same property, and establish the size, location and assignment of numbers.

A motion was made by Council Member Beasley to adopt the Ordinance amending chapter 3, building regulations, of the City of Liberty's Code of Ordinances, by adding Article 3.14, Building numbering, and establishing an effective date with an amendment to Section 3.14.007 violations as discussed and was seconded by Council Member Driggers. The motion passed 6 to 0 with Council Member Seymour being absent.

5. AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LIBERTY, TEXAS, BY ADDING ARTICLE 3.15, REGULATING FENCE MAINTENANCE WITHIN THE CITY.

This agenda item was tabled. It will be taken up at a future council meeting.

6. A RESOLUTION OF THE CITY OF LIBERTY, TEXAS AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AND TO EXECUTE ALL DOCUMENTS RELATED TO THE DESIGN AND INSTALLATION OF WILDLIFE FENCING AT THE LIBERTY MUNICIPAL AIRPORT.

The Federal Aviation Administration (FAA) and Texas Department of Transportation (TxDOT) require a wildlife study prior to funding the installation of any wildlife fencing at the Liberty Municipal Airport. In November 2021, the Liberty Community Development Corporation (LCDC) approved an expenditure of \$40,000 for a Wildlife Study at the airport. The expenditure was ratified by the City Council in December 2021. In January 2022, the city retained the firm of Mead & Hunt to conduct the wildlife study at a cost of \$22,000. The study was completed and forwarded to TxDOT for their review and approval.

TxDOT recently notified the city that they will provide funding for the design and installation of wildlife fencing at the Liberty Municipal Airport. The total project is estimated to cost \$1,105,593, with a 10% local match provided by the city, currently estimated to be \$110,560.

A resolution is required to document the governing body's support and acceptance of this project.

A motion was made by Council Member Brents to approve the resolution authorizing the City manager to apply for and accept funding from the Texas Department of Transportation and to execute all documents related to the design and installation of wildlife fencing at the Liberty Municipal Airport and was seconded by Council Member Simonson. The motion passed 6 to 0 with Council Member Seymour being absent.

7. 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 A DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT TO THE LIBERTY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #5.

The Water Control Improvement District No. 5 (WCID #5) has requested the City grant them a permanent drainage easement and a temporary construction easement across city-owned property to construct and improve sections of the Big Bayou Outfall. The Big Bayou Outfall is located in the southeastern section of the city, beginning near the intersection of Trinity and Tennessee and traversing westerly to the Trinity River. Prior to beginning design and construction, WCID #5 is attempting to obtain easements before expending any funds on the project. The exact location of the easements will be determined after the survey and preliminary design has been completed.

A motion was made by Council Member Brents to approve the resolution authorizing the City manager to execute a drainage easement and a temporary construction easement to the Liberty County Water Control and Improvement District #5 and was seconded by Council Member Simonson. The motion passed 6 to 0 with Council Member Seymour being absent.

IV. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 7:04 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary