



CITY COUNCIL REGULAR MEETING MINUTES

MONDAY – APRIL 8, 2019 – 6:30 PM
2801 Ranch Road 1869 - Liberty Hill, Texas

CALL TO ORDER

The Regular Meeting of the City Council of Liberty Hill was called to order by Mayor Rick Hall on Monday – April 8, 2019 at 6:30 PM in Council Chambers located at 2801 Ranch Road 1869 in Liberty Hill, Texas. Invocation was given by bill Brannan. Pledge of Allegiance and Texas Pledge were recited. **Council Members Present:** Rick Hall; Liz Rundzieher; Liz Branigan; Troy Whitehead; and Ron Rhea. **Staff & Guests Present:** Laura Mueller – City Attorney; Greg Boatright; Sally McFeron; Becky Wilkins; Wayne Bonnet; Barbara Zwernemann; and Nancy Sawyer.

PUBLIC HEARING #1

Mayor Hall opened the Public Hearing at 6:32 PM, stating ***NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT GSC Homes, LLC has made application for a Conditional Use Permit for property described as 0.556 ac of land out of the Henry Field Survey, Abstract No. 233; .63 ac of land out of the Henry Field Survey, Abstract No. 233; and .63 ac of land out of the Henry Field Survey, Abstract No. 233, Williamson County, in the City of Liberty Hill, Texas. The proposed project is described as follows: A request for conditional use permit to build duplexes in the Downtown Commercial/Retail (C2) District off Carl Ship Road. The City of Liberty Hill Planning & Zoning Commission will hold a Public Hearing on this Application on April 5th, 2019 at 12:00 Noon at the Liberty Hill Municipal Court Building located at 2801 Ranch Road 1869 in Liberty Hill, Texas. City Council will hold a Public Hearing on this Application on April 8th at 6:30 PM at the Liberty Hill Municipal Court Building located at 2801 Ranch Road 1869 in Liberty Hill, Texas. A copy of the Application and additional information may be reviewed at Liberty Hill City Hall at 926 Loop 332 in Liberty Hill, Texas between the hours of 8:30 AM to 4:30 PM – Monday through Friday prior to the Public Hearings. Comments regarding the Application for Conditional Use may be emailed to smcferon@libertyhilltx.gov or mailed P.O. Box 1926, Liberty Hill, TX 78642. Participation in this local proceeding is a prerequisite to the right to take any subsequent appeal.*** Public Hearing was closed at 6:34 PM.

PUBLIC HEARING #2

Mayor Hall opened the public hearing at 6:34 PM, stating: Notice is hereby given to all interested persons that the City Council of the City of Liberty Hill, Texas proposes to institute VOLUNTARY annexation proceedings to enlarge and extend the boundary limits of said City to include the following described territory, to-wit: ***Annexation of property as follows: 37.090 ACRE TRACT OF LAND LOCATED IN THE JOHN B. ROBINSON SURVEY, ABSTRACT NO. 521, WILLIAMSON COUNTY, TEXAS, BEING THE SAME 37.0928 ACRE TRACT OF LAND CONVEYED TO FALCON/WESTMINSTER-2 PARTNERSHIP LLP, IN A WARRANTY DEED RECORDED IN DOCUMENT NO. 1999032137, OF THE OFFICIAL PUBLIC RECORDS OF WILLIMASON COUNTY, TEXAS, SAID 37.0928 ACRE TRACT OF LAND BEING THE SAME TRACT OF LAND CALLED 37.13 ACRES CONVEYED TO HORSESHOE VILLAGE MHC, LLC, IN A SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2008089655 OF SAID OFFICE OF PUBLIC RECORDS, SAID 37.13 ACRE TRACT BEING THE SAME TRACT OF LAND CALLED 37.135 ACRES CONVEYED TO ESTATES OF LIBERTY HILL MHC, LLC, IN A SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2014055130 OF SAID OFFICIAL PUBLIC RECORDS AND***

