



## LIBERTY HILL CITY COUNCIL MINUTES MONDAY – JULY 22, 2019 – 6:30 PM

### **CALL TO ORDER**

The Regular Meeting of the City Council of the City of Liberty Hill was called to order by Mayor Pro Tem Liz Rundzieher on Monday, July 22, 2019 at 6:33 PM in Council Chambers located 2801 Ranch Road 1869 in Liberty Hill, Texas. Invocation was given by Tony DeYoung followed by Pledge of Allegiance and Texas Pledge. **Council Members Present:** Liz Rundzieher, Tony DeYoung, Steve McIntosh, and Gram Lankford. Mayor Rick Hall was absent. Quorum was established. **Staff and Guests in Attendance:** Greg Boatright, Sally McFeron, Becky Wilkins, Wayne Bonnet, Tracy Ventura, Lance Dean, Barbara Zwernemann, Nancy Sawyer, Chief Campbell, Dottie Palumbo, Cim Howell, Julie Houston, Nick McIntyre – Pulte Homes, Rick Rosenberg, and other guests.

### **VOLUNTARY ANNEXATION PUBLIC HEARING**

Mayor Pro Tem Liz Rundzieher opened the Public Hearing at 6:39 PM stating:

Annexation of property as follows: A 33.257 Acre Tract of Land Located in John B. Robinson Survey, Abstract 521, Williamson County, Texas, being a TRACT OF LAND CALLED REMAINDER OF A CALLED 117.15 ACRE TRACT, CONVEYED IN A DEED TO PHILIP HOGAN AND WIFE, GINA RAE HOGAN, RECORDED IN DOCUMENT NUMBER 2000007280, IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.)

Two PUBLIC HEARINGS will be held by and before the City Council of the City of Liberty Hill, Texas on the following dates / times: MONDAY – JULY 8, 2019 at 6:40 PM at Council Chambers – located at 2801 Ranch Road 1869 in Liberty Hill, Texas and MONDAY – JULY 22, 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. Outcome: No public comments. The Public Hearing was closed at 6:40 PM.

### **PROPOSED ANNEXATION PUBLIC HEARING**

Mayor Pro Tem Liz Rundzieher opened the Public Hearing at 6:41 PM stating:

LEGAL NOTICE IS HEREBY GIVEN under the provisions of Chapter 43 of the Texas Local Government Code that the City of Liberty Hill will hold public hearings for the purpose of receiving public comments on the proposed initiation of annexation proceedings for the tracts as indicated below. The hearings will be held on: July 8, 2019 and July 22, 2019 at 6:45 PM at Liberty Hill Municipal Court Building located at 2801 Ranch Road 1869, Liberty Hill, Texas.

A Municipal Service Plan for the areas to be annexed will be presented at the public hearings and copies will be available to the public. The Service Plan and maps are also available for inspection at City Hall, 926 Loop 332, Liberty Hill, Texas during regular business hours or at [www.libertyhilltx.gov](http://www.libertyhilltx.gov); Sally McFeron – 512-548-5505. Outcome: There were approximately one hundred (100) individuals in attendance for this Public Hearing; approximately ten (10) individuals expressed their thoughts regarding annexation during the Public Comments portion of the hearing. The Public Hearing was closed at 7:20 PM.

### **SRTS PROJECT PUBLIC HEARING**

Mayor Pro Tem Liz Rundzieher opened the Public Hearing at 7:21 PM stating: NOTICE IS HEREBY GIVEN THAT the City of Liberty Hill will hold a PUBLIC HEARING at 6:30 PM on MONDAY – JULY 22, 2019 at COUNCIL CHAMBERS located at 2801 RANCH ROAD 1869 – LIBERTY HILL, TEXAS in regard to the submission of an application to the Texas Department of Transportation for the Safe Routes to School Program (TxDOT SRTS) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the needs of the community regarding hike/bike path/sidewalks for safe pedestrian and bicyclist transportation. The City encourages citizens to participate in the development of the TxDOT application and to make their views known at this public hearing. Citizens may submit their views and proposals in writing to Barbara Zwernemann, at the LIBERTY HILL CITY HALL at 926 Loop 332 in LIBERTY HILL, TEXAS. Persons with disabilities who wish to attend this meeting should contact City Hall to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact City Hall at least two days prior to the meeting so that appropriate arrangements can be made. For more information regarding this project, please contact Barbara Zwernemann, City Secretary, at (512) 778-5449. Outcome: Following discussion, the Public Hearing was closed at 7:26 PM.

