



The City of Liberty
City Council
Regular Meeting
~ Minutes ~

1829 Sam Houston
Liberty, TX 77575
www.cityofliberty.org

Dianne Tidwell
City Secretary
(936) 336-3684

Tuesday, October 8, 2019

6:00 PM

City Council Chambers

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Huddleston	Mayor ProTem	Present	
Dennis Beasley	Council Member	Present	
Libby Simonson	Council Member	Present	
David Arnold	Council Member	Present	
Chipper Smith	Council Member	Present	
Neal Thornton	Council Member	Present	
Tom Warner	City Manager	Present	
Chris Jarmon	Asst. City Manager	Present	
Naomi Herrington	Asst. City Manager	Present	
Dianne Tidwell	City Secretary	Present	
Brandon Davis	City Attorney	Present	

II. INVOCATION

The Invocation was given by Pastor Harry Laxton, Central Baptist Church, Liberty, Texas.

III. PLEDGE OF ALLEGIANCE

The Pledges to the American and Texas flags were given by Fire Chief Brian Hurst and Police Chief Gary Martin, respectively.

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. There were no comments.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4606)

City Manager's Report - City Mgr. T. Warner

COMMENTS - Current Meeting:

City Manager Tom Warner reported on various City projects and activities including, but not limited to:

- Recent storm and power outage
- Union Pacific in the design stages to replace the bridge over the Trinity River
- Contractor for the Hwy. 146 Sanitary Sewer Line Project is close to completion
- Main "B" Levee repairs rescheduled for the week of October 7, due to recent Tropical Storm Imelda
- Shred-It event scheduled for October 5
- Holly Street Drainage and Water Project is approximately 40% complete

ATTACHMENTS:

- City Manager's Report(DOCX)

B. Information Item (ID # 4607)

Finance Report - Asst. City Mgr./CFO - N. Herrington

COMMENTS - Current Meeting:

Asst. City Mgr. / CFO Naomi Herrington reported on the City's financials as of August 31, 2019. Ms. Herrington stated that revenues are at 108%, while expenditures are 105% of budgeted amounts. Property tax collections are above the budgeted amount, with sales tax collections at 90%. Ms. Herrington concluded by reporting that the current cash in bank is \$1.75 million.

C. Information Item (ID # 4608)

Department Reports

COMMENTS - Current Meeting:

City Manager Tom Warner requested questions and concerns regarding the monthly reports. There were none.

ATTACHMENTS:

- Monthly Rpt - Fire Dept (XLS)
- Monthly Rpt-Inspection Dept. (XLSX)
- Monthly Rpt - Library Narrative (DOCX)
- Monthly Rpt - Library Stats (XLSX)
- Monthly Rpt -Library Volunteer (XLSX)
- Monthly Rpt - Police Dept (XLS)
- Monthly Report-Public Works (DOCX)
- Monthly Rpt - PW CONSTRUCTION (DOCX)

D. Information Item (ID # 4609)

SRMPA Report - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency (SRMPA), reported that the Agency recently authorized a distribution of funds to each member city, in the amount of \$4 million. The next SRMPA Meeting will be held on October 15 and a copy of the Agency's new budget was distributed for Council's review.

E. Information Item (ID # 4610)

Recycling Report - Council Member Huddleston

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the success of the Shred Event, held on Saturday, October 5. Mr. Warner stated that more e-cycle materials were presented for recycling, than in prior events.

F. Information Item (ID # 4611)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Mayor Pickett remarked upon the passing of former Street Department employee, Filmore Williams. Officer Chris Watson, Liberty Police Department, reported on the upcoming baseball game between the Liberty Fire and Police Departments.

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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Libby Simonson, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

1. Tuesday, September 10, 2019
2. Tuesday, September 17, 2019
3. Tuesday, October 01, 2019

VII. REGULAR AGENDA

A. Regular Session**1. Information Item (ID # 4612)**

Discussion and review of recent Tropical Depression Imelda and related issues.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on the September 19, Tropical Depression Imelda, the large amount of rain accumulated in a short period of time, and flooding issues caused by this storm.

Mr. Burl Kelton, Small Business Association, was present to explain the options available for assistance to those affected by the tropical depression.

Numerous residents from the Oak Forest Subdivision, and other areas, addressed Council regarding these flooding issues in their neighborhoods. Lengthy discussion of issues included drainage, pump processes, new road Woodsprings Drive, location of the neighborhood, buyouts, no-wake ordinance, and various additional topics.

2. Council Action 2019-93

Consider approval of a contract with the Liberty Independent School District for use of the Liberty Municipal Park Baseball Facilities.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on a proposed contract with Liberty Independent School District (LISD) for use of baseball facilities at the Liberty Municipal Park. Mr. Warner reported that the school has previously used a baseball field on the south end of the Park for games, but no formal agreement has ever been executed. The school district intends to make improvements and pay the expenses for the proposed renovations. The contract also addresses maintenance, lights, insurance and other related items.

Motion was made to approve the contract.

ATTACHMENTS:

- Park Baseball Facilities Contract (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	David Arnold, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

3. Council Action 2019-94

Consider award of proposal for City Hall Interior Repairs and Improvements.