14.951 ACRES OUT OF THE JOHN B. ROBINSON SURVEY, ABSTRACT NO. 521 SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 67.90 ACRE TRACT CONVEYED TO THOMAS W. MCCOLLUM, BY DEED OF RECORD IN VOLUME 1891, PAGE 234 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 14.951 ACRES. *The subject tract is better known as The Estates of Liberty Hill located on the east side of HWY 183 just past Seward Junction.* Two PUBLIC HEARINGS will be held by and before the City Council of the City of Liberty Hill, Texas on the following dates / time: *MONDAY – April 8th, 2019 at 6:40 PM at Council Chambers - located at 2801 Ranch Road 1869 in Liberty Hill, Texas AND MONDAY – April 8th, 2019 at 6:45 PM at Council Chambers - located at 2801 Ranch Road 1869 in Liberty Hill, Texas* Said PUBLIC HEARINGS will be held for all persons interested in the above proposed annexations. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice. Mayor Hall closed the hearing at 6:37 PM.

PUBLIC COMMENTS

Chris Pezold – local resident – gave public comments stating he would like to see the one-way street issue resolved for the benefit of the community and downtown residents. Additionally, he encouraged candidates running against City Council incumbents to stop being negative about the City. He recommended candidates for the May 4th General Election get positive regarding progress the City of Liberty Hill is making.

PRESENTATION

Matt Powell and Joe Bob Ellison – Precinct 2 Representatives on behalf of Commissioner Long addressed Council regarding County road, parks, and trails. The City of Liberty Hill has until April 12th to submit requests and priorities to the County. The Task Force will complete their assessments and reviews in July or August of this year. The Commissioners Court will then review and make their decisions. WilCo will be considering regionally significant projects for local municipalities. Mr. Powell suggested reviewing Leander's and other nearby cities' websites to see their published requests. Precinct 2 public meeting will be May 8th from 5 – 8 PM at the Cedar Park Recreation Center. Mr. Powell stated citizen participation will play a strong role, generally raising the scores of the City. Mayor Hall asked if the County would consider possible partnerships such as Hwy 279, involving Leander and Liberty Hill. Mr. Ellison responded this is one of the roads under consideration. The City's requests would be best to fall within the Williamson County Transportation Plan as published on the County's website. Mayor Hall asked City staff to review and finalize during the Wednesday Capital Improvements Projects meeting so the report will be ready for submittal to the County.

REPORTS TO CITY COUNCIL

PUBLIC WORKS

Wayne Bonnet – Director of Public Works presented.

- SBR is back online and running fairly well. Phosphorus levels were down.
- #4 wellsite is up and running. It passed the Bac-T test.
- Biomonitoring for the new plant has passed all four quarters which means the department can now go to bi-annual testing.
- Police Department Parking Lot is complete with the exception of landscaping.
- The 12" water line behind Tower 3 (behind Majors') is in service
- The 8" line passed the pressure test; will now move on to the next project for Utilities.
- The new membranes were installed and have created an increase in flow. The new screens seem to be working well.
- The chlorine problem has been taken care of.

POLICE DEPARTMENT

Maverick Campbell – Chief of Police presented, directing Council to the Monthly Activity Report included in their packets.

- Chief Campbell thanked Council for sending him to the New Jersey seminar. He hopes to bring one of the programs to Liberty Hill.
- Saturday evening, Officer Bonessi received the Officer of the Year award for Liberty Hill. Officer Bonessi received the award from Hope Alliance for going above and beyond for victims and survivors of domestic violence and/or sexual assault.
- Liberty Hill Police Department Fun Day will be May 18th from 10 AM to 2 PM at Grace Alive Church. There will be life skills activities for children and teenagers.

ADMINISTRATOR'S REPORT

Greg Boatright – City Administrator presented.