### **PUBLIC COMMENTS**

Several residents of the Sundance Ranch neighborhood spoke, expressing concern that a road shown on an existing map included in the Master Transportation Plan would cut through their private, gated community at some point in the future. Outcome: Greg Boatright – City Administrator explained that the Transportation Plan is a living document that is updated and amended as needed. He stated the concerns of these community members has not gone unnoticed. He encouraged anyone with concerns to visit with City Hall staff. He stated staff and elected officials understand what they are saying and are open to changes.

### **CONSENT AGENDA**

Outcome: On motion by Steve McIntosh and second by Tony DeYoung, the following Consent Agenda item was approved. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

- Council Minutes of Monday, July 8, 2019.

### **CONVENE - EXECUTIVE SESSION**

Mayor Pro Tem Liz Rundzieher convened City Council to Executive Session at 7:54 PM pursuant to Texas Government Code §551.071 – Consultation with Legal Counsel. Outcome:

City Council entertained discussion related to the matter below but no action was taken in Executive Session.

- Consultation with Legal Counsel concerning annexation, annexation and development agreements, and non-annexation agreements. (Tex. Gov't Code §551.071)

## **RECONVENE - REGULAR SESSION**

Mayor Pro Tem Liz Rundzieher reconvened City Council to Regular Session at 8:15 PM following Consultation with Legal Counsel pursuant to Texas Government Code §551.071.

- Consultation with Legal Counsel concerning annexation, annexation and development agreements, and non-annexation agreements. (Tex. Gov't Code §551.071) Outcome: Tony DeYoung made a motion that annexation agreements or non-annexation agreements or a vote process be individually extended to each person(s) owning property in the areas under consideration for annexation into the City; specifically, those properties listed in the May 13, 2019 initiation of annexation list. Steve McIntosh seconded the motion. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.** Following a request for clarification from community members present, Mr. DeYoung stated involuntary annexation was voted down. The City will be meeting with those who want to be annexed.

## **REPORTS TO CITY COUNCIL**

### FINANCE DEPARTMENT

Becky Wilkins – Finance Director provided an overview of the City's financial status for the months of May and June 2019.

### PUBLIC WORKS

Wayne Bonnet – Director of Public Works was not present but had previously provided the June 2019 monthly report handout to Council.

### ADMINISTRATIVE

Greg Boatright – City Administrator presented updates to Council.

- The City is finalizing the contract for the County Road 200 trail improvements. This will begin the first part of August 2019.
- Wetzel Park's estimated completion date is the end of August 2019. The building should arrive on July 27<sup>th</sup>.
- Staff had a good meeting with Northgate Ranch developers to serve them with sewer; they would be annexed into the City.
- Movies in the park – the next movie is “Mary Poppins Returns” on Saturday, August 3<sup>rd</sup>.

## **REGULAR AGENDA**

Discuss and Consider Action on a proposed Resolution of the City of Liberty Hill, Texas Determining the Costs of Certain Authorized Improvements to be Financed Through the Summerlyn West Public Improvement District; Approving a Preliminary Service and Assessment Plan, Including a Proposed Assessment Roll; Directing the Filing of the Proposed Assessment Roll with the City Secretary to Make Available for Public Inspection; Noticing a Public Hearing for July 22, 2019 to Consider an Ordinance Levying Assessments on Property Located with the Summerlyn West Public Improvement District; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Incident and Related