COMMENTS - Current Meeting:

Mr. Warner reported to Council on various repairs and improvements to the City Hall Facility. Bids were let, with two responding bids submitted, in the amount of \$129,191 and \$114,900. After brief discussion of the project, budgeted and non-budgeted funds, a motion was made to award the bid to Myron McDowell Construction for \$114,900.

ATTACHMENTS:

- Tabulation-City Hall Repairs (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Neal Thornton, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

4. Council Action 2019-95

Consider award of proposal for Bank Depository Services for the City of Liberty and the Liberty Community Development Corporation.

COMMENTS - Current Meeting:

Finance Officer Naomi Herrington reported on four proposals submitted for Bank Depository Services for the City and the Liberty Community Development Corporation. After brief discussion of pledged securities held in collateral, and other related issues, Ms. Herrington stated the new contract will be effective November 1, 2019. Submitted proposals were received from Prosperity Bank, First Liberty National Bank, Wells Fargo and Texas First.

A motion was made to award the proposal for bank depository services to First Liberty National Bank.

ATTACHMENTS:

- Bank Depository Comparison (XLSX)

RESULT:	APPROVED [5 TO 0]
MOVER:	Libby Simonson, Council Member
SECONDER:	Dennis Beasley, Council Member
AYES:	Beasley, Simonson, Arnold, Smith, Thornton
ABSTAIN:	Carl Pickett, Diane Huddleston

5. Council Action 2019-96

Consider approval of an Interlocal Agreement with Liberty County for the acquisition of property located at 522 Garrett Street.

COMMENTS - Current Meeting:

Mr. Warner conveyed that Liberty County, LISD, and the City have an ownership interest in property at 522 Garrett Street. The County owns property adjacent to this location and would like full ownership in 522 Garrett Street. The County will pay LISD and the City the taxes owed on the property, \$5,213.20 and \$1,977.79, respectively. If approved, a quitclaim deed will be issued for the property.

A motion was made to approve the Interlocal Agreement with Liberty County for the property located at 522 Garrett Street.

ATTACHMENTS:

- Interlocal Agreement with Liberty County (DOCX)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	David Arnold, Council Member
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

6. Council Action 2019-91

Consider designating a Representative and Alternate to the Houston-Galveston Area Council 2020 General Assembly.

COMMENTS - Current Meeting:

A motion was made to designate Mayor Carl Pickett and Council Member Dennis Beasley as the representative and alternate, respectively, to the H-GAC 2020 General Assembly.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Libby Simonson, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

7. Council Action 2019-97

Consider award of proposal for development of a Master Plan for the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

Asst. City Manager Chris Jarmon spoke to proposals received for the development of a Master Plan at the Liberty Municipal Golf Course, a 2-3 month process. Mr. Jarmon stated six responses were received and those responses were reviewed and scored by a four-person committee. Jeff Blume was rated the highest of all the firms. After brief discussion, a motion was made to award the proposal to Jeff Blume.

ATTACHMENTS:

- Golf Course Master Plan - Tabulation (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Beasley, Council Member
SECONDER:	Diane Huddleston, Mayor ProTem
AYES:	Pickett, Huddleston, Beasley, Simonson, Arnold, Smith, Thornton

8. Ordinance (ID # 4620)

CONSIDER ADOPTION OF AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF LIBERTY, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

COMMENTS - Current Meeting:

Mayor Pickett read the caption of the Ordinance into the record as follows:

"AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF LIBERTY, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE."

Following discussion of the ordinance and proposed changes, the document will be modified and brought before Council at a later date.

RESULT: NO ACTION TAKEN

9. Work Session (ID # 4619)

The City Council will conduct a Work Session to discuss off-street parking requirements.

COMMENTS - Current Meeting:

A work session was held regarding off-street parking, which will assist developers and builders by addressing the number of parking spaces required for commercial development. After brief discussion, consensus was that an ordinance will be prepared to address these issues for future use.

ATTACHMENTS:

- EXHIBIT A - Proposed Parking Ordinance (DOCX)

B. Executive Session

EXECUTIVE SESSION:

Gov. Code §551.074 - Personnel Matters. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

- Discussion of the City Manager's Evaluation.

Gov. Code §551.072 - Deliberation regarding real property.

- To deliberate the purchase, exchange, lease or value of real property.

Gov. Code §551.071 - Private Consultation with Attorney. To seek advice regarding contemplated/pending litigation.

- Humphreys Cultural Center
- Cities of Hardin and Ames Litigation

At 8:34 P.M., Mayor Pickett closed the open meeting and opened the Executive Session as authorized above.

C. Reconvene into Regular Session

At 9:40 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

1. Council Action 2019-92

Consider and take action, if any, on the City Manager's Evaluation as discussed in the Executive Session.

COMMENTS - Current Meeting:

Mayor Pickett reported that the Council appreciated Mr. Warner's performance as City Manager, since August, 2018.

RESULT: NO ACTION TAKEN

VIII. ADJOURNMENT**A. Motion To: Adjourn**

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 9:41 P.M.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary