



CITY COUNCIL REGULAR MEETING
MINUTES
Wednesday, July 7, 2021 – 6:30 PM
2801 Ranch Road 1869, Liberty Hill, Texas

Liz Branigan, Mayor	Chris Pezold, Place 1
Kathy Canady, Place 2	Crystal Mancilla, Place 3
Tony DeYoung, Place 4 / Mayor Pro Tem	Angela Jones, Place 5

CALL TO ORDER

The meeting was called to order by Mayor Liz Branigan at 6:30 PM. In attendance were Liz Branigan, Mayor; Chris Pezold; Kathy Canady; Crystal Mancilla; Tony DeYoung; and Angela Jones. Quorum was established.

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

EXECUTIVE SESSION

City Council was convened to Executive Session at 6:33 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 TCEQ and EPA enforcement matters.
- Update regarding the Clean Water Act Notice of Suit.

Section 551.074 Personnel Matters

- Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.
- Preliminary discussion on possible hire of Wayne McKethan as contracted Interim Assistant to the City Administrator

No action was taken during Executive Session.

RECONVENE TO REGULAR SESSION

City Council was reconvened to Regular Session at 7:10 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

- UPDATE AND POSSIBLE ACTION REGARDING TCEQ AND EPA ENFORCEMENT MATTERS.
- UPDATE AND POSSIBLE ACTION REGARDING THE CLEAN WATER ACT NOTICE OF SUIT.

No action was taken.

PUBLIC COMMENTS

None.

CONSENT AGENDA

On motion by Kathy Canady and second by Tony DeYoung, Council approved removing Consent Agenda items D and E as they are already on the Regular Session.

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

On motion by Kathy Canady and second by Angela Jones, Council approved the remaining Consent Agenda items.

- DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JUNE 9, 2021, CITY COUNCIL WORKSHOP.
- DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JUNE 9, 2021, CITY COUNCIL REGULAR MEETING.
- DISCUSS AND CONSIDER APPROVAL OF MINUTES OF JUNE 14, 2021, SPECIAL MEETING.
- DISCUSS AND CONSIDER DIRECTING STAFF TO CREATE AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.03 CHANGING THE DAY OF COUNCIL MEETINGS TO WEDNESDAYS.

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

REGULAR AGENDA

UPDATE ON THE BROWNBRIDGE ROAD LANE RECONFIGURATION.

Curtis Steger, Steger Bizzell presented to Council showing them the restriping diagram. Mr. Steger and staff met with Mojo's Coffee regarding the changes that need to be made to make this intersection safer. Delineators will be added to assist with traffic control.

DISCUSS AND CONSIDER ACTION TO APPOINT A LIBERTY HILL CITY COUNCIL REPRESENTATIVE TO CAPCOG.

Kathy Canady stated she is still interested in the appointment. Angela Jones also expressed her interest.

On motion by Kathy Canady and second by Tony DeYoung, Council appointed Angela Jones as the City Council representative to CAPCOG.

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

DISCUSS AND CONSIDER BEST AND SAFEST SOLUTION TO THE LOOP 332 / CR 279 INTERSECTION.

Mayor Branigan asked Mr. Steger what solution he feels would work best. Mr. Steger responded that he thinks the roundabout is the best solution. This will not adversely affect Wetzel Park or its drainage. Mr. Steger provided a presentation on how traffic flow would work with the roundabout.

No action was taken.

DISCUSS AND CONSIDER BEST USE AND PRACTICES FOR ROUNDABOUT AT LOOP 332 AND BAGDAD, AND STUBBLEFIELD EXTENSION NORTH OF RR 1869 TO LOOP 332, AS THEY RELATE TO THE TRANSPORTATION PLAN.

Chris Pezold addressed Council providing the history of the old extension and plan. Council discussed options.

No action was taken.

DISCUSS AND CONSIDER ACTION TO AMEND THE CITY'S WASTEWATER CCN BOUNDARY.

Lacie Hale stated this is not in the ETJ, city limits, or a current CCN. She explained that the CCN is a Certificate of Convenience and Necessity. This can be a fairly lengthy process.

Curtis Steger stated that CCN means that nobody else can provide that particular utility service within those boundaries. Council discussed how this might tax the City's infrastructure. The current request is for wastewater. There is currently enough capacity.

Council discussed when the next wastewater treatment plant expansions will likely be needed. Alan Bojorquez, Attorney, suggested that if Council is receptive to this, Council should direct staff to continue to work with the requesting developer to move toward a wastewater services agreement.

No action was taken.

Crystal Mancilla asked that Wayne McKeathan be allowed to present to Council regarding the services he might provide to the City.

Wayne McKeathan, The Financial City Manager, LLC addressed Council providing a PowerPoint and history of his work and accomplishments. Kathy Canady asked Mr. McKeathan if he knew what the City's bond rating is. He did not. Becky Wilkins, Finance Director, stated the City's rating is an AA. Mayor Branigan stated she felt that the City's bond rating is held up by the prosperity of Georgetown and Leander.

There was discussion of the current audit and what its status is. When asked, Becky Wilkins stated that cities do not have an audit until their current year is completed.

Mayor Branigan stated that citizens are asking "have you found the missing money yet?". The Mayor stated she thinks the City needs Mr. McKeathan. Mayor Branigan said she feels the city's finances are in chaos.

Kathy Canady stated that she thinks the budget is in good shape and balanced. She said she would like Mr. McKeathan to look into the budgets of 2015-2018, however.

Ms. Mancilla stated the reason she thought Mr. McKeathan might be able to help with the city is that the city is growing so fast, with developers coming in, that she wants to make sure that she can respond to citizens with a clear conscience regarding the budget. She would like him to educate the Council on the budget, as three councilmembers are new to city government. Her

other concern is the audit. She stated staff might be overwhelmed right now, and Mr. McKeathan can come in and help with that.

Ms. Wilkins stated that the audit process has slowed a bit due to the pandemic, and she had had an employee out for long periods on FMLA. She said she also just found out that top auditor lost her husband this past weekend and would be out for a while.

Ms. Mancilla stated she called the audit company and found that document delivery to the company has been a little slower than expected. Ms. Mancilla acknowledged that the department has been overworked on this.

Ms. Canady asked if the audit company is concerned with the delay. Ms. Wilkins responded that they are not.

Tony DeYoung stated he would feel more comfortable with a black and white list of what Council wants Mr. McKeathan to cover in his services.

Chris Pezold said he would like to discuss this more in executive session later this evening.

Mr. Bojorquez stated they could certainly do that under Section 551.071, Consulting with an Attorney.

Mr. McKeathan stated he would need to talk with the people he would report to to learn more about what was needed.

Kathy Canady asked Mr. McKeathan if he had worked for the City before. He stated that he had, in 2016; he worked for Council and did a presentation to Ron Rhea; other Councilmembers did not want a presentation then.

No action was taken.

CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE PARKS AND RECREATION BOARD TO PURCHASE AMENITIES FOR CENTRAL PARK AND CITY PARK, NOT TO EXCEED \$20,000 TO BE DRAWN FROM THE PARKS AND RECREATION BOARD BUDGET.

Lacie Hale presented to Council stating that the Parks Board desires to purchase a playscape and musical play equipment and is asking Council's approval for this.

On motion by Kathy Canady and second by Tony DeYoung, Council authorized the Parks and Recreation Board to purchase amenities for Central Park and City Park, not to exceed \$20,000, to be drawn from the Parks and Recreation Board budget.

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

CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION ACCEPTING A LETTER OF INTENT FOR THE PROPERTY LOCATED AT 900 STUBBLEFIELD ROAD.

Chris Pezold recused himself from this discussion and vote.

Lacie Hale stated this is a nonbinding letter of intent.

On motion by Tony DeYoung and second by Kathy Canady, Council approved a Resolution accepting a letter of intent for the property located at 900 Stubblefield Road.

Motion passed on vote of 4 ayes, 0 nays, and 1 abstention. Chris Pezold abstained from voting for possible conflict of interest, and he completed the required Conflict of Interest form with the City Secretary.

DISCUSS AND CONSIDER SETTING THE SCHEDULE OF WORKSHOPS FOR COUNCIL.

Following discussion, Kathy Canady made a motion to accept the workshop schedule, seconded by Angela Jones.

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

DISCUSS AND CONSIDER AUTHORIZATION FOR REIMBURSEMENT OF INFRASTRUCTURE IMPROVEMENTS RELATED TO WASTEWATER COLLECTION SYSTEMS FOR RSI/STONEWALL RANCH SUBDIVISION, SECTIONS 5, 6, 7, AND 8.

Becky Wilkins, Finance Director addressed Council stating this is a cleanup item from several years ago. These are the result of an agreement accepted by the City and were not taken care of by prior staff. Of the \$750,000 that is owed, there is roughly \$600,000 that came in from a bankruptcy in roughly 2015-2016. Prior staff tried to use that in multiple CIP projects, but finance staff were able to set that aside; so out of the wastewater funds, the City will have to come up with \$150,633.66 to fulfill the city's contractual obligation to the Stonewall Ranch subdivision. Going forward, for each section that they complete, the backup documentation will be provided. Documents will be brought to Council for acceptance, and if Council accepts, they will be forwarded to Finance to be paid in a timely manner.

Interest is included in the \$750,000. There are four sections owed now.

Chris Pezold made a motion, seconded by Tony DeYoung to authorize the reimbursement of infrastructure improvements related to Wastewater Collection Systems for RSI/Stonewall Ranch subdivision, Sections 5, 6, 7, and 8 in the amount of \$750,000.

There was discussion of future sections and money owed for each. Angela Jones asked how the City got in this situation. Ms. Wilkins replied that it was the incompetence of former staff. Mayor Branigan asked Ms. Wilkins how long she had been in her current position.

Ms. Hale then provided the background for the agreement.

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

DISCUSS AND CONSIDER ACTION TO APPROVE A CREDIT TO RSA/STONEWALL RANCH BILLING ACCOUNT FOR 2016 ERROR.

Becky Wilkins, Finance Director stated this is related to Living Unit Equivalent. It was set up inappropriately in 2017. This would be a one-time credit of \$319,735.65.

On motion by Tony DeYoung and second by Kathy Canady, Council approved a credit to RSA/Stonewall Ranch Billing Account for a 2016 error in the amount of \$319,735.65.

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

DISCUSS AND CONSIDER HALTING LUE PAYMENTS FOR MAIN STREET SOCIAL UNTIL SUCH TIME AS ALL ORDINANCES RELATED TO LUES FOR DOWNTOWN RESTAURANTS ARE RESEARCHED.

Chris Pezold presented to Council stating that Mr. Prince has spoken to Council about not getting assistance from the city to offset these fees. He stated Hell or High Water only paid for 2-1/2 LUEs. He asked that until Council makes sure Mr. Prince is being treated fairly, payments should be halted. A lengthy discussion followed.

On motion by Tony DeYoung and second by Chris Pezold, Council approved a sixty- (60) day deferment of payments from Main Street Social to further evaluate.

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

DISCUSS AND CONSIDER ACTION TO CREATE GUIDELINES FOR OAK WILT AWARENESS AND PREVENTION FOR THE CITY.

Chris Pezold addressed Council stating he would like to see some initiatives to mitigate oak wilt. Council discussed. Lacie Hale will look into possible initiatives, and Katie Amsler, Communications Manager, will provide educational information on the City's Facebook page.
No action taken.

DISCUSS AND CONSIDER APPOINTMENT, OR REAPPOINTMENT, OF WES GRIFFIN AND BRIAN WILLIAMS TO THE PLANNING AND ZONING COMMISSION FOR TWO-YEAR TERMS EFFECTIVE OCTOBER 1, 2020, AND EXPIRING SEPTEMBER 30, 2022.

Angela Jones addressed Council stating the terms of these two places on the commission expired in October of 2020.

Following discussion, Tony DeYoung made a motion to reappoint Wes Griffin to the Planning and Zoning Commission and to appoint Jon Mathiasen to replace Brian William's place on the commission. Chris Pezold seconded the motion.

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

DISCUSS AND CONSIDER ACTION TO AUTHORIZE THE CREATION OF AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1.0, REMOVING COUNCILMEMBERS AS VOTING MEMBERS OF BOARDS AND COMMISSIONS.

Angela Jones addressed Council stating she does not believe it is fair for Council members to have a vote on boards and still have a vote on Council for that same agenda item.

Alan Bojorquez stated there is no legal impediment to Council being on boards. However, some boards have ex-officio members that do not vote.

Tony DeYoung made a motion to postpone this item until the City Secretary can research to see if there is an existing ordinance or resolution regarding councilmembers on boards and commissions. Motion died for lack of a second, but direction was given to look into any ordinances or resolutions related to this.

No action was taken.

UPDATE ON THE IMPLEMENTATION OF GRANICUS SOFTWARE AND HARDWARE AND ITS CAPABILITIES FOR LIVE STREAMING.

Lacie Hale provided a snapshot of what Granicus provides, and Nancy Sawyer added to how it is being used for Council and other boards and commissions.

No action was taken.

CONSIDERATION AND POSSIBLE ACTION TO DIRECT STAFF TO WRITE A POLICY AND HOST A BRIEF TRAINING ON HOW TO PROPERLY USE AUDIO EQUIPMENT DURING COUNCIL MEETINGS.

Angela Jones addressed Council stating the technology during meetings can be a bit confusing. Lacie Hale suggested that this be made into a policy. Council directed Ms. Hale to move forward with establishing a policy.

CONSIDERATION AND POSSIBLE ACTION TO DIRECT STAFF TO START RECORDING AND STREAMING ALL BOARDS AND COMMISSIONS MEETINGS.

Angela Jones made a motion to record and stream all boards and commissions meetings, seconded by Kathy Canady.

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

EXECUTIVE SESSION

City Council was convened to Executive Session at 9:41 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
- Section 551.074 Personnel Matters

No action was taken.

RECONVENE TO REGULAR SESSION

City Council was reconvened to Regular Session at 10:50 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
- Section 551.074 Personnel Matters

No action was taken.

ADJOURNMENT

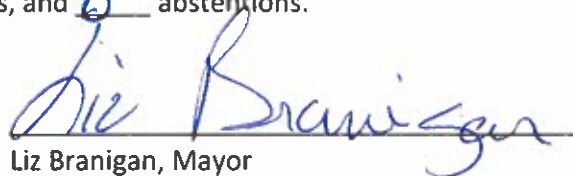
On motion by Kathy Canady and second by Chris Pezold, Council was adjourned at 10:52 PM.

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 Wednesday, July 28, 2021, on vote of 5 ayes, 0 nays, and 0 abstentions.



[seal]


Liz Branigan, Mayor


Nancy Sawyer, City Secretary