1829 Sam Houston
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April Gilliland
City Secretary
936-336-3684

# The City of Liberty

## City Council

## Regular Meeting

## ~ Minutes ~

**Tuesday, May 13, 2025** | **6:00 PM** | **City Council Chambers**

## I. CALL TO ORDER

This meeting was called to order on May 13, 2025, 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 | | | |
| Council Member Bruce Bell | X | | | |
| Council Member Nick Dennis | X | | | |

## II. INVOCATION

Invocation was given by Pastor Omar Cantu from North Main Baptist Church Liberty, Texas.

## III. PLEDGE OF ALLEGIANCE

The pledge to the American Flag and the pledge to the Texas Flag were led by Emma and Myla Dennis.

## 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. Randy Meche requested to speak to the Council regarding Highline Internet's meet and greet being held on May 20, 2025, at the City Hall Daniel Pavilion from 4:00 pm - 6:30 pm. Mr. Meche invited everyone to attend.

# V. 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 Seymour. The motion passed 7 to 0 with all present voting yes.

## A. Minutes Approval

**1.** April 8, 2025

# VI. REGULAR AGENDA

## A. Regular Session

**1. CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON MAY 3, 2025; FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS TO THE LIBERTY CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

The City of Liberty holds a General Election on the First Saturday of May each year. In an even number year, the election is held for Mayor and three Council Members and in an odd number year the election is held for three Council Members. The election is held in the manner required by the Texas Election Code and the Charter of the City of Liberty.

A motion was made by Council Member Simonson to adopt the Ordinance canvassing the returns and declaring the results of the General Election held on May 3, 2025, for the purpose of electing three (3) Council Members to the Liberty City Council and seconded by Council Member Beasley. The motion passed 7 to 0 with all present voting yes.

**2.** Presentation of Plaques to outgoing Council Members by Mayor Hebert.

Mayor Hebert presented plaques to outgoing Council Members Dennis Beasley and Libby Simonson. Thanking them for their year of service and commitment to the City of Liberty. Dennis Beasley served 26 years as Council Member and Libby Simonson served 14 years.

**3.** Oath of Office to be administered to Council Members

Mayor John Hebert, Jr., administered the oath of Council Member to returning Council Member Debbie Dugger and newly elected Council Members Bruce Bell and Nick Dennis. After completion of the new Oaths of Office, the elected Members of Council were seated and Council Members Beasley and Simonson were excused from the meeting.

## B. Executive Session

At 6:22 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.

# VII. PRESENTATIONS / REPORTS

At 6:35 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

**A. City Manager's Report - City Manager Bryan Kendrick - Includes various updates of interest to our community.**

City Manager Bryan Kendrick reported on the following updates:

- Financial Transparency
- McGuire Road Project
- Park Master Plan Update
- Recloser Project
- Water Leaks
- Forest Hills Water Line Improvements
- Strategic Planning
- Wastewater Treatment Plant
- Golf Course

**B. 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.

**C. Sam Rayburn Municipal Power Agency - Mayor Hebert**

Mayor Hebert, a Board Member of the Sam Rayburn Municipal Power Agency (SRMPA), reported that the agency's most recent meeting took place on April 15, 2025, in Livingston. The meeting covered routine business. With the May election, the agency expects new board members to be appointed from Jasper.

**D. Mayor, Council and Staff Comments**

City Manager Kendrick expressed appreciation to the Fire Department for their response to an oil spill over the past weekend. City Secretary Gilliland reminded the Council that applications for the LCDC and the Planning & Zoning Commission are being accepted through June 6, 2025. Fire Chief Hurst also reminded the Council about the upcoming softball tournament between the Police and Fire Departments, scheduled for Saturday, May 17, 2025, at 5:00 p.m.

# VIII. REGULAR AGENDA

**A. Regular Session**

**1.** Council to elect a Mayor Pro Tem

The City of Liberty's Home Rule Charter Section 3.04 states "The City Council, at its first meeting after the election of council members, shall elect one (1) of its members mayor pro tem, and they shall perform all duties of the mayor in the absence or disability of the mayor."

A motion was made by Council Member Ward to nominate Council Member Tommy Brents as Mayor Pro Tem and seconded by Council Member Dennis. The motion passed 6 to 0 to 1 with Council Member Brents abstaining.

**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, TO RECOGNIZE NATIONAL POLICE WEEK 2025 AND TO HONOR THE SERVICE AND SACRIFICE OF THOSE LAW ENFORCEMENT OFFICERS KILLED**

**IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING OUR DEMOCRACY.**

To recognize National Police Week 2025 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

A motion was made by Council Member Brents to approve the resolution recognizing National Police Week 2025 and seconded by Council Member Ward. The motion passed 7 to 0 with all present voting yes.

