



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, October 8, 2024

6:00 PM

City Council Chambers

I. CALL TO ORDER

This meeting was called to order on October 8, 2024, in the City Council Chambers, 1829 Sam Houston Street, Liberty, Texas at 6:00 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

Invocation was given by Reverend Calvin Nichols, Mt. Rose Missionary Baptist Church.

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. Ms. Sharon Kemper requested to speak to the council regarding the facilities at the city park. Ms. Kemper hopes that the restrooms can be revamped or redone, and the project does not get dropped or on the back burner. Ms. Kemper believes the building structures are in good shape, they do need to be cleaned, pressure washed, and painted. Ms. Kemper hopes this issue will be addressed again soon.

V. PRESENTATIONS / REPORTS

A. City Manager's Report - City Manager Tom Warner - Topics include - Liberty Ranch Subdivision, Golf Course, Street Rehabilitation Program, Water Line Leaks and Electrical Projects.

City Manager Tom Warner reported on the following updates:

- Liberty Ranch Subdivision
- Golf Course
- 2024 Street Rehabilitation Program
- Water Leaks
- 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 August 31, 2024.

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. City Manager Tom Warner let Council members know that the cornerstone dedication for Fire Station 2 would be held on November 4, 2024. Council Member Ward asked about the natural grass at the golf course and if it would be mowed. The natural grass is part of the golf course design and will not be mowed.

D. Sam Rayburn Municipal Power Agency - Mayor Hebert

Mayor Hebert, Board Member of the Sam Rayburn Municipal Power Agency, stated that he had nothing to report on as the last meeting held was just a normal business meeting.

E. 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. Minutes Approval

A motion was made by Council Member Beasley to approve the minutes on the consent agenda and seconded by Council Member Ward. The motion passed 7 to 0 with all present voting yes.

1. September 10, 2024
2. September 24, 2024

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 MAYOR TO EXECUTE THE FIRE PROTECTION SERVICES AGREEMENT WITH LIBERTY COUNTY.

A motion was made by Council Member Simonson to approve the resolution authorizing the

mayor to execute the fire protection services agreement with Liberty County on the consent agenda and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

VII. REGULAR AGENDA

A. Executive Session

At 6:36 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 §551.074 - Personnel Matters.

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- City Manager Search

B. Regular Session

At 7:11 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

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, DESIGNATING A REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2025 GENERAL ASSEMBLY.

The H-GAC General Assembly consists of delegates from all member governmental entities of the Council. All members of the General Assembly are elected officials of the Commissioner's Court, City Council, or Independent School District Board of Trustees which they represent. Each H-GAC member city, under 25,000 in population, is allowed one delegate and one alternate to the General Assembly. Former Mayor Carl Pickett and then Council Member John Hebert were appointed to serve as the City's delegate and alternate, respectively, to the 2024 General Assembly. H-GAC is requesting the City to appoint a delegate and alternate for the 2025 General Assembly.

A motion was made by Council Member Ward to appoint Mayor John Hebert as Delegate and Mayor Pro-Tem Libby Simonson as alternate for the 2025 H-GAC General Assembly and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

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 CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO ACCEPT A U.S. FOREST SERVICE GRANT.

In 2012 and in subsequent years, the Fire Department has applied for a grant through the U.S. Forest Service Center For Advanced Forestry System (CAFS). The grant is intended to allow for the acquisition of a new tender (pumper) fire truck. The grant amount is 90% of the actual cost, not to exceed the amount of \$275,000. If the vehicle is CAFS equipped, the maximum grant is \$293,000. The estimated cost for a new tender truck is \$950,000. The Fire Department has been notified that the FY 25 Funding meeting is tentatively scheduled for October 25, 2024, and the city is anticipated to receive funding during this current funding cycle. If awarded the grant, an additional \$657,000 in funding will be required.

A motion was made by Council Member Dugger to approve the resolution authorizing the City manager to execute the necessary documents to accept a U.S. Forest Service Grant and seconded by Council Member Ward. The motion passed 6 to 1 with Mayor John Hebert voting no.

3. AN ORDINANCE APPROVING AMENDMENTS TO THE CITY OF LIBERTY'S FISCAL YEAR 2024 – 2025 BUDGET.

On September 24, 2024, the City Council held a Public Hearing on the Fiscal Year 2024-2025 Budget. During the Public Hearing and subsequent budget approval, the City Council recommended several changes to the budget as presented.

The proposed changes are as follows:

General Fund Revenue

1. Increase the cost of the transfer from LCDC to the General Fund for the City Manager Search by \$50,000.
2. Decrease the transfer from LCDC to General fund for Part-Time EDC by - \$40,000.

General Fund Expenses

1. Eliminate the City Manager's budget for part-time EDC employee by -\$40,000.
2. Increase Website Hosting by \$7,000.
3. Eliminate from Fire Department Capital Outlay for Inflatable Boat by -\$11,300.
4. Eliminate the part-time employee in the Park Department by -\$12,000.
5. Eliminate from Non-Departmental Capital Weather Station by -\$10,000.
6. Increase an additional 1% to personal salaries by \$82,900.

LCDC Fund Expenses

1. Eliminate the transfer in the LCDC Budget for part-time to the General Fund by - \$40,000.
2. Increase the transfer from the LCDC Budget to the General Fund for City Manager Search by \$50,000.

