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, June 11, 2024 | **6:00 PM** | **City Council Chambers**

I. CALL TO ORDER

This meeting was called to order on June 11, 2024 in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:01 p.m. by Mayor John Hebert.

A.

Attendee Name	Present	Absent	Late	Arrived
Mayor John Hebert, Jr.	X			
Mayor Pro Tem Libby Simonson	X			
Council Member Dennis Beasley	X			
Council Member Tommy Brents	X			
Council Member Ed Seymour	X			
Council Member Ross Ward		X		
Council Member Debbie Dugger	X			

II. INVOCATION

No invocation was given.

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 Hebert welcomed guests and visitors, opening the floor for public comment to those individuals wishing to address the Council. Mr. Mark Bush spoke to the Council regarding the Airport Advisory Board and Ms. Claudia Redmond spoke to the Council regarding road condition, sewer issues and mowing schedule on Fort Worth St.

V. PRESENTATIONS / REPORTS

A. Proclamation - LHS Girl Softball Team

Mayor Hebert presented the Liberty High School Lady Panther Softball Team with a proclamation.

B. City Manager's Report - City Manager Tom Warner - Topics include - LCDC Digital Ad Campaign, New Business, Street & Electric System Repairs, Electric Line Tree Trimming, Golf Course, and Electrical Projects.

City Manager Tom Warner reported on the following updates:

- LCDC Digital AD Campaign
- Recent flooding and storms
- New Business - Blessey Marine
- Powerline Tree Trimming
- Golf course
- Electrical Projects

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

Assistant City Manager / CFO Naomi Herrington reported on the City's financials as of April 30, 2024.

D. 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.

E. Sam Rayburn Municipal Power Agency - Mayor Hebert

Mayor Hebert, Board Member of the Sam Rayburn Municipal Power Agency, stated that there was no new information as there was no meeting last month.

F. Mayor, Council and Staff Comments

No comments were made.

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 Simonson. The motion passed 6 to 0 with all present voting yes.

A. Minutes Approval

1. May 14, 2024

2. May 28, 2024

VII. REGULAR AGENDA

A. Regular Session

1. Conduct a Public Hearing on the 2023 Drinking Water Consumer Confidence Report (CCR).

At 6:46 p.m., Mayor Hebert opened the Public Hearing on the 2023 Drinking Water Quality Report. City Manager Tom Warner reported that this report is required to be provided to the

City's water system customers on an annual basis as part of the Safe Drinking Water Act monitored by the Texas Commission on Environmental Quality. The report summarizes data regarding legal limits of contaminants in the water, compliance issues and other information. The report shows that the city meets or exceeds all Federal drinking water requirements. No citizens spoke during the Public Hearing.

Mayor Hebert closed the Public Hearing at 6:48 p.m.

2. AN ORDINANCE AMENDING ARTICLE 1.05, BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 3, AIRPORT ADVISORY BOARD, SECTION 1.05.063, APPOINTMENT AND TERM OF MEMBERS, OF THE CITY OF LIBERTY CODE OF ORDINANCES RELATED TO THE COMPOSITION OF THE AIRPORT ADVISORY BOARD; ESTABLISHING AN EFFECTIVE DATE.

Currently, the Airport Advisory Board allows for 2 residents, 2 nonresidents and 1 councilperson to serve as members. However, due to the difficulty of finding interested applicants who are also city residents, staff is proposing to decrease the number of residents by one and increase the number of nonresidents by one.

If approved, the new structure would allow for 1 resident, 3 nonresidents and 1 councilperson.

A motion was made by Council Member Simonson to adopt the ordinance amending article 1.05 Boards, Commissions and Committees related to the composition of the Airport Advisory Board and seconded by Council Member Brents. The motion passed 6 to 0 with all present voting yes.

3. 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, RATIFYING THE LCDC'S EXPENDITURE OF FUNDS FOR THE DEMOLITION OF COMMERCIAL PROPERTY LOCATED AT 4310 NORTH MAIN STREET.**

On October 2023, LCDC held a public hearing and voted 5-0 to allocate funding not to exceed $25,000 for the demolition of commercial property.

On May 28, 2024, the City Council voted 6-1 to give the property owner at 4310 N Main 60 days to demolish the commercial structure. In the event the property owner does not demolish the structure, the City of Liberty will demolish the structure using the $25,000 allocated by LCDC.

The first reading of the resolution was by City Attorney Brandon Davis. The resolution will be brought back for a second reading during the July 9. 2024 meeting.

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, RATIFYING THE LCDC'S EXPENDITURE OF FUNDS FOR THE UNDERTAKING OF A PARKS MASTER PLAN.

On May 21, 2024, the LCDC Board of Directors voted to expend up to $100,000 toward the completion of a parks master plan.

The plan will serve as a guide for the development of parks, recreational facilities, and capital improvements to existing parks, programs and additional amenities. The plan will address not only current community needs but also account for additional growth and development expected in the City over the next ten years. The proposal shall also include suggested revisions to the city ordinance providing for park land dedication or payment of cash-in-lieu thereof as a condition of subdivision plat approval and payment of park development fees as a condition of building permit issuance to provide for necessary park development.

A motion was made by Council Member Simonson to approve the resolution ratifying the LCDC's Expenditure of funds for the undertaking of a parks master plan and seconded by Council Member Brents. The motion passed 6 to 0 with all present voting yes.

5. 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 LEASE AGREEMENT FOR GOLF CARTS.

The Liberty Municipal Golf Course leases forty-one (41) golf carts from Club Car, LLC. The current lease term with Club Car is 54 months and expires in October 2024. There are currently three (3) cart rental agreements between Club Car and the City. The reason for the multiple agreements was the need for additional carts when the number of players exceeded the number of carts available. The average cost per cart under these three agreements is $131.44. The proposed lease agreement rate is $148.28 per cart for a total of $6,969.16 per month for all forty-seven (47) carts. The term of the lease is fifty-four (54) months. Forty-seven (47) carts will allow the golf course staff to serve all customers, even in the event that a cart is down for maintenance or a staff member needs to use a cart.

The golf carts to be furnished under this lease agreement are 2025 Club Car Golf Package models with lithium batteries. A few of the features included with each cart are chargers with power cords, driver and passenger-side sand bottles, numbering, connectivity and the city logo. The connectivity feature not only provides the golfer with a layout of each hole on a touchscreen display, it also gives the city the ability to geographically fence certain areas of the course that will disable the cart once the cart enters into the geographically fenced area. For example, a geographical fence will be placed around each green to prevent carts from being driven on to the greens.

Since this item was originally presented to City Council at the May 28th meeting, Club Car has revised their proposal:

Original Proposal	Revised Proposal
Basic Cart	Premium cart (includes premium seat, bag cover and cooler) at no additional cost
October 24 delivery date	July 24 delivery date
650W charger	900W charger

The cheapest non Club Car option would cost at least $13,700 more per year. Staying with Club Car would allow staff to deploy those funds to other areas of the golf course.

The council was presented with five different lease proposals, including options for all electric carts and all gas carts and one that would include both. After a lengthy debate on which proposal would be better. Council Member Simonson made a motion for the Club car proposal with the motion being seconded by Council Member Beasley. This motion failed by a 2 to 4 vote. Council Member Seymour made a motion to go with the Yamaha all gas cart proposal and the motion was seconded by Mayor Hebert. Council Member Dugger had a question regarding the motion and, after another lengthy debate the motion failed by a 1 to 5 vote. After a brief recess, Mayor Hebert asked the Council if they would like to consider any other motions.

Council Member Simonson made a motion to go with the Club car proposal, with the motion being seconded by Council Member Beasley. The motion passed with a 4 to 2 vote, with Council Members Brents and Seymour voting against.

B. Work Session

1. Fiscal Year 2024-2025 Budget Information

City Manager Tom Warner and Assistant City Manager/Chief Financial Officer Naomi Herrington passed out worksheets to the Council to go over regarding the fiscal year 2024-2025 budget.

The worksheets included the following:

- Fund Descriptions along with the purpose of the account, pooled or stand alone, and whether the fund is restricted or obligated
- Property Tax Rate History
- Planning Calendar for 2024
- Truth in Taxation Basics
- Preliminary Estimate of 2024 Values from the Central Appraisal District
- 2023 Tax Rate Calculation Worksheet

C. Executive Session

At 8:32 p.m., Mayor Hebert 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.

- Liberty Community Development Corporation
- Planning and Zoning Commission
- Airport Advisory Board

4. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.
Discussion regarding economic development negotiations.

D. Reconvene into Regular Session

At 9:43 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

1. Consider and take possible action on legal matters discussed in executive session.

- Consider and take possible action on a resolution approving the amended wastewater disposal contract with the City of Hardin.

Council Member Simonson made a motion to approve the Hardin wastewater disposal contract and authorize the mayor to execute the same. Council Member Beasley seconded the motion.

The motion passed 6 to 0 with all present voting yes.

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.

- Liberty Community Development Corporation
- Planning and Zoning Commission
- Airport Advisory Board

Council Member Simonson made the motion to appoint Barbara Norwood, Michael Dorsett, Betty Runkle and Craig Vansau to the Liberty Community Development Corporation. The motion was seconded by Council Member Seymour. The motion passed 5 to 0 to 1, with Council Member Brents abstaining from the vote.

Council Member Simonson made the motion to appoint Bruce Mullinix, Mark Bush, Michael Ely and Bruce Blake to the Airport Advisory Board. The motion was seconded by Council Member Brents. The motion passed 6 to 0, with all members present voting yes.

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

No action was taken.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Hebert adjourned the meeting at 9:47 p.m.

____
John Hebert, Jr., Mayor

ATTEST:

____
April Gilliland, City Secretary