



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, June 9, 2020

6:00 PM

City Hall - Liberty Center

I. CALL TO ORDER

Those individuals listed in the Call to Order were physically present in the Liberty Center. The public was not yet allowed entrance into the meeting due to COVID-19.

Attendee Name	Title	Status	Arrived
Carl Pickett	Mayor	Present	
Diane Driggers	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

An Invocation was not given.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American and Texas flags were led by Police Chief Gary Martin and Fire Chief Brian Hurst, 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 those participating in the meeting through telephone conference, and introduced other Staff members present.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4788)

City Manager's Report - T. Warner - City Projects and Activities - July 3rd Celebration - COVID 19 - Budget - Electrical Outages

COMMENTS - Current Meeting:

City Manager Tom Warner reported on current activities including moving forward with the July 3rd Fireworks Celebration (with no additional activities), facilities opening in light of COVID-19, budget work sessions with Council during the month of July, and information on recent electric outages.

ATTACHMENTS:

- City Manager's Report(DOCX)
- City Mgr Rpt-Att #1 (PDF)
- City Mgr Rpt-Att #2 (XLSX)

B. Information Item (ID # 4789)

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

COMMENTS - Current Meeting:

Asst. City Manager/CFO Naomi Herrington reported, in the General Fund, that revenues were 56% of the budgeted amount, property tax revenues were 86% and sales tax revenues were 57% of budgeted amounts, respectively. Cash on the balance sheet is \$2 million.

Ms. Herrington reviewed the various other funds and additional financial related information.

C. Information Item (ID # 4790)

Department Reports

COMMENTS - Current Meeting:

City Manager Tom Warner stated that monthly department reports are included in the Council Packet, and was prepared to answer any related questions.

ATTACHMENTS:

- Fire Dept Report (XLS)
- Golf Course Report (PDF)
- Inspection Report (PDF)
- Library Condensed Report (XLSX)
- Library Narrative Report (DOCX)
- Library Volunteer Report (XLSX)
- Police Dept. Report (XLS)
- Public Works Dept Report (DOCX)
- Public Works Construction Report (DOCX)

D. Information Item (ID # 4791)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett, President of the Sam Rayburn Municipal Power Agency, reported that the next Agency Meeting would be held June 16 in Livingston, two sets of Agency Minutes are included in the packet, and the last several months of Cambridge Project revenues have been profitable.

ATTACHMENTS:

- February, 2020 Minutes (PDF)
- April 2020 Minutes (PDF)

E. Information Item (ID # 4792)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

City Secretary Dianne Tidwell requested Council complete the Election on Disclosure forms, regarding consent or non-consent release of personal information.

VI. CONSENT AGENDA

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

A. Minutes Approval

1. Tuesday, May 12, 2020
2. Tuesday, May 26, 2020

VII. REGULAR AGENDA**A. Regular Session****1. Resolution 2020-17**

Consider approval of a Resolution authorizing the use of Cambridge Funds for repairs to the Pro Shop at the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

City Manager Tom Warner reported that this project was brought before Council, on May 26, to be paid with Liberty Community Development Corporation Funds. Discussion at that meeting led to Council consensus that the Pro Shop renovations be paid with Cambridge Funds. Staff solicited quotes from local vendors, with Myron McDowell Construction submitting the lowest quote of \$24,850.

Following brief discussion, a motion was made to approve the Resolution awarding the project to Myron McDowell Construction, in the amount of \$24,850.

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

2. Resolution 2020-18

Consider a Resolution authorizing a Chapter 380 Economic Development Agreement between the City and Nutrition Supply Corporation.

COMMENTS - Current Meeting:

City Manager Tom Warner reported on an increase to the manufacturing capabilities of local business, Nutrition Supply Corporation (NSC). NSC has requested assistance with upgrading the electrical service to their business. NSC and the City propose to fund \$12,500 and \$19,500, respectively. The City will benefit from increased utility fees and taxes.

A motion was made to approve the Resolution authorizing a Chapter 380 Economic Development Agreement with Nutrition Supply Corporation.

ATTACHMENTS:

- NSC -380 agreement (DOCX)

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

3. Resolution 2020-19

Consider a Resolution authorizing the award of bid to DBT Transportation Services for installation of an Automated Weather Observing System (AWOS) at the Liberty Municipal Airport.