- The rain over the weekend revealed possible issues with Wetzel Park drainage. City staff will meet with the engineer on the project.
- Strategic Planning session went well.
- City Staff are meeting with the City of Georgetown this week regarding water service area.
- Fowler House project is coming along and should be complete by May 18th, the date of the Art Festival.
- There are a number of CIP projects in full swing. Council will be voting on the construction award for the roundabout.
- CR 200 construction is coming up soon. Mr. Boatright will be meeting with Texas Parks and Wildlife soon to confirm the grant funds. CR 200 has a completion date of late fall 2019.
- 1869/332 intersection – Mr. Boatright stated he was charged by Council with considering options for the four-way stop. He and Chief Campbell counted around 160 cars through the intersection between 6:30 and 7:00 AM weekdays and around 320 cars through the intersection between 7:00 AM and 7:30 PM weekdays. An officer attempted to direct traffic one morning but there was no significant difference and placed the officer in a fairly dangerous situation. This actually created a different problem, backing up traffic in other adjacent areas. The intervention seemed to frustrate the traveling public more than the longer wait time. Ron Rhea – Council member expressed his thanks to the Chief and Greg Boatright for getting traffic numbers on the intersection. He stated that if the City had vetted this before, it would have saved time.

CONSENT AGENDA

On motion by Ron Rhea and second by Troy Whitehead, minutes from March 25, 2019 were approved as presented. Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.

REGULAR AGENDA

Discuss and Consider approval of an Interlocal Agreement between the City of Liberty Hill, Texas and the Liberty Hill Independent School District for start-up costs for LHISD Police Department in an amount not to exceed \$150,000. Outcome: Greg Boatright – City Administrator presented, stating he, Ron Rhea – Council member, and Liz Rundzieher – Council member, were charged by Council to visit with then LHISD Superintendent, Dr. Hart, and work toward an Interlocal Agreement for the City to assist with start-up costs for a LHISD Police Department. Chief Campbell spent time helping set up the program and assisting in vetting candidates for their LHISD Police Department. Mr. Boatright stated the Interlocal Agreement is now ready for signatures and it is time to approve that and forward the proffered \$150,000 to LHISD. On motion by Liz Branigan and second by Ron Rhea, Council approved an Interlocal Agreement between the City of Liberty Hill, Texas and the Liberty Hill Independent School District. Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.

Discuss and Consider a Resolution approving the Form and Authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Liberty Hill, Texas Special Assessments Revenue Bonds, Series 2019 (Liberty Parke Public Improvement District Master Improvement Areas Project). Outcome: Laura Mueller – City Attorney stated the Resolution approves the form needed for issuance of the bond that bond counsel has reviewed for the Liberty Parke Public Improvement District Master Improvement Area project. On motion by Ron Rhea and second by Liz Rundzieher, Council approved Resolution 19-R-24 approving the Form and Authorizing the distribution of a Preliminary Limited Offering Memorandum for the City of Liberty Hill, Texas Special Assessments Revenue Bonds, Series 2019 (Liberty Parke Public

Improvement District Master Improvement Areas Project). **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider approval of \$2,500 in support of the Liberty Hill Public Library's 2019 Summer Reading Program. Outcome: Greg Boatright – City Administrator presented stating this is one of those fun things the City and Council are involved with. He highly recommends approval from Council. On motion by Liz Branigan and second by Ron Rhea, Council approved support of the Liberty Hill Public Library's 2019 Summer Reading Program in an amount not to exceed \$2,500. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and consider a recommendation to City Council amending the Employee Handbook to provide a process for training and education of elected and appointed officials. Outcome: Mayor Hall asked this item to be moved to Executive Session.

