



**CITY COUNCIL REGULAR MEETING
MINUTES
Monday, April 26, 2021 – 6:30 PM
14875 SH-29, 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 6:47 PM. In attendance were Liz Branigan, Mayor; Kathy Canady; Gram Lankford; and Tony DeYoung. Quorum was established.

The Invocation was provided, and Pledge of Allegiance and Texas Pledge were recited.

PUBLIC COMMENTS

Chris Pezold, 3607 RR 1869, addressed Council stating that if downtown Liberty Hill wanted another restaurant, there is no LUE capacity to do so. Mr. Pezold asked Council to stay focused on the big picture.

Kim Sanders, 309 Old Glory Trail, addressed Council thanking them for their attention to intersections, downtown streets, and sidewalks. She would like Council to consider speed alert signs in Liberty Park. Ms. Sanders requests that Council make reconfiguration of the entrance to Liberty Parke a priority. At the end of this summer, there will be an estimated 600+ homes in Liberty Parke and traffic, especially at the turn lanes, is a major concern. She urged Council to make this intersection a priority. She concluded by thanking Council for lowering the speed limit on Loop 332.

EXECUTIVE SESSION

City Council was convened to Executive Session at 6:50 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 551.071 Consultation with Attorney

Consultation with Attorney to seek legal advice regarding pending or contemplated litigation, a settlement offer, or a matter on which the City Attorney has a duty to advise the City Council, including posted agenda items.

- Update regarding the threatened Clean Water Act litigation
- Consideration on the third amendment to the Annexation and Development Agreement with Butler Farms Partnership, Ltd.

Section 551.072 Deliberation Regarding Real Property

- Deliberation regarding possible acquisition of real property for intersection improvements

No action was taken during Executive Session.

RECONVENE TO REGULAR SESSION

City Council was reconvened to Regular Session at 7:54 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 (Deliberations about Security Devices), and Section 551.087 (Development).

Section 551.071 Consultation with Attorney

Consultation with Attorney to seek legal advice regarding pending or contemplated litigation, a settlement offer, or a matter on which the City Attorney has a duty to advise the City Council, including posted agenda items.

- Update regarding the threatened Clean Water Act litigation
- Consideration on the third amendment to the Annexation and Development Agreement with Butler Farms Partnership, Ltd.

On motion by Kathy Canady and second by Tony DeYoung, Council authorized the City Administrator to negotiate a final amendment to the Butler Farms Development Agreement and return to Council May 3, 2021 with that.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

Section 551.072 Deliberation Regarding Real Property

- Deliberation regarding possible acquisition of real property for intersection improvements

No action was taken.

CONSENT AGENDA

On motion by Kathy Canady and second by Gram Lankford, Council approved Consent Agenda items as presented.

- Discuss and consider action to approve City Council minutes of regular meeting held April 5, 2021.
- Discuss and consider action to approve City Council minutes of regular meeting

held April 12, 2021.

- Review and record Summary of Investment Portfolio for the City of Liberty Hill for the time period beginning January 1, 2021 and ending March 31, 2021.
- Discuss and consider approval of a resolution 21-R-04.26-02 adopting a KRONOS time-keeping policy previously approved by Council. Presented by Lacie Hale, City Administrator
- Consideration and possible action to authorize the City Administrator to negotiate and execute the agreement for fireworks at the July 3, 2021 Independence Celebration, not to exceed \$20,000.
- Discuss and consider approval of Williamson County and Cities Health District FY 2021 per capita funding for Liberty Hill in an amount not to exceed \$6,887.85.
- Consideration and possible action to accept the assignment and acceptance of facilities for Williamson County Municipal Utility District No. 23 (the "MUD") encompassing the subdivision known as Morningstar.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

REGULAR AGENDA

DISCUSS AND CONSIDER APPROVAL OF CHANGE ORDER #1 FOR THE LIBERTY HILL DOWNTOWN BIKE / PED LOOP IN AN AMOUNT NOT TO EXCEED \$6,328.90.

Mia Hernandez, Bowman Consulting presented. She stated that a portion of the sidewalks from the previous roundabout project were deleted. A handrail with stars, like what is currently downtown, has been added to the shared use path on Loop 332 in front of Foundation Park. The total project is \$1.5 million which is part of a cost-sharing project with Texas Department of Transportation.

On motion by Tony DeYoung and second by Gram Lankford, Change Order #1 for the Liberty Hill Downtown Bike / Ped Loop was approved in an amount not to exceed \$6,328.90.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSS AND CONSIDER APPROVAL OF CHANGE ORDER #1 FOR THE LIBERTY HILL COMMUNITY CENTER.

Curtis Steger, Steger Bizzell stated the change order includes fire hydrants and water lines including 800' of pipe. Becky Wilkins, City Treasurer stated money has been allotted for this.