There to; and Providing an Effective Date. Outcome: Julie Houston – Bond Counsel reviewed with Council the timeline up to present. Nick McIntyre – Pulte Homes stated he appreciates working with the City on the project which brings approximately 450 additional homes into the City. He urged Council to keep the rate at \$0.45 but also to keep this at 30 years, rather than 35. Jon Snyder – P3 Works explained that if the City does not go with the 35-year term, a TIRZ would kick in and the City would lose some of its tax base. Rick Rosenberg – consultant to the developer responded the original intent was that there would be a PID and a TIRZ, and previous discussions included that intent and a term of 30 years. Dottie Palumbo – Legal Counsel for the City stated homeowners can prepay the assessment if they wish. On motion by Gram Lankford and second by Tony DeYoung, Council moved this item to Executive Session for legal advice pursuant to Texas Government Code §551.071. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider an update and presentation on the City of Liberty Hill Capital Improvement Projects (CIP); providing for discussion of prioritization with cost estimates.** Outcome: On motion by Liz Rundzieher and second by Steve McIntosh, Council postponed this item, pending the return of Mayor Hall. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider the timeline and potential candidates for replacement of Ron Rhea’s position as Council Member – Place Two (2).** Outcome: On motion by Liz Rundzieher and second by Tony DeYoung, Council moved this item to Executive Session. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider an Ordinance of the City Council of Liberty Hill annexing property as follows:** A 33.257 Acre Tract of Land Located in John B. Robinson Survey, Abstract 521, Williamson County, Texas, being a TRACT OF LAND CALLED REMAINDER OF A CALLED 117.15 ACRE TRACT, CONVEYED IN A DEED TO PHILIP HOGAN AND WIFE, GINA RAE HOGAN, RECORDED IN DOCUMENT NUMBER 2000007280, IN THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.) into the municipal boundaries of the City of Liberty Hill, Texas; providing for a Municipal Service Plan for annexed property and map of said property. Outcome: Sally McFeron – Director of Planning addressed Council stating both public hearings have been held, and now it is time for Council to vote. On motion by Steve McIntosh and second by Gram Lankford, Council approved Ordinance 19-O-41 annexing the property as described above. **MOTION PASSED ON VOTE OF 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider recommendation to City Council from the LHEDC Board of Directors to approve a Resolution providing signature authority on all existing and future bank accounts of the LHEDC of Liberty Hill to certain persons; removing certain persons from having signature authority on an account for Certificate of Deposit at Classic Bank; providing for severability; repealing conflicting resolutions and establishing an effective date.** Outcome: Lance Dean – Executive Director, EDC addressed Council stating some new members have joined the EDC; the EDC would like to update the bank account. On motion by Steve McIntosh and second by Tony DeYoung, Council approved Resolution 19-R-42 providing signature authority on all existing and future bank accounts of the LHEDC of Liberty Hill to certain persons; removing certain persons from having signature authority on an account for

Certificate of Deposit at Classic Bank; providing for severability; repealing conflicting resolutions, and establishing an effective date. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider a request to the City Council of Liberty Hill for assistance in sponsoring the 2019 Annual Rip Roar'n Ride in the amount of \$2,500.** Outcome: On motion by Liz Rundzieher and second by Steve McIntosh, Council postponed this item. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider action regarding an Ordinance amending Chapter 1, Article 1.03, Division 2 of the Code of Ordinances to update agenda procedures.** Outcome: On motion by Tony DeYoung and second by Steve McIntosh, Council approved Ordinance 19-O-43 amending Chapter 1, Article 1.03, Division 2 of the Code of Ordinances to update agenda procedures as amended to include the Mayor and City Administrator with the ability to approve agenda items after the deadline for submittal.

**Consider Action on a recommendation to City Council from the LHEDC Board of Directors to approve an application by the Liberty Hill Beer Market for Sign Matching Grant funds.** Outcome: Lance Dean – Executive Director, LHEDC addressed Council stating the sign grant application submitted by Liberty Hill Beer Market meets all qualifications and has passed the EDC Board. On motion by Steve McIntosh and second by Gram Lankford, Council approved the application by the Liberty Hill Beer Market for Sign Matching Grant funds. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider action regarding an Amendment to the City of Liberty Hill Employee Handbook regarding the City's Cell Phone Policy.** Becky Wilkins – Finance Director addressed Council stating legal counsel has recommended changes to the cell phone policy. With these changes, the City should see some cost savings. Dottie Palumbo – Legal Counsel reminded Council members that public officials, City employees, and Legal Counsel are subject to the Public Information Act, and, as such, the information on their phones is subject as well. On motion by Steve McIntosh and second by Tony DeYoung, Council approved an Amendment to the City of Liberty Hill Employee Handbook regarding the City's Cell Phone Policy. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider a Memorandum of Understanding concerning communication and coordination between the Liberty Hill Independent School District Police Department (LHISD PD) and the City of Liberty Hill Police Department (LHPD); providing for communication by and between all LHISD campuses.** Outcome: Dottie Palumbo – City Attorney stated there is a State law that overrides this; she recommended no action on this item. On motion by Tony DeYoung and second by Liz Rundzieher, Council approved no action on this item. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

**Discuss and Consider a Resolution of the City Council of Liberty Hill declaring its support for the proposed 2019 Transportation Alternatives / Safe Routes to School Project and associated Nomination Form which would add new sidewalks on Loop 332 and CR 200.** Outcome: Cindy Metro – Langford Community Management Services addressed Council stating that her firm is working on this application. She stated it is similar to the SUP grant but

with this one, there is no set amount the City would be applying for. She is nailing down costs now. On motion by Steve McIntosh and second by Tony DeYoung, Council approved Resolution 19-R-44 declaring its support for the proposed 2019 Transportation Alternatives / Safe Routes to School Project and associated Nomination Form which would add new sidewalks on Loop 332 and CR 200. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.** Dottie Palumbo – City Attorney stated this project falls under the Texas Statewide Mutual Aid Agreement - HB 1471.

### **CONVENE - EXECUTIVE SESSION**

Mayor Pro Tem Liz Rundzieher convened City Council to Executive Session at 9:00 PM pursuant to Texas Government Code §551.071 – Consultation with Legal Counsel, TX Gov’t Code §551.072 – Real Property, and TX Gov’t Code §551.074 – Personnel Matters.

- Consultation and follow-up with Legal Counsel concerning Municipal Utility District No. 13 concerning the City’s Utility Rate Study. (Consultation with City Attorney – Texas Gov’t Code §551.071)
- Consultation regarding real property owned by the City of Liberty Hill and possible acquisitions. (Real Property - Texas Gov’t Code §551.072)
- Discuss and consider appointing a replacement for Ron Rhea’s City Council position – Council Member Place 2. (Personnel – Texas Gov’t Code §551.074)
- Discuss and Consider Action on a proposed Resolution of the City of Liberty Hill, Texas Determining the Costs of Certain Authorized Improvements to be Financed Through the Summerlyn West Public Improvement District; Approving a Preliminary Service and Assessment Plan, Including a Proposed Assessment Roll; Directing the Filing of the Proposed Assessment Roll with the City Secretary to Make Available for Public Inspection; Noticing a Public Hearing for July 22, 2019 to Consider an Ordinance Levying Assessments on Property Located with the Summerlyn West Public Improvement District; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Incident and Related Thereto; and Providing an Effective Date.

### **RECONVENE - REGULAR SESSION**

Mayor Pro Tem Liz Rundzieher reconvened City Council to Regular Session at 9:25 PM following Consultation with Legal Counsel - Texas Government Code §551.071; Real Property – Texas Gov’t Code §551.072; and Personnel Matters – Texas Gov’t Code §551.074.

- Consultation and follow-up with Legal Counsel concerning Municipal Utility District No. 13 concerning the City’s Utility Rate Study. (Consultation with City Attorney – Texas Gov’t Code §551.071) Outcome: No action was taken.
- Consultation regarding real property owned by the City of Liberty Hill and possible acquisitions. (Real Property - Texas Gov’t Code §551.072) Outcome: No action was taken.
- Discuss and consider appointing a replacement for Ron Rhea’s City Council position – Council Member Place 2. (Personnel – Texas Gov’t Code §551.074) Outcome: On motion by Liz Rundzieher and second by Steve McIntosh, Council appointed Kathy Canady as replacement for Ron Rhea’s City Council position – Council member Place 2. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**
- Discuss and Consider Action on a proposed Resolution of the City of Liberty Hill, Texas Determining the Costs of Certain Authorized Improvements to be Financed Through the

Summerlyn West Public Improvement District; Approving a Preliminary Service and Assessment Plan, Including a Proposed Assessment Roll; Directing the Filing of the Proposed Assessment Roll with the City Secretary to Make Available for Public Inspection; Noticing a Public Hearing for July 22, 2019 to Consider an Ordinance Levying Assessments on Property Located with the Summerlyn West Public Improvement District; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Incident and Related Thereto; and Providing an Effective Date. Outcome: On motion by Liz Rundzieher and second by Steve McIntosh, Council approved Resolution 19-R-40 Determining the Costs of Certain Authorized Improvements to be Financed Through the Summerlyn West Public Improvement District; Approving a Preliminary Service and Assessment Plan, Including a Proposed Assessment Roll; Directing the Filing of the Proposed Assessment Roll with the City Secretary to Make Available for Public Inspection; Noticing a Public Hearing for July 22, 2019 to Consider an Ordinance Levying Assessments on Property Located with the Summerlyn West Public Improvement District; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Incident and Related Thereto; and Providing an Effective Date. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

#### **FUTURE AGENDA ITEMS**

- Early Voting Procedures – Williamson County & Liberty Hill – Effective July 2019. Outcome: Barbara Zwernemann – City Secretary stated the County Commissioners Court has moved to a new process with permanent early voting locations. Liberty Hill is one of those locations where anyone within Williamson County can vote.

#### **ADJOURNMENT**

Outcome: Mayor Pro Tem adjourned the meeting at 