Discuss and consider a recommendation to City Council by Steger & Bizzell Engineering to award Job No. 22575 for the Loop 332 Roundabout Improvements to Smith Contracting for \$1,372,104.25. Outcome: Perry Steger – Steger & Bizzell Engineering addressed Council stating only one bid was received for the Loop 332 Roundabout project – by Smith Contracting for \$1,414,064.25. The engineering estimate was around \$1.56 million. Steger & Bizzell did check references on the company as well. Liz Branigan made a motion to award Job No. 22575 for the Loop 332 Roundabout Improvements to Smith Contracting in an amount not to exceed \$1,414,064.25. Liz Rundzieher – Council member interjected that she would like to see the City address work on 1869 prior to working on the roundabout. Ron Rhea seconded the motion. **Motion passed on vote of 3 AYES, 1 NAY, and 1 ABSTENTION.** Liz Rundzieher did not approve the motion.

Discuss and Consider approval of GSC Homes, LLC application for a Conditional Use Permit for property described as follows; providing for request for Conditional Use Permit to build duplexes in the Downtown Commercial/Retail (C2) District with recommendation to City Council for approval. Outcome: Sally McFeron – Director of Planning stated this is for a Conditional Use Permit (C2). The UDC states residential duplexes fall under “conditional use” and require this extra process to approve. Planning and Zoning approved submittal to Council last Friday. This approximately 1.8 acre development will be situated on Carl Shipp Road. GSC Homes is the builder and their information is included in Council's packet. Ordinance 19-O-23 approves the Conditional Use Permit. On motion by Ron Rhea and second by Liz Rundzieher, Council approved Ordinance 19-O-23 approving a Conditional Use Permit. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

- 0.556 acres out of the Henry Field Survey - Abstract No. 233;
- 0.63 acres out of the Henry Field Survey - Abstract No. 233; and
- 0.63 acres out of the Henry Field Survey - Abstract No. 233 in Williamson County, City of Liberty Hill off Carl Ship Road.

Update on the Liberty Hill Spring Community Clean up Day on Friday – May 24, 2019 from 8 AM to 2:30 PM designated for Curbside Pick Up and Saturday – May 25, 2019 designated for Drop off Day from 8 AM to 2:30 PM at 3414 Ranch Road 1869. Liz Rundzieher – Council member explained that this is the City's normal yearly clean-up days as advertised in the newspaper. This will be advertised on the website and Facebook as well.

Discuss and Consider a Resolution of the City Council of Liberty Hill endorsing the request for signal light at the intersection of State Highway 29 and County Road 214; repealing conflicting resolutions; establishing an effective date, and finding proper notice and meeting. Outcome: Sally McFeron – Director of Planning presented to Council stating QuikTrip is building at the corner of SH 29 and CR 214 and is willing to pay for the addition of a traffic signal. QuikTrip has been working with TxDOT to add the light. There is a

letter from Reyna, Inc. included in Council's packet discussing Vision Zero, an international movement that aspires to reduce the number of people who die or are seriously injured in traffic crashes to zero. QuikTrip will be funding the improvements 100%. The resolution shows the City's support of Vision Zero. On motion by Liz Rundzieher and second by Liz Branigan, Council approved Resolution 19-R-22 endorsing the request for signal light at the intersection of State Highway 29 and County Road 214; repealing conflicting resolutions; establishing an effective date, and finding proper notice and meeting. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider approval of Site Plan for Austin Regional Clinic (ARC) to be located in Liberty Meadows Shopping Center – Highway 29. Outcome: Sally McFeron – Director of Planning stated the clinic will be located in the Liberty Meadows subdivision, two (2) blocks west of Donut Palace on about a 1.21 acre site, 12779 Highway 29 West. The building will be around 6,431 square feet, with 20,000 square feet of paved area, and 50% impervious cover. There was a brief discussion of location and drainage. Ms. McFeron stated the developer has done a good job on drainage mitigation. On motion by Liz Rundzieher and second by Troy Whitehead, Council approved a Site Plan for Austin Regional Clinic (ARC) to be located in Liberty Meadows Shopping Center – Highway 29. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

