



## LIBERTY HILL

F R E E D O M T O G R O W

### CITY COUNCIL VIRTUAL MEETING MINUTES

MONDAY – APRIL 27, 2020 – 6:30 PM

2801 Ranch Road 1869 (Council Chambers) and 926 Loop 332 (City Hall)

The April 27<sup>th</sup> meeting of City Council was a virtual meeting with Council Members located in two geographical locations: 2801 Ranch Road 1869 at council Chambers and 926 Loop 332 at City Hall due to COVID-19.

#### **CALL TO ORDER**

Liberty Hill City Council was called to order at 6:30 PM by Rick Hall – Mayor on Monday, April 27, 2020 at Council Chambers located at 2801 Ranch Road 1869 in Liberty Hill and simultaneously at City Hall located at 926 Loop 332. Invocation was given by Council Member Tony DeYoung. Council Members present were Mayor Rick Hall; Mayor Pro Tem Liz Rundzieher; Kathy Canady; Tony DeYoung; and Steve McIntosh. Others present were Tad Cleaves; Lacie Hale; Wayne Bonnet; Curtis Steger; and Barbara Zwernemann. Gram Lankford arrived in time for Executive Session at 6:33 PM.

Less than ten people were present at 2801 Ranch Road 1869 and 926 Loop 332 in order to comply with orders of social distancing. The meeting was open to the public via conference call and GoToMeeting free of charge. Instructions on accessing the meeting were posted April 23<sup>rd</sup> on the City Bulletin Board and [www.LibertyHillTX.gov](http://www.LibertyHillTX.gov). Instructions on submitting public comments were also posted with the Agenda as referenced above. No public comments were received. Mayor Hall read a Decree proclaiming May 2020 as Motorcycle Safety Awareness Month in the City of Liberty Hill.

#### **CONVENE TO EXECUTIVE SESSION**

City Council was convened to Executive Session at 6:33 PM by Mayor Hall for both locations for Consultation with Legal Counsel pursuant to Texas Government Code §551.072 – Real Property and §551.071 – Consultation with Legal Counsel and as referenced below. No action was taken in Executive Session.

- Consultation with Legal Counsel regarding real property owned by the City of Liberty Hill and potential acquisitions (Real Property -Texas Government Code §551.072).

- Consultation with Legal Counsel on the design for expansion of the City of Liberty Hill South Fork Wastewater Treatment Plant (WWTP) (Consultation with Legal Counsel-Texas Government Code §551.071).
- Consultation with Legal Counsel on transferring a portion of the Western District Water System in Georgetown. (Consultation with Legal Counsel -Texas Government Code §551.071).
- Consultation with Legal Counsel to negotiate a potential Agreement regarding MUD 13 facilities (Consultation with Legal Counsel pursuant to Texas Gov't Code §551.071).
- Consultation with Legal Counsel regarding advice from attorney about pending or contemplated litigation and other matters on which the attorney has a duty to advise the City Council including agenda items pursuant to Texas Gov't Code §551.071 – Pending Grievance.

### **RECONVENE TO REGULAR SESSION**

At 7:41 PM both locations of City Council reconvened to Regular Session for discussion to the following:

- Consultation with Legal Counsel regarding real property owned by the City of Liberty Hill and potential acquisitions (Real Property -Texas Government Code §551.072). **RECOMMENDATION:** No action required at this time.
- Consultation with Legal Counsel on the design for expansion of the City of Liberty Hill South Fork Wastewater Treatment Plant (WWTP) (Consultation with Legal Counsel-Texas Government Code §551.071). **RECOMMENDATION:** Approval was made on motion by Liz Rundzieher and second by Steve McIntosh. Mayor Hall and Curtis Steger, PE were authorized to negotiate with contractors at the WWTP, Suez and Microdyne. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**
- Consultation with Legal Counsel on transferring a portion of the Western District Water System in Georgetown. (Consultation with Legal Counsel -Texas Government Code §551.071). **RECOMMENDATION:** No action required at this time.
- Consultation with Legal Counsel to negotiate a potential Agreement regarding MUD 13 facilities (Consultation with Legal Counsel pursuant to Texas Gov't Code §551.071). **RECOMMENDATION:** No action required at this time.
- Consultation with Legal Counsel regarding advice from attorney about pending or contemplated litigation and other matters on which the attorney has a duty to advise the City Council including agenda items pursuant to Texas Gov't Code §551.071 – Pending Grievance. **RECOMMENDATION:** No action required at this time.

### **CONSENT AGENDA ITEMS**

Items on Consent Agenda are enacted on collectively; on motion by Kathy Canady and second by Liz Rundzieher, minutes of the City Council meeting held Monday – April 13, 2020 were approved as amended (amendment request was made by Kathy Canady). **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

## **REGULAR AGENDA**

**Discussion and possible action on recommendation to City Council from the Planning & Zoning Commission to approve the Stonewall Ranch North Preliminary Plat located at Highway 29 West and Stonewall Ranch Boulevard in Stonewall Ranch MUD located in the ETJ of the City of Liberty Hill. RECOMMENDATION:** Planning and Zoning Commission met April 21<sup>st</sup> and voted unanimously to approve the Stonewall Ranch North Preliminary Plat. Discussion was held. Motion was made by Liz Rundzieher with second by Kathy Canady; the plat was approved. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action on recommendation to City Council from the Planning and Zoning Commission to approve the Summerlyn West – Phase 2 Final Plat located off Highway 183 South and CR 263 in the City Limits of the City of Liberty Hill. RECOMMENDATION:** Following review of the Summerlyn West Phase 2 Final Plat, motion was made by Liz Rundzieher and second by Tony DeYoung; the plat was approved. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action on approval of Steger Bizzell Change Order #2 with contractor QA Construction Services, Inc. for the City’s Downtown Street and Utility Project. RECOMMENDATION:** Curtis Steger, PE presented details of the change order for the City’s Downtown Street and Utility Project being constructed by QA Construction Services, Inc. Motion was made by Kathy Canady with second by Liz Rundzieher to approve change order #2 in the amount of \$62,364.60. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action for approval of Change Order #3 for the South Fork Wastewater Treatment Plant (WWTP) 1.2 for MGD expansion contract with Cunningham Constructors & Associates, Inc. RECOMMENDATION:** Following review, motion was made by Kathy Canady with second by Gram Lankford approving the change order for work at South Fork WWTP to be performed by Cunningham Constructors & Associates, Inc. in the amount of \$86,514.22. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action on appointing a trustee for City of Liberty Hill, Texas Assessment Revenue Bonds – Series 2020 (Summerlyn West Public Improvement District); providing for potential recommendation of BOK Financial as Trustee. RECOMMENDATION:** BOKF was appointed Trustee of the Summerlyn West PID Revenue Bonds – Series 2020 on motion by Liz Rundzieher and second by Steve McIntosh. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action on proposed Resolution #20-R-25 of City Council Authorizing Extraordinary Optional Redemption of a Portion of the City of Liberty Hill, Texas Special Assessment Revenue Bonds, Series 2017 (Liberty Parke Public Improvement District Master Improvement Area Project) and the City of Liberty Hill, Texas Special Assessment Revenue Bonds, Series 2017 (Liberty Parke Public Improvement District Neighborhood Improvement Area #1 Project). RECOMMENDATION:** Motion was made by Liz Rundzieher with second by

Kathy Canady approving Resolution #20-R-25 for authorization of optional redemption of a portion of the City of Liberty Hill Special Assessment Revenue Bonds – Series 2017 for Liberty Parke PID Neighborhood Improvement Area #1 (NIA #1). **Motion passed on vote of 4 AYES; 0 NAYS; 1 ABSTENTION.** Council Member Steve McIntosh is a resident of the Liberty Parke Subdivision; he abstained from voting because he owns property in the subdivision. A Conflict of Interest Affidavit will be filed with the City Secretary's Office.

**Discussion and possible action on Ordinance #20-O-26 of City Council to authorize the WCESD #4 to administer and enforce all regulations regarding fire prevention and mitigation within the City's corporate limits; and adopt the 2015 International Fire Code as adopted by the WCESD #4 Board of Directors.** RECOMMENDATION: Ordinance #20-O-26 authorizing WCESD #4 to utilize the 2015 International Fire Code within the city limits of Liberty Hill was approved on motion by Tony DeYoung and second with Gram Lankford. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

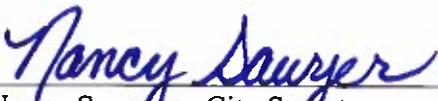
**Discussion and possible action on to approve the Tobias Dry Cleaners Site Development / Stormwater Permit for 12635 State Highway 29 in the City limits of Liberty Hill.** RECOMMENDATION: This item was tabled at the last Council meeting at the request of the property / business owner. Discussion was held. The site development / stormwater permit was approved as presented on motion by Liz Rundzieher and second by Steve McIntosh. **Motion passed on vote of 5 AYES; 0 NAYS; 0 ABSTENTIONS.**

**Discussion and possible action related to COVID-19 and consideration for rescinding / amending *Stay Safe – Stay-at-Home Orders* issued by Mayor Rick D. Hall; providing for potential date when said Order can be safely lifted in the City of Liberty Hill.** RECOMMENDATION: Discussion was held by City Council centering around rescinding the *Stay Safe – Stay-at-Home* orders effective May 4<sup>th</sup> OR extending the order until May 11<sup>th</sup> or the end of May. Motion was made by Kathy Canady and seconded by Liz Rundzieher to extend the stay at home date of the stay at home order past the Governor's date to May 11<sup>th</sup>. There was much discussion after the second. Tony called for the vote: **3 AYES; 2 NAYS; 0 ABSTENTIONS.** Gram Lankford and Steve McIntosh voted NAY. More discussion ensued with comments from Tony DeYoung and other members of Council; Mr. DeYoung proposed a special session to discuss further the Stay Safe, Stay Home orders prior to the May 11<sup>th</sup> regular meeting. Mayor Hall stated that according to the Open Meetings Act, either two Council members are needed to propose a special meeting; or, the Mayor can call for one. Mayor Hall stated he was in agreement with Tony DeYoung and, therefore, would call for that Special Meeting to be set for May 4<sup>th</sup> at 6:30 PM.

**ADJOURNMENT**

On motion by Liz Rundzieher and second by Kathy Canady, the April 27, 2020 meeting of City Council was adjourned at 8:24 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 TUESDAY – MAY 26, 2020 on vote of 5 AYES, 0 NAYS, and 0 ABSTENTIONS.

  
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Nancy Sawyer – City Secretary

  
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Rick D. Hall – Mayor