COMMENTS - Current Meeting:

Mr. Warner reported that the City was approved for a grant from TxDOT Aviation Division to install an Automated Weather Observing System at the Liberty Municipal Airport. Bids were let and only one bid was received, from DBT Transportation Services, in the amount of \$179,820. Only two bids were expected. The grant is a 75/25% match, and a private sector partner has agreed to fund the City's share of the project.

A motion was made to award the bid to DBT Transportation Service, in the amount of \$179,820.

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

4. Resolution 2020-20

Consider a Resolution authorizing the City Manager to submit grant applications relating to the Texas General Land Office (GLO) Community Development Block Grant (CDBG-MIT) funding.

COMMENTS - Current Meeting:

Brief discussion was held regarding proposed projects to be submitted to the Texas General Land Office for mitigation funding. The grant funding requires no local match, however a 1% local match provides additional points to the competitive grant.

A motion was made to authorize the City Manager to submit grant applications for the Community Development Block Grant-Mitigation Funding.

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

5. Work Session (ID # 4798)

City Council will conduct a Work Session to discuss issues relating to Certificates of Occupancy.

COMMENTS - Current Meeting:

Lengthy discussion was held regarding Certificates of Occupancy for certain residential and commercial structures in the City, related health, safety and fire inspections and other issues and concerns. Discussion of related topics also included change of ownership, change of use, fees vs. no fees, and other additional matters.

6. Work Session (ID # 4799)

City Council will conduct a Work Session to discuss the reinstatement of utility late fees and possible payment plans.

COMMENTS - Current Meeting:

City Council discussed resuming utility disconnects and late fees beginning on the later of June 26, 2020 or whenever Texas law allows for same. Further discussion included that customers, who are in arrears on their utility payments as a result of COVID-19, be offered a payment agreement. Also discussed were the terms of the proposed agreement.

7. Ordinance (ID # 4800)

CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 3, BUILDING REGULATIONS, OF THE CITY OF LIBERTY CODE OF ORDINANCES, BY CREATING ARTICLE 3.13 REQUIRING CERTIFICATES OF OCCUPANCY OR CERTIFICATES OF COMPLIANCE FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE CITY; REQUIRING LIFE, HEALTH AND SAFETY INSPECTIONS AND FIRE SAFETY INSPECTIONS FOR CERTAIN RESIDENTIAL AND COMMERCIAL STRUCTURES IN THE

CITY; ESTABLISHING AN EFFECTIVE DATE; AND DISPENSING WITH SECTION 3.10 OF THE HOME RULE CHARTER THAT ORDINANCES BE READ ON TWO SEPARATE OCCASIONS.

COMMENTS - Current Meeting:

Council consensus was to pass on this agenda item for further examination and future discussion.

RESULT: NO ACTION TAKEN

8. Ordinance (ID # 4801)

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE MASTER FEE SCHEDULE CREATING FEES FOR CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE; PROVIDING FOR AN EFFECTIVE DATE; AND DISPENSING WITH THE REQUIREMENT OF SECTION 3.10 OF THE HOME RULE CHARTER THAT ALL ORDINANCES BE READ ON TWO SEPARATE DAYS.

COMMENTS - Current Meeting:

Council consensus was to pass on this agenda item until a later date.

RESULT: NO ACTION TAKEN

9. Resolution 2020-21

Consider a Resolution authorizing City Staff to resume utility disconnects and charge late fees for failure to pay utilities beginning June 26, 2020.

COMMENTS - Current Meeting:

A motion was made to approve the Resolution resuming utility disconnects, late fees and authorizing utility payment agreements.

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

B. Executive Session

EXECUTIVE SESSION:

Tx. Gov. Code §551.071 - Private Consultation with Attorney.

- To seek advice regarding contemplated / pending litigation.

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

At 7:39 p.m., Mayor Pickett closed the open meeting and opened the Executive Session, as authorized above.

C. Reconvene into Regular Session

At 8:22 p.m., Mayor Pickett closed the Executive Session and reconvened the open meeting.

VIII. ADJOURNMENT**A. Motion To: Adjourn****COMMENTS - Current Meeting:**

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:23 p.m.

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Carl Pickett, Mayor

ATTEST:

Dianne Tidwell, City Secretary