Other Fund Expenses

1. Increase an additional 1% to personnel salaries in Water/Wastewater Fund by \$12,016
2. Increase an additional 1% to personnel salaries in the Electric Fund by \$777.
3. Increase an additional 1% to personnel salaries in the Golf Course Fund by \$4,554

A motion was made by Council Member Simonson to adopt the Ordinance approving amendments to the City of Liberty's Fiscal Year 2024-2025 Budget and seconded by Mayor Hebert. The motion passed 4 to 3 with Mayor Hebert and Council Members Simonson, Seymour and Beasley voting yes and Council Members Dugger, Brent and Ward voting no.

4. City Council to consider an Ordinance authorizing projects in the Fiscal Year 2024-2025 Capital Improvement Program Fund Budget.

Included in the Fiscal Year 2024-2025 Capital Improvement Program (CIP) was \$3,650,000 (the City's share is \$745,010) for airport t-hangars and wildlife fence and \$2,235,000 for electric system improvements. Funding for the city's share of the airport improvements is from LCDC transfers and the Cambridge Fund. The electric system improvements are funded by the Cambridge Fund.

Other projects for consideration in the Fiscal Year 2024-2025 are as follows:

1. Street Rehabilitation Program \$2,500,000
2. City Parks Ballfield Lighting \$700,000
3. Animal Shelter (design only) \$100,000

Projects funded by the Cambridge Fund in prior years and still underway total \$5,546,273 and include the following projects:

1. TDA CDBG Match \$60,375.
2. Chambers County TWDB FIF Match \$189,630.

3. Bypass Water Plant Improvements \$2,017,975.
4. FY 2024 Street Rehabilitation Program \$2,025,000
5. Document Scanning \$223,293
6. Fire Truck \$450,000
7. FY 2022 & FY 2023 Park Restroom/Concession Stand \$580,000.

The current balance in the Cambridge Fund is \$13,885,789.85 and may change slightly during the year-end budget closeout.

A motion was made by Council Member Brents to approve the 2025 Street Rehabilitation Program and seconded by Council Member Ward. The motion passed 7 to 0 with all present voting yes.

A motion was made by Council Member Brents to approve the City Parks Ballfield Lighting and seconded by Council Member Simonson. The motion passed 7 to 0 with all present voting yes.

Animal Shelter (design only) project failed due to lack of motion.

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 PURCHASE OF RADIOS FOR THE LIBERTY FIRE DEPARTMENT.

The existing radios used by the Fire Department are over 20 years old and operate on the VHF frequency band. Although these models of radios were discontinued in 2015, the Fire Department was able to have them repaired until last year. The radios currently operate on sixteen different frequencies that allow communication with other agencies within Liberty County. The new radios will operate on the VHF and 800 frequency bands. The dual bands are required in order to provide redundancy in the communication system. In some instances when a firefighter is within a metal structure, they are unable to communicate with others outside the building using the 800 band. In situations like this, the VHF band is used to ensure communication among various personnel. The 800 Band is also used by the Liberty and Harris County Radio systems. The existing sixteen frequencies will be used on the new radios. The number of radios used by the Fire Department are 34 handheld and 14 mobile Motorola radios. The handheld radios are used by individual firefighters and paramedics when on duty and the mobile radios are installed in the various Fire Department apparatus, including ambulances. The cost of the handheld and mobile radios are \$177,705.14 and \$78,347.00, respectively, for a total cost of \$256,052.64. Although the radios will be purchased through Kenwood, the prices quoted are based on a HGAC contract. The new radios are currently being used by the Liberty Sheriff's Department without any significant issues.

A motion was made by Council Member Dugger to approve the resolution authorizing the purchase of radios for the Liberty Fire Department and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

6. City Council to consider a resolution authorizing the establishment of a Christmas Parade Committee.

The annual Christmas Parade is scheduled each year on the first Tuesday in December. Prior to the closure of the Liberty/Dayton Chamber of Commerce, the Chamber was responsible for coordinating the events held on the City Hall grounds, while the City Staff was responsible for the coordination of the Christmas Parade. Since the closure of the chamber, city staff has been coordinating all the Christmas Parade and events.

During the September 24, 2024, City Council Meeting, City Council expressed an interest in

establishing a committee to coordinate the Christmas Parade and ancillary events. In establishing the committee, the City Council will need to set the numbers of committee members, appoint members, appoint a chairperson, and establish the duties/responsibilities of the committee. City staff will provide contact information and assistance for the stage trailer, tables & chairs, trophies, sound equipment, Santa, security and decorations for the gazebo. Volunteers will be needed to assist with the float line up, vendors and the collection of parade applications.

A motion was made by Council Member Simonson to approve the resolution authorizing the establishment of a Christmas Parade Committee with Council Member Dugger as the Council Liaison and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

C. Executive Session

At 8:35 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.
4. **Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**
Discussion regarding economic development negotiations.

D. Reconvene into Regular Session

At 9:57 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.
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.

A motion was made by Council Member Simonson to select Clear Career Professionals as the City Manager search firm and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

4. Consider and take possible action on economic development matters discussed in the executive session.
No action was taken.

VIII. ADJOURNMENT

A. Motion To: Adjourn

With no further business to discuss, Mayor Hebert adjourned the meeting at 10:07 p.m.

John Hebert, Jr., Mayor

ATTEST:

April Gilliland, City Secretary