CONVENE - EXECUTIVE SESSION

City Council convened to Executive Session at 7:31 PM for Consultation with Legal Counsel pursuant to Texas Government Code §551.071 – Consultation with Legal Counsel and Texas Government Code §551.074 – Personnel Matters. Council will entertain discussion related to signage, MUD #13, education, staff and the election, as shown below. **No action will be taken in Executive Session.**

- Consultation and follow-up with Legal Counsel concerning response to the Burkett Claim. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*).
- Consultation and follow-up with Legal Counsel concerning Municipal Utility District No. 13 concerning the City's utility rate study. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*).
- Deliberate and discuss education and training for the Mayor and Councilmembers; consideration of a policy, procedures or criteria for education of the Mayor and Councilmembers. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*).
- Update and overall review of legal requirements related to expenditure of public funds for election purposes; consideration of what political activities can and cannot be conducted with public funds pursuant to the May 4, 2019 General Election. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*).
- Discuss scheduling performance evaluations of Municipal Officers: (1) Chief of Police; (2) Court Administrator; (3) Finance Director; and (4) City Secretary. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071 and Personnel Matters Pursuant to Texas Gov't Code §551.074*).

RECONVENE - REGULAR SESSION

City Council reconvened at 8:06 PM to Regular Session following Consultation with Legal Counsel pursuant to Texas Code §551.071 – Consultation with Legal Counsel and Texas Government Code §551.074 – Personnel Matters. Council will entertain discussion related to signage, MUD #13, education, staff and the election, as shown below. **No action will be taken in Executive Session.**

- Consultation and follow-up with Legal Counsel concerning response to the Burkett Claim. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*). Outcome: No action
- Consultation and follow-up with Legal Counsel concerning Municipal Utility District No. 13 concerning the City's utility rate study. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*). Outcome: No action
- Deliberate and discuss education and training for the Mayor and Councilmembers; consideration of a policy, procedures or criteria for education of the Mayor and Councilmembers. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*). Outcome: No action
- Update and overall review of legal requirements related to expenditure of public funds for election purposes; consideration of what political activities can and cannot be conducted with public funds pursuant to the May 4, 2019 General Election. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071*). Outcome: Mayor Hall stated no action was taken.

- Discuss scheduling performance evaluations of Municipal Officers: (1) Chief of Police; (2) Court Administrator; (3) Finance Director; and (4) City Secretary. (*Consultation with City Attorney Pursuant to Texas Gov't Code §551.071 and Personnel Matters Pursuant to Texas Gov't Code §551.074*). **Outcome:** Mayor Hall stated no action was taken.
- Discuss and consider a recommendation to City Council amending the Employee Handbook to provide a process for training and education of elected and appointed officials. **Outcome:** On motion by Ron Rhea and second by Liz Rundzieher, Council approved amending the Employee Handbook to provide a process for training and education of elected and appointed officials.
- Discuss and Consider a Resolution approving the Form and Authorizing the distribution of a Preliminary limited Offering Memorandum for the City of Liberty Hill, Texas Special Assessments Revenue Bonds, Series 2019 (Liberty Parke Public Improvement District Master Improvement Areas Project). **Outcome:** On advice of City Attorney, Ron Rhea made a motion, and Liz Rundzieher seconded the motion, to rescind and postpone this item to allow time for the developer to review and request changes. Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.

AGENDA ITEMS FROM MAYOR AND COUNCIL

Liz Branigan – Council member stated she would like the Liberty Hill Librarian to speak with LHEDC regarding assisting with funding events. She thinks it would be a better use of funds for EDC to sponsor.

ADJOURNMENT

On motion by Liz Rundzieher and second by Ron Rhea, the meeting was adjourned at 8:10 PM. **Outcome:** Motion passed on vote of 4 AYES; 0 NAYS; and 0 ABSTENTIONS.

PASSED & APPROVED on the 22nd day of APRIL, 2019 by the City Council of Liberty Hill on vote of ___ AYES; ___ NAYS; ___ ABSTENTIONS.

MAYOR

CITY SECRETARY