On motion by Kathy Canady and second by Tony DeYoung, Council approved Change Order #1 for the Liberty Hill Community Center.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DELIBERATION OF CITIZEN CONCERNS REGARDING LIBERTY HILL INFRASTRUCTURE AND TRANSPORTATION.

Mayor Branigan stated she thought Chris Pezold would be presenting this. However, since Mr. Pezold had exited the meeting, she said she added this to the agenda because Mr. Pezold was told he could not make comments not related to the agenda more than once every 30 days, and

Mayor Branigan felt this was important enough to add to the agenda. Mayor Branigan stated that for anyone at the meeting or listening online, if they have difficulty getting concerns to Council, they should go to the Mayor, and she will make sure those are addressed.

There was discussion of the finite number of LUEs available without upgrading.

Tony DeYoung asked if Council could get an estimate for upsizing the lines. Lacie Hale stated staff is working on a solution for expanding downtown's capacity. Tony DeYoung asked for a monthly update on the progress of this. Gram Lankford cautioned Council to not allow this to overshadow concerns made by Kim Sanders that are already a focus of Council.

No action was taken at this time.

CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE THE LEASE AGREEMENT WITH THE OVER THE HILL GANG TO USE THE CITY-OWNED FACILITY AT 3407 RANCH ROAD 1869. Mayor Branigan stated the Over the Hill Gang has been a positive fixture in this community for 25 years. Lacie Hale responded that the lease agreement is very basic. Following discussion mainly focused on use of the kitchen, motion was made.

On motion by Kathy Canady and second by Gram Lankford, Council authorized the City Administrator to negotiate and execute the lease agreement with the Over the Hill Gang to use the City-owned facility at 3407 Ranch Road 1869.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

CONSIDERATION AND POSSIBLE ACTION ON PROPOSED RENTAL POLICY FOR CITY FACILITIES.

Lacie Hale, City Administrator addressed Council referencing the policy in their packets as a very basic policy. She requested additional direction on fees and to which facilities those fees apply. She asked Council to review and make recommendations. Discussion was held regarding food services, and the prohibition of alcohol and tobacco.

No action was taken at this time. An Ordinance will be brought back with the updated policy.

CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION CONSENTING TO THE CREATION OF A MUD FOR THE EL DORADO DEVELOPMENT.

Lacie Hale stated a MUD is being considered for the County within Liberty Hill's ETJ. The City can never annex this. Council discussed the possible creation of a MUD. Brohn Homes is the developer. The Brohn Homes representative explained the location of the development. There was discussion of economic appeal, utility impact, and style and pricing of the proposed residential development.

On motion by Tony DeYoung and second by Gram Lankford. Council approved a Resolution consenting to the creation of a MUD for the El Dorado Development.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSS AND CONSIDER APPROVING AN ORDINANCE GRANTING TO ATMOS ENERGY CORPORATION A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF LIBERTY HILL FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY.

Lacie Hale introduced Randy Hartford, Manager of Public Affairs with Atmos Energy. Mr. Hartford addressed Council stating the franchise includes a 5% franchise fee for this significant project. The franchise controls use of rights within the city and is a boiler-plate ordinance used in most cities. The service would be made available to residential and commercial customers.

On motion by Gram Lankford and second by Kathy Canady, Council approved an Ordinance granting to Atmos Energy Corporation a franchise to construct, maintain, and operate pipelines in the City of Liberty Hill for the transportation, delivery, sale, and distribution of gas in, out of, and through said City.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSS AND CONSIDER BUDGET UPDATE AND POSSIBLE AMENDMENTS.

Kathy Canady stated she was excited to find out the City is halfway through the year and at 47% of expenses. Becky Wilkins provided an overview of where the City sits with property tax and sales tax and permits. Ms. Wilkins stated that last summer, staff were unsure of how COVID would affect sales tax. The city erred on the side of caution on revenue projects. Where other cities had businesses closing, Liberty Hill has businesses opening all over town. The goal has been to rely less on property tax and more on sales tax.

No action was taken.

DISCUSS AND CONSIDER ACTION TO APPROVE RESOLUTIONS REGARDING FINANCING AGREEMENTS FOR THE PURPOSE OF PROCURING VEHICLE(S) AND RELATED EQUIPMENT, AND CREATION OF TWO (2) NEW POSITIONS.

Becky Wilkins, City Treasurer provided an overview of vehicles damaged in recent weather events and the need for replacement and additional vehicles. The planning department has requested an additional building inspector and associated vehicle as they are doing 150-200 inspections per day. An executive assistant for the City Administrator is also being requested. Council deliberated briefly.