**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, RATIFYING THE LIBERTY COMMUNITY DEVELOPMENT CORPORATION'S EXPENDITURE OF FUNDS FOR THE JULY 3, 2025, INDEPENDENCE DAY FIREWORKS SHOW.**

In their FY2025 budget, LCDC approved $21,000 to be used toward the July 3rd fireworks show. This expenditure was ratified by City Council at their September 24, 2024, meeting.

On April 15, 2025, LCDC approved an additional $2,000 to be used toward the July 3rd fireworks show due to a price increase from Pyro Shows, the city's vendor since 2019.

The additional expenditure now needs to be ratified by City Council.

A motion was made by Council Member Brents to approve the resolution ratifying the LCDC's Expenditure of funds for the July 3, 2025, Independence Day fireworks show and seconded by Council Member Seymour. 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, APPROVING AN INTERLOCAL AGREEMENT WITH LIBERTY ISD FOR THE TRANSFER OF A SCHOOL BUS TO THE CITY.**

Liberty ISD has a school bus that has been deemed to have passed its useful life for the transportation of students within the school district and the District would like to transfer ownership of this school bus to the City of Liberty so that the Liberty Fire Department can use it for training purposes.

A motion was made by Council Member Dugger to approve the resolution approving an interlocal agreement with Liberty ISD for the transfer of a school bus to the City and seconded by Council Member Ward. The motion passed 7 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, APPROVING THE GRANTING OF A UTILITY EASEMENT TO THE RAYWOOD WATER SUPPLY CORPORATION AT THE LIBERTY MUNICIPAL AIRPORT**

TCH Holdings has constructed a private hangar at the Liberty Municipal Airport and water services in that area are provided by the Raywood Water Supply Corporation. In order to bring water service to the TCH hangar, the Raywood Water Supply Corporation is requiring the city to grant them a utility easement prior to providing service.

A motion was made by Council Member Seymour to approve the resolution approving the granting of a utility easement to the Raywood Water Supply Corporation at the Liberty Municipal

Airport and seconded by Council Member Brents. The motion passed 7 to 0 with all present voting yes.

**6.** Consider approving a variance request for the property at 615 Confederate.

The city's construction standards require newly constructed residential driveways to be paved with asphalt or concrete. The property owner (Tyeisha James) is requesting a variance to the standard since very few homes on Confederate Street have a paved driveway.

The Planning Commission met on April 16, 2025 and voted 5-2 to grant the variance.

A motion was made by Council Member Bell to approve a resolution approving a variance request for the property at 615 Confederate and seconded by Council Member Ward. The motion passed 7 to 0 with all present voting yes.

**7.** Consider approving a variance to the setback requirements for the property located at 425 Texas.

Carl Pickett, on behalf of Gary Nance, has applied for a variance to the city's setback requirements in order to build a 1,750 square foot warehouse on his commercial property.

Mr. Nance is proposing to build a 35 x 50 (1,750 sf) warehouse on his property to accommodate additional storage capacity for his business. The city's setback requirements for accessory buildings require a minimum of 3 feet from the property line. Mr. Nance is proposing to build his warehouse on the property line on the Cos side of the street.

The Planning Commission met on May 7, 2025, and voted 4–0 to grant the variance.

A motion was made by Council Member Brents to approve a resolution approving a variance to the setback requirements for the property located at 425 Texas and seconded by Council Member Dennis. The motion passed 7 to 0 with all present voting yes.

**8.** Consider approving a request to increase the number of units at the N Main Manufactured Home Park from 28 to 32.

Mr. Zolfaghari recently purchased the manufactured home park located at 1904 N Main. The park currently has 28 units and Mr. Zolfaghari would like to add 4 additional units to the park, bringing the total number of units to 32. The size of the park, in terms of acreage, would not be increasing.

This is an existing manufactured home park which Mr. Zolfaghari is allowed to operate under section 211.018 of the Local Government Code.

A similar request was made and approved by the Planning Commission on 12-11-24 for 4505 Sandune.

The Planning Commission met on May 7, 2025 and voted 5-0 to deny the variance.

A motion was made by Council Member Ward to table the item for the June 10, 2025, meeting and seconded by Council Member Bell. The motion passed 7 to 0 with all present voting yes.

**B. Executive Session**

At 7:27 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 §551.074 - Personnel Matters.**

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

**3. Texas Government Code §551.087 - Deliberation Regarding Economic Development Negotiations.**

Discussion regarding economic development negotiations.

### C. Reconvene into Regular Session

At 9:17 p.m., Mayor Hebert closed the Executive Session and reconvened the open meeting.

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

No action was taken.

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

No action was taken.

**3.** Consider and take possible action on economic development matters discussed in the executive session.

No action was taken.

## IX. ADJOURNMENT

### A. Motion To: Adjourn

With no further business to discuss, Mayor Hebert adjourned the meeting at 9:17 p.m.

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John Hebert, Jr., Mayor

ATTEST:

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April Gilliland, City Secretary