



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, February 27, 2024

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on February 27, 2024 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 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. 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. Mr. Frank Jordan requested to speak to Council to congratulate the City Council members on a job well done and about the electrical code changes being discussed on the agenda.

III. PRESENTATIONS / REPORTS

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

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of December 31, 2023.

IV. 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, AWARDED THE BID FOR THE FIRE HYDRANT REPLACEMENT PROJECT TO COMPACT TX CONTRACTING, INC.

The Fiscal Year 2024 Capital Improvement Plan included \$250,000 for the Fire Hydrant Replacement Project. This project would repair/replace twenty-one (21) fire hydrants in all areas of the city. On January 18, 2024, fourteen (14) bids were received for the Fire Hydrant Replacement Project. The bids ranged from the apparent low bid of \$268,000 to the high bid of \$974,300. The low bid was submitted by Compact Tx. contracting, Inc., of Houston. Since this company had not previously done work for the City, Public Works contacted several of their references. The references did not indicate any issues with the company or the work they completed. The company has completed various water and wastewater projects, including fire hydrant installation, repair and replacement. The additional \$18,000 to cover the total bid cost is available in the Water/Wastewater Fund.

A motion was made by Council Member Seymour to approve the resolution awarding the bid for the fire hydrant replacement project to Compact TX Contracting, Inc in the amount of \$268,000 and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

2. AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY AMENDING ARTICLE 3.03, ELECTRICITY; ESTABLISHING AN EFFECTIVE DATE.

The proposed ordinance would require all commercial buildings to have all service conductors to terminate in one main disconnect having a short-circuit rating equal to or greater than the available fault current, installed in a readily accessible outdoor location. The purpose of the main emergency disconnect is to protect firefighters and prevent damage to the electrical distribution system in the event of a fire.

Entergy and CenterPoint Energy were contacted to determine if they require a main disconnect for commercial buildings. Entergy requires a main disconnect for any commercial service that has Current Transformers(CT's) or Potential Transformers (PT's). CenterPoint requires main disconnects for commercial buildings with 480 volts or greater service. Entergy does not require main disconnects on existing commercial buildings unless changes are made to the existing electrical service. CenterPoint is considering updating their standards in the future for safety reasons.

The ordinance would become effective immediately for all new construction and for existing structures that have been vacant for six months or longer.

A motion was made by Council Member Brents to adopt the Ordinance amending Chapter 3, Building Regulations, of the City of Liberty Code of Ordinances, by amending Article 3.03, Electricity effective for all new buildings or structures and seconded by Council Member Smith. The motion passed 7 to 0 with all present voting yes.

3. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS, AMENDING THE MASTER FEE SCHEDULE RELATED TO FEES AT THE LIBERTY MUNICIPAL AIRPORT AND PROVIDING FOR AN EFFECTIVE DATE.

On September 12, 2023, the City Council approved an ordinance amending the master fee schedule related to T-hangar rates. However, ground lease rates were not increased during that meeting. Additionally, ground lease rates have not changed since 2015. Ground lease rates at surrounding General Aviation Airports range from a low of \$0.10 to a high of \$0.40 per square foot. A copy of the ground lease rates at these airports is enclosed.

A ground lease rate of \$0.18 per square foot per year, which represents a 20% increase over current rates, is recommended.

A motion was made by Council Member Seymour to adopt the Ordinance amending the master fee schedule related to fees at the Liberty Municipal Airport 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 CITY MANAGER TO EXECUTE AN AGREEMENT WITH PYRO SHOWS OF TEXAS, INC., FOR THE CITY'S JULY 3, 2024, FIREWORKS DISPLAY.

The City has contracted with Pyro Shows of Fort Worth to provide the annual fireworks display. This year's display will be held on Wednesday, July 3, 2024. Pyro Shows has been providing fireworks displays since 2019. The cost of the display this year is \$21,000, which is \$5,000 more than last year. Council asked staff to request LCDC to provide funds for the fireworks cost.

A motion was made by Council Member Simonson to approve the resolution Authorizing the City Manager to execute an agreement with Pyro Shows of Texas, Inc. for the City's July 3, 2024, fireworks display and seconded by Council Member Hebert. The motion passed 7 to 0 with all present voting yes.

B. Work Session

1. Review and discuss proposed renovations and improvements to the Golf Course Clubhouse

This agenda item was passed on as the requestor was not able to attend.

2. Review and discussion of swine ordinance

The following changes were discussed regarding the Livestock and fowl section of Chapter 2 animal control ordinance:

(f) Potbellied Pigs: The following regulations shall apply to potbellied pigs.

- a. It shall be unlawful for any person to keep, harbor, or raise more than two (2) potbellied pigs on any one (1) tract or lot within the city.
- b. It shall be unlawful for any person to breed, sell, or release a potbellied pig in any location within the city.
- c. It shall be unlawful for any person to keep a potbellied pig outdoors other than at those times necessary for the elimination of waste materials, eating, or exercise, and no potbellied pig may be outside more than two (2) hours during a 24-hour period. All outdoor areas must be kept clean and free of excess waste material.
- d. Potbellied pigs are subject to all applicable sections of this chapter, not in conflict with this section (f) including the requirements of this chapter which prohibits animals at-

large.

This ordinance change will be brought back to the Council for approval.

3. Review and discussion of Water/Wastewater & Electric Utility System Improvements.

City Manager Tom Warner discussed with the Council the improvements needed to the Water, Wastewater and Electric Utility System due to the expected growth in the City. He went over the GIS maps of the utility systems to show the Council where water lines needed to be upgraded to a minimum of 6 inches. Wastewater lines need to be increased to a minimum of 8 to 10 inches, which will eliminate some of the lift stations we have. The water and wastewater lines in the middle of streets will need replacing before the streets can be rehabbed. Mr. Warner discussed all the electrical improvements that would need to be made to accommodate the expansion of housing on 146 North.

C. Executive Session

At 7:37 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 §551.072 - Deliberation Regarding Real Property**
Discussion regarding real property.
- 3. Texas Government Code §551.074 - Personnel Matters.**
To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
- 4. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.

D. Reconvene into Regular Session

At 8:44 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 action on real estate matters discussed in executive session.**

No action was taken.

- 3. Consider and take possible action on personnel matters discussed in the executive session.**

No action was taken.

- 4. Consider and take possible action on economic development matters discussed in executive session.**

No action was taken.

V. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Pickett adjourned the meeting at 8:46 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary