



CITY COUNCIL REGULAR MEETING
MINUTES
Monday, March 22, 2021 – 6:30 PM
2801 Ranch Road 1869, Liberty Hill, Texas

Liz Branigan, Mayor	Liz Rundzieher, Mayor Pro Tem / Place 5
Steve McIntosh, Place 1	Kathy Canady, Place 2
Gram Lankford, Place 3	Tony DeYoung, Place 4

CALL TO ORDER

The meeting was called to order by Mayor Liz Branigan at 6:30 PM. In attendance were Liz Branigan, Mayor; Liz Rundzieher, Mayor Pro Tem and Place 5; Steve McIntosh, Place 1; Kathy Canady, Place 2; Gram Lankford, Place 3; and Tony DeYoung, Place 4. Quorum was established.

Officer Joiner provided the invocation. The Pledge of Allegiance and Texas Pledge were recited.

PUBLIC COMMENTS

Michael Helbing, who resides at 301 Stubblefield Lane, provided his comments via email to the City Secretary who read them during the meeting. Those comments are attached hereto. Mr. Helbing spoke regarding agenda item 6. Mr. Helbing stated he is against limiting public comments to agenda items. He stated the City Council is a council elected by the citizens and is in place to make decisions that are in the best interest of the City.

Chris Pezold, who resides at 3607 RR 1869, addressed Council regarding Item 6H providing a quote from Ronald Reagan – “As Government expands, Liberty contracts.” He stated he has watched this town grow over the last 17 years with the commercial and residential and government growth all competing like bacteria in a petri dish. Mr. Pezold stated two years ago, a new parasite was introduced to that experiment in the form a regime which was led by the last mayor Rick Hall and his intimidator, Steve McIntosh. Mr. Pezold stated Mr. McIntosh attempted to have him arrested on public harassment charges after public comments. Second, it was the City of Liberty Hill Facebook page by the then mayor. Third, it was the line of print put on the Public Comments form requiring a speaker to list the public agenda item that would be addressed. During this time of record government growth in this town, Executive Session time grew to ellipse the amount of time spent in Regular Session. This Council has demonized any

dissension of thought, fired many dedicated public employees, for pointing out the City's errors. Mr. Pezold stated that the idea that Council would limit comments is staggering but predictable. Mr. Pezold listed items that would not be able to be discussed if this item passes.

PRESENTATION

Dan Wegmiller, Managing Director, Specialized Public Finance provided an update on Wastewater Bonds and Streets Tax Note for 2021. Mr. Wegmiller stated the timeline is in place. He will return to Council April 26 to provide another update. He stated the City should have the funds May 18th if all goes well. Mr. Wegmiller explained the various options for the tax note. He stated that as Council puts together a list of projects, he and Becky Wilkins, City Treasurer, and Council will discuss. Staff will take the list of projects and work up financial options to bring back to Council.

CONSENT AGENDA

Kathy Canady made a motion to approve, seconded by Tony DeYoung.

- Discuss and consider approval of minutes of Council Special Called meeting of March 4, 2021.
- Discuss and consider approval of minutes of Council meeting held March 8, 2021.
- Discuss and consider approval of Right of Entry Agreement for the CR 260 / CR 266 Wastewater Project related to:
 - 900 CR 266, Georgetown, TX 78628
 - 910 CR 266, Georgetown, TX 78628
- Discuss and consider Ordinance 21-O-03.22-01 of the City council of Liberty Hill, Texas affirming the prior passage of unsigned ordinances from the calendar year 2017.
- Consideration and possible action on a utility agreement and payment plan for wastewater connection at parcel recorded as Goddard School Subdivision, Block A, Lot 1 (R568216) with Star Developers.
- Discuss and consider recommendation of the Downtown Beautification Committee to purchase and install three (3) flagpoles in downtown parking lot in an amount not to exceed \$6,500.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

CITY ADMINISTRATOR'S REPORT

Lacie Hale, City Administrator, provided a brief report to Council. Highlights include:

- Community engagement – the first newsletter will go out on the next billing.
- Scavenger art hunt went well.
- A Call for artists for the Whimsy and Wonder festival has been submitted. Dale Watson will perform.
- Public Works should have the new membranes soon to be installed the week of March 30th.
- Central Park was not City property but has not been deeded to the City.
- Within the next 60-90 days, Council will receive updates on five (5) new development

agreements.

- Mundo is doing a good job with the Planning Department.
- Staff is working on the K-9 grant for the Police Department.
- Finance should be able to present the salary survey within 60-90 days to Council.
- Budget season for the next fiscal year will begin in May of this year.

REGULAR AGENDA

Introduction of Mike McKamie, candidate for interim City Attorney for the City of Liberty Hill.

Lacie Hale, City Administrator introduced the candidate for interim attorney. Mr. McKamie and Council discussed his background and credentials. Currently, Mr. McKamie is associate city attorney for the city of Burnet.

Consideration and possible action to authorize the City Administrator to negotiate and execute the contract for the interim City Attorney.

On motion by Kathy Canady and second by Liz Rundzieher, Council authorized the City Administrator to execute an agreement with Mick McKamie as the Interim City Attorney for the City of Liberty Hill.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

Kathy Canady made a motion to go into Executive Session. Mayor Branigan stated “No, this is not the time to do that”. Steve McIntosh seconded the motion.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

EXECUTIVE SESSION

Mayor Liz Branigan convened Council into Executive Session at 7:00 PM for discussion of the following items pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberations about Real Property), Section 551.073 (Deliberations about Gifts and Donations), Section 551.074 (Personnel Matters), Section 551.076 (Deliberations about Security Devices), and Section 551.087 (Development).

Section 551.074 Personnel Matters

- Discuss authorizing the City Administrator to negotiate and execute the contract for the interim City Attorney.
- Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Administrator position.

Section 551.071 Consultation with Attorney

- Update regarding threatened Clean Water Act litigation.
- Status of compliance process with TCEQ regarding TPDES Permit No. WQ0014477001

RECONVENE TO REGULAR SESSION

Council reconvened to Regular Session at 8:28 PM for deliberation of the following items pursuant to Texas Government Code Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberations about Real Property), Section 551.073 (Deliberations about Gifts and Donations), Section 551.074 (Personnel Matters), Section 551.076 (Deliberation about Security Devices), and Section 551.087 (Development).

Section 551.074 Personnel Matters

- Discuss authorizing the City Administrator to negotiate and execute the contract for the interim City Attorney.
- Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Administrator position.

Section 551.071 Consultation with Attorney

- Update regarding threatened Clean Water Act litigation.
- Status of compliance process with TCEQ regarding TPDES Permit No. WQ0014477001

On motion by Kathy Canady and second by Liz Rundzieher, Council approved the City Administrator Employment Agreement with the amendment that it is effective today for a three-(3) year term with a beginning salary of \$155,000; salary as of March 22, 2022 at \$170,000; and salary as of March 22, 2023 at \$185,000.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

REGULAR AGENDA

Update regarding policy on the Impact Fee Account.

Becky Wilkins, City Treasurer stated there is already a policy in the Code of Ordinances for wastewater impact fees. No action, however, has come from this. Ms. Wilkins will be bringing this up every year at budget time for direction from Council as to what they would like Impact Fees to cover.

Discuss and consider an end date to three Council meetings per month on April 30, 2021.

Tony DeYoung stated he would like to withdraw this item.

Consideration and possible action on Capital Improvement Plan projects for 2021 Streets Tax Note.

Lacie Hale provided an update on projects for Council to consider for the Tax Note. Council discussed and decided on the following three (3) projects:

- Liberty Parke entrance
- 279 / 332 intersection
- Fallwell and Barton intersection

Tony DeYoung stated he feels a temporary crosswalk from the splash pad to the parking lot is warranted.

Mayor Branigan stated that prior to construction, she would like to get some citizen feedback. Tony DeYoung stated he is ready to move forward with these projects, especially the T at the intersection.

No action was taken.

Consideration and possible action to approve an Ordinance of the City Council of Liberty Hill, Texas, amending Chapter 1, Article 1.03, Division 2 of the Code of Ordinances adding a regular city council meeting on the first Monday of each month.

Tad Cleaves, City Attorney addressed Council stating the attached Ordinance amends the Code, adding in the additional meeting, based on Council's directive at the previous meeting. Council discussed.

Tony DeYoung made a motion to go ahead with this Ordinance amended to state an end date of April 30, 2021.

Motion died for lack of a second.

Kathy Canady made a motion to accept the Ordinance as presented. Gram Lankford seconded the motion with an effective date of March 22, 2021.

Motion passed on vote of 4 ayes, 1 nay, and 0 abstentions. Tony DeYoung opposed the motion.

City Attorney to present to Council recommended rules for abstaining from vote.

Tad Cleaves, City Attorney stated there are no recommended rules within the Local Government Code except the requirement for abstention for substantial financial or familial interest. He discussed how other cities handle this.

Council directed legal staff to return to Council with an Ordinance requiring all Council members to vote.

Consideration and possible action to approve an Ordinance of the City Council of Liberty Hill, Texas amending Chapter 1, Article 1.03, Division 2 of the Code of Ordinances related to Citizen Comments at Public meetings.

Kathy Canady stated that this does not preclude anyone from not being on the agenda to speak at Public Comments. What it does if a person wants to talk about ducks... Mayor Branigan stated if anyone wants to talk about ducks, they should be able to talk about ducks. Ms. Canady provided the details of the ordinance stipulating how to be on the agenda for comments about non-agenda items.

Gram Lankford stated that it is a gross misrepresentation to say that we are trying to do here is silence anybody. What Council doing is structuring the agenda such that someone would provide

notice ahead of time for non-agenda items and specify the subject they wish to speak on. With this Ordinance, Council then has the ability to respond back to their comments.

On motion by Kathy Canady and second by Steve McIntosh, Council approved Ordinance 21-O-03.22-03 related to Citizen Comments at public meetings effective March 22, 2021.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

Discuss and consider giving a blue ribbon and certificate to our Junior Citizens across campuses and possible Junior Service organizations as a way to promote junior citizenship of our younger citizens. Not limited to residency in Liberty Hill, but open to school district.

Kathy Canady stated she believes it would be good to recognize young citizens to promote citizenship. Tony DeYoung stated he was very interested in this. Mayor Branigan stated she would want to run this by the school. There was discussion about the need to set up the committee and have some ideas to provide to the school district before meeting with them. Kathy Canady said that the City Secretary had expressed interest in working on this as well.

Discuss and consider authorizing staff to prepare an ordinance to regulate Private Property Impounds in the City of Liberty Hill.

Kathy Canady presented stating there are no regulations in the City for private property impounds. Chief Graeter stated it is not really related to the police department. However, there are other cities that have set regulations on what the caps are. Leander is one of those cities. The City Administrator, city attorney, and Chief Graeter will work on this.

Discuss and consider possible action to approve a policy for staff's use of the Kronos timekeeping system.

Following discussion, Gram Lankford made a motion to accept the timekeeping policy with an effective date at the beginning of the next pay period. Tony DeYoung seconded the motion.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

Discuss and consider setting a date for a workshop to review and deliberate rules of decorum and procedure for Council, boards, and committees.

Lacie Hale, City Administrator provided several possible dates to set a workshop.

On motion by Kathy Canady and second by Gram Lankford, Council approved an April 24, 2021 9 AM workshop.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

Discuss and consider authorizing the City Administrator to apply for extended dates on the permit for the City's splashpad.

Following a brief discussion, Council directed the City Administrator to reach out and see about getting a permit for the splash pad from May 1st to October 31st.

Consideration and possible action to approve an Ordinance of the City Council of Liberty Hill, Texas, amending Chapter 13, Article 13.02, Division 2 of the Code of Ordinances related to wastewater connection charges.

Lacie Hale, City Administrator stated this idea came about at Council a few meetings ago. Tad Cleaves, City Attorney stated this is simply creating a structure to allow 3-5 payments within a maximum of 60 days. Attachment A of the Ordinance shows the installment payment plan.

On motion by Kathy Canady and second by Steve McIntosh, Council approved Ordinance 21-O-03.22-04 related to wastewater connection charges.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

ADJOURNMENT

On motion by Liz Rundzieher and second by Tony DeYoung, Council adjourned the meeting at 9:34 PM.

Motion passed on vote of 5 ayes, 0 nays, and 0 abstentions.

PASSED AND APPROVED by the City Council of the City of Liberty Hill, Texas on Monday, April 5, 2021 on vote of 3 ayes, 0 nays, and 0 abstentions.



[seal]



Liz Branigan, Mayor



Nancy Sawyer, City Secretary