On motion by tony DeYoung and second by Gram Lankford, Council approved resolutions regarding financing agreements for the purpose of procuring vehicle(s) and related equipment, and creation of two (2) new positions.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

CONSIDERATION AND POSSIBLE ACTION ON BUDGET CALENDAR FOR FY 2021-2022 BUDGET.

Becky Wilkins presented the draft calendar and explained how the process will proceed. Kathy Canady stated she likes that they are starting early this year. Tony DeYoung said he really likes the calendar. Gram Lankford stated he thinks this is incredible and will be good for anyone at the dais to learn and contribute.

On motion by Kathy Canady and second by Gram Lankford, Council approved the FY 2021-2022 Budget Calendar.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSS AND CONSIDER AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MASTER SERVICES AGREEMENT WITH DOCUSIGN SHARED BY CITY ADMINISTRATION AND MUNICIPAL COURT IN A 25% / 75% SPLIT OF COSTS RESPECTIVELY, FOR A ONE-YEAR CONTRACT BEGINNING APRIL 30, 2021, AT A TOTAL COST NOT TO EXCEED \$2,906.28.

Tracy Ventura, Court Administrator stated this is another piece to assist with Court. This will come from restricted funds.

On motion by Tony DeYoung and second by Gram Lankford, Council authorized the City Administrator to execute a Master Services Agreement with DocuSign shared by City Administration and Municipal Court in a 25% / 75% split of costs respectively, for a one-year contract beginning April 30, 2021, at a total cost not to exceed \$2,906.28.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSS AND CONSIDER APPROVAL OF MEDICAL LEAVE FOR LIZ RUNDZIEHER FROM COUNCIL.

Kathy Canady presented stating there is a rule about not missing more than three meetings. Councilmember Rundzieher has been diagnosed with cancer very recently and requests a leave of absence. Tony DeYoung stated he is understanding of this and willing to approve but requests a text or email or something in writing from Councilmember Rundzieher requesting this herself.

On motion by Kathy Canady and second by Gram Lankford, Council approved up to 90 days' medical leave with request notification by Councilmember Rundzieher.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSSION AND POSSIBLE ACTION REGARDING DECLINATION OF REMUNERATION FOR THE MAYOR.

Mayor Branigan stated this subject came up as soon as she took office, and she declined the \$40,000 stipend. Becky Wilkins, City Treasurer stated the Finance Department needs her to sign the form so that the funds will not be kept on hold. Following deliberation and the Mayor not conceding to sign the form, Mick McKamie, interim City Attorney suggested Council accept on behalf of the Mayor.

On motion by Karthy Canady and second by Gram Lankford, Council accepted the declination of remuneration on behalf of Mayor Branigan so that the money can be reallocated.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

DISCUSSION AND POSSIBLE ACTION REGARDING MAYORAL STIPEND FOR THE LIBERTY HILL FISCAL YEAR 2021-2022 BUDGET.

Kathy Canady presented stating budget time is coming around and the stipend should be reconsidered now that there is a hands-on City Administrator. She recommends doing away with the \$40,000 stipend and moving to \$500 or \$1,000, with \$1,000 being her preference. Tony DeYoung agreed.

Council directed staff to move to a \$1,000 monthly mayoral stipend for the Fiscal Year 2021-2022 budget.

UPDATE ON CITIZENS' COMMENTS.

Kathy Canady presented stating that since Council meetings are a way to do city business, she would like staff to come up with a way to address comments without citizens having to use Public Comments as a vehicle for being heard. Tony DeYoung stated that right now, citizens have city email, public comments, and talking to councilmembers directly. Gram Lankford suggested that many of the concerns should be directed to City staff. Following deliberation, staff discussed putting out newsletters discussing who and how to reach staff and Council with concerns and comments.

DISCUSS AND CONSIDER CELL PHONE USAGE RESTRICTIONS DURING COUNCIL MEETINGS.

Kathy Canady presented stating she would like Council to have a policy of silencing cell phones at meetings.

Council directed the City Secretary Nancy Sawyer to add a notation on agendas to silence all cell phones. They also directed Mayor Branigan to remind everyone to silence their phones before the Call to Order.

UPCOMING MEETINGS AND EVENTS

And

MAYOR AND COUNCIL FUTURE AGENDA ITEMS

- May 3 Council meeting
- May 10 Council meeting
- May 15 Whimsy and Wonder
- May 24 Council meeting

ADJOURNMENT

On motion by Gram Lankford and second by Kathy Canady, Council was adjourned at 9:53 PM.

Motion passed on vote of 3 ayes, 0 nays, and 0 abstentions.

PASSED AND APPROVED by the City Council of the City of Liberty Hill, Texas on Monday, May 10, 2021 on vote of 3 ayes, 0 nays, and 0 abstentions.



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Liz Branigan, Mayor


Nancy Sawyer, City Secretary