



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, July 11, 2023

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on July 11, 2023 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:02 p.m. by Mayor Carl Pickett.

A.	Attendee Name	Present	Absent	Late	Arrived
	Mayor Carl Pickett	X			
	Mayor Pro Tem Chipper Smith	X			
	Council Member Dennis Beasley	X			
	Council Member Libby Simonson	X			
	Council Member John Hebert, Jr.	X			
	Council Member Tommy Brents	X			
	Council Member Ed Seymour	X			

II. INVOCATION

Invocation was given by Pastor Bryant Perkins, Church of Christ, located in Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Assistant Fire Chief Eric McDaniel and the pledge to the Texas Flag was led by Public Works Director Damon Jones.

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. Mayor Pickett introduced the newly elected Mayor Martin Mudd from the City of Dayton. No other comments were made.

V. PRESENTATIONS / REPORTS

- A. City Manager's Report - City Manager Tom Warner - Topics include, Fiscal Year 2023-2024 Budget, Golf Course, Fire Hydrant Repair/Replacement Project, 2023 Street Rehabilitation Project, and Electrical Projects.

- B. Finance Report - Assistant City Manager/CFO Naomi Herrington**
- C. Department Reports**
- D. Sam Rayburn Municipal Power Agency - Mayor Pickett**
- E. Mayor, Council and Staff Comments**

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

A. Minutes Approval

- 1. June 13, 2023
- 2. June 27, 2023

VII. REGULAR AGENDA

A. Regular Session

- 1. City Council hold a public hearing on the condemnation of six (6) hazardous and unsafe structures to determine if the structures should be repaired or demolished: 4106 N Main (shed only); 921 Lamar (addition only); 158 Glenn (shed only); 94 Navigation; 1606 Wallisville and 2934 Grand.

At 6:27 p.m., Mayor Pickett opened the Public Hearing on the condemnation of six (6) 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. 4106 N Main (shed only)
- 2. 921 Lamar (addition only)
- 3. 158 Glenn (shed only)
- 4. 94 Navigation
- 5. 1606 Wallisville
- 6. 2934 Grand

City Attorney Brandon Davis questioned Code Enforcement Officer, Daryl Marek, regarding the condition of each structure. He 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 six 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 4106 N Main, 921 Lamar, 1606 Wallisville and 2934 Grand spoke with the council regarding their future

intentions of their properties. At 7:13 p.m., Mayor Pickett closed the Public Hearing.

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, authorizing the Mayor to sign orders of abatement for the demolition and removal of structures subject to the July 11, 2023 public hearing.

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. 4106 N Main (shed only)
2. 921 Lamar (addition only)
3. 158 Glenn (shed only)
4. 94 Navigation
5. 1606 Wallisville
6. 2934 Grand

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

A motion was made by Council Member Smith that the property located at 4106 N Main (shed only) is a public nuisance and public necessity requires the demolition and removal of the identified structure within Ninety (90) days from the date of the public hearing held on July 11, 2023, and seconded by Council Member Seymour. The motion passed 7 to 0 with all present voting yes.

921 Lamar - No Action was taken by Council as the homeowner has already started removing the addition in question.

A motion was made by Council Member Brents that the property located at 158 Glenn is a public nuisance and public necessity requires the demolition and removal of the identified structure within Thirty (30) days from the date of the public hearing held on July 11, 2023, and seconded by Council Member Simonson. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Simonson that the property located at 94 Navigation is a public nuisance and public necessity requires the demolition and removal of the identified structure within Thirty (30) days from the date of the public hearing held on July 11, 2023, and seconded by Council Member Smith. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Brents that the property located at 1606 Wallisville is a public nuisance and public necessity requires the demolition and removal of the identified structure within Ninety (90) days from the date of the public hearing held on July 11, 2023, and seconded by Council Member Seymour. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Hebert that the property located at 2934 Grand is to be repaired, if determined that the structure cannot be repaired, then the owner will sign a waiver for demolition and removal of the identified structure within Ninety (90) days from the date of the public hearing held on July 11, 2023, and seconded by Council Member Beasley. The motion passed 6 to 1 with Council Member Simonson voting No.

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 CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 FOR THE FIRE STATION NO. 1 RENOVATION PROJECT.

On February 21, 2023, the Fire Station No.1 Renovation Project was awarded to Construction Managers of Southeast Texas (CMOST) in the amount of \$1,176,300.00. The architect's opinion of the probable cost of the project was \$1,185,318.00. Change Order No. 1 was approved on June 14, 2023 in the amount of \$1,859.00 and was for replacing rusted studs and drywall and to replace a metal interior wall with sheetrock. This change order includes the installation of a sink in the EMS Supply Room and the installation of a 4ft x 35 ft ramp leading from the interior area of the building into the apparatus bay. The cost of the sink and ramp are \$2,077.90 and \$11,440.00 respectively, for a total of \$13,517.90. With the roof retrofit contract of \$361,850.00 and the renovation contract price, with Change Orders No. 1 & 2, of \$1,191,676.90, this will leave a contingency for both projects of \$142,721.10.

A motion was made by Council Member Simonson to approve the resolution authorizing the City Manager to execute Change Order No. 2 for the Fire Station No. 1 Renovation Project and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

C. Executive Session

At 7:42 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.
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.

D. Reconvene into Regular Session

At 8:18 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on legal matters discussed in executive session.
No Action was taken.
2. Consider and take possible action on personnel matters discussed in the executive session.
No Action was taken.

B. Work Session

1. Presentation and Work Session regarding the Proposed Budget for Fiscal Year 2023-2024

City Manager Tom Warner presented the budget presentation for the Proposed 2023-2024 Fiscal Year. Mr. Warner started the presentation with the uncertainties for the proposed 2023-2024 Fiscal Year. Then Mr. Warner went over the 2023-2024 Fiscal Year General Fund Budget Highlights with discussion about General Funds Revenues increases/ decreases. For the Proposed 2022-2023 Fiscal Year Budget, the following General Fund Expenditures were reviewed:

- Requested personnel
- Departmental personnel - Operating Services (Salary, wages, benefits)
- Department Budgets less personnel
- Department Budgets Total

- Computers
- Non-Capital Assets
- Capital Assets
- Fleet

A budget work session will be held on Wednesday, July 12, 2023 to review the various other funds and other budget issues.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 9:25 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary