



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, December 8, 2020

6:00 PM

City Hall - Liberty Center

I. CALL TO ORDER

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	
Naomi Herrington	Assistant City Manager / CFO	Present	
Chris Jarmon	Assistant City Manager	Present	
Brandon Davis	City Attorney	Present	
April Gilliland	City Secretary	Present	

II. INVOCATION

No Invocation was given.

III. PLEDGE OF ALLEGIANCE

The Pledge to the American Flag was led by Fire Chief Brian Hurst 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.

V. PRESENTATIONS / REPORTS

A. Information Item (ID # 4975)

City Manager Report - T. Warner, City Manager - Topics include Employee Appreciation/Christmas Dinner, Christmas Holiday Closings, Christmas Lighting Contest, Council Meetings, COVID-19 Vaccine, AWOS, Unified Development Ordinance, Stormwater Design/Criteria Manual, Golf Course, Airport and Electric.

COMMENTS - Current Meeting:

Assistant City Manager Naomi Herrington offered the following updates:

- Employee Appreciation/Christmas Dinner cancelled due to pandemic
- City Offices Holiday closures
- Christmas lighting contest for business in town
- COVID-19 vaccines
- AWOS update - FAA approval of location
- Unified Development Ordinance
- Stormwater Design/Criteria Manual
- Golf Course

ATTACHMENTS:

- City Manager's Report December 8 2020 (DOCX)

B. Information Item (ID # 4976)

Finance Report - Assistant City Manager / CFO - Naomi Herrington

COMMENTS - Current Meeting:

Assistant City Manager/CFO Naomi Herrington reported on the City's Financials, as of the end of October 2020. Ms. Herrington addressed the various funds, property and sales tax in regards to October being the first month of the Fiscal Year.

C. Information Item (ID # 4977)

Department Reports

COMMENTS - Current Meeting:

Monthly reports are submitted for Council's Review, no comments were given.

ATTACHMENTS:

- Code Enforcement Monthly Report - November 2020 (PDF)
- Golf Course Monthly Report (November 2020) (PDF)
- Library Monthly Report (PDF)
- November 2020 Building Permit Report (PDF)
- Police Monthly Report (XLS)
- Monthly Report-Public WorksNov20 (DOCX)
- Fire Department - November Report (XLS)

D. Information Item (ID # 4978)

Sam Rayburn Municipal Power Agency - Mayor Pickett

COMMENTS - Current Meeting:

Mayor Pickett stated that the next meeting would be held on Tuesday, December 15, 2020 in Livingston.

E. Information Item (ID # 4979)

Mayor, Council and Staff Comments

COMMENTS - Current Meeting:

Fire Chief Brian Hurst explained in detail the procedures and plan for the COVID-19 vaccines to Emergency workers, Healthcare providers and Nursing homes.

Assistant City Manager Naomi Herrington gave an update regarding the Bond Refunding process and that the City will actually receive an increase in savings.

Mayor Carl Pickett announced the retirement of the Party Line program on KSHN.com.

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:	Diane Driggers, Mayor ProTem
AYES:	Pickett, Driggers, Beasley, Simonson, Arnold, Smith, Thornton

A. Minutes Approval

1. Tuesday, November 10, 2020

B. Resolution 2020-68

Consider a resolution authorizing the Mayor to execute an agreement between the City of Liberty and the Liberty County Precinct 1 and 2 for the maintenance of streets, roads, ditches and recreational areas.

ATTACHMENTS:

- Interlocal Liberty County Pct. 1 and 2 (DOCX)

VII. REGULAR AGENDA**A. Regular Session**

1. Information Item (ID # 4972)

Discussion regarding concerns with the No Manufactured Home Zone - Mr. Gerald Brooks

COMMENTS - Current Meeting:

Mayor Pickett opened the item regarding the no manufactured home ordinance and citizens concern for comments. Mr. Gerald Brooks mentioned that he had been trying to place a manufactured home on his property located on Westwood Avenue since early January 2020. When Mr. Brooks started the process to purchase a manufactured home, he called City Hall and was told that his subdivision was in the area that allowed manufactured homes and proceeded with his plan to purchase a manufactured home. During this time City Council had a meeting on January 14, 2020 with Citizens request regarding no manufactured home zones and what areas of the City allowed and did not allow manufactured homes. Based on the discussion of the January 14, 2020 meeting an Ordinance was brought to Council in a special called meeting on January 28, 2020 to amend the non-manufactured home zone to include all the city, with certain areas excluded to allow manufactured homes. The exclusion set in this ordinance did not include Westwood Avenue.

When Mr. Brooks came back to get his permit to move his manufactured home onto his property, he was informed that the ordinance had changed, and that Westwood Ave was in the no manufactured home zone. Mr. Brooks is asking that the ordinance adopted on January 28, 2020 be amended to allow Westwood Avenue in manufactured home exclusion.

Council agreed with Mr. Brooks and an amended Ordinance will be brought before them during a special called meeting to be held the following week.

ATTACHMENTS:

- Mr. Brooks request (PDF)
- Non-Manufactured Home Zone Map Jan 2020 (PDF)

2. Resolution 2020-69

Consider a resolution appointing a Delegate and Alternate to the Houston-Galveston Area Council 2021 General Assembly.

COMMENTS - Current Meeting:

A motion was made to approve the resolution appointing Mayor Carl Pickett as Representative and Council Member Diane Driggers as Official Alternate for the Houston-Galveston Area Council 2021 General Assembly.

ATTACHMENTS:

- HGAC 2021 General Assembly Designation Form (PDF)

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

3. Ordinance 2020-38

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY OF LIBERTY, TEXAS AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO INCREASE THE FIRE DEPARTMENT FIXED ASSETS BUDGET EXPENDITURES.

COMMENTS - Current Meeting:

Motion was made to adopt the ordinance amending the Fiscal year 2020-2021 Budget by One Hundred Ninety-Nine Thousand Three Hundred Fifty Dollars (\$199,350.00), which represents on ambulance remount and the installation of the Stryker Power Load Stretcher.

ATTACHMENTS:

- Medic 2 remount quote (PDF)

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

4. Resolution 2020-70

Consider a Resolution authorizing the expenditure of \$95,630 in Cambridge Funds for Two (2) Stryker Stretchers.

COMMENTS - Current Meeting:

Motion was made to approve the resolution authorizing the use of Cambridge Funds in the amount of \$95,630 to purchase two (2) Stryker Power Load Stretchers for the City of Liberty Fire Department.

ATTACHMENTS:

- Power load stretcher quote (PDF)

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

5. Ordinance 2020-39

CONSIDER ADOPTION OF AN ORDINANCE REPEALING ARTICLE 3.13, DIVISION I, "RESIDENTIAL OCCUPANCY REQUIREMENTS," OF THE CITY OF LIBERTY CODE OF ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

COMMENTS - Current Meeting:

Motion was made to adopt the ordinance to repeal the requirements for Certificates of Occupancy, Certificates of Compliance and Life, Health and Safety Inspections and Fire Safety Inspections for certain residential structures within the City as set forth in Chapter 3, Article 3.13, Division I, "Residential Occupancy Requirements," of the Code of Ordinances of the City of Liberty, Texas with the condition of a committee to be set up as mentioned in the November 10, 2020 meeting.

ATTACHMENTS:

- EXHIBIT A - Residential CO Ordinance (DOCX)

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

6. Ordinance 2020-40

CONSIDER ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBERTY, TEXAS AMENDING THE MASTER FEE SCHEDULE REPEALING FEES FOR CERTIFICATES OF OCCUPANCY AND COMPLIANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

COMMENTS - Current Meeting:

Motion was made to adopt an ordinance amending the master fee schedule by repealing fees for certificates of occupancy and compliance for certain residential structures in the City of Liberty.

ATTACHMENTS:

- Residential CO Fee Removal (PDF)

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

7. Ordinance 2020-41

CONSIDER ADOPTION OF AN ORDINANCE BY THE CITY OF LIBERTY, TEXAS ("CITY") DENYING THE DISTRIBUTION COST RECOVERY FACTOR RATE INCREASE REQUEST OF ENTERGY TEXAS, INC. FILED ON OCTOBER 22, 2020; SETTING JUST AND REASONABLE RATES FOR ENTERGY TEXAS, INC. FOR SERVICE WITHIN THE MUNICIPAL LIMITS; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS.

COMMENTS - Current Meeting:

Motion was made to adopt an ordinance denying the distribution cost recovery factor rate increase request of Entergy Texas, Inc. Filed on October 22, 2020; setting just and reasonable rates for Entergy Texas, Inc. For service within the municipal limits; finding that the meeting complies with the open meetings act; making other findings.

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

8. Resolution 2020-71

Consider a Resolution Authorizing Phase II of the Golf Course Master Plan with the Jeffrey D. Blume, Limited, in an amount not to exceed \$90,000 for Construction Documents and Bidding Services at the Liberty Municipal Golf Course.

COMMENTS - Current Meeting:

Motion was made to approve a resolution authorizing Jeffrey D. Blume, Limited, to proceed with

Phase II of the Golf Course Master Plan, in an amount not to exceed ninety thousand dollars (\$90,000.00), for construction documents and bidding services at the Liberty Municipal Golf Course.

ATTACHMENTS:

- Golf Course Master Plan - Revised (Concept 2) (JPG)

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

VIII. ADJOURNMENT

A. Motion To: Adjourn

COMMENTS - Current Meeting:

There being no further business before the Council, Mayor Pickett adjourned the meeting at 8:34 p.m.

Carl Pickett, Mayor

ATTEST:

April Gilliland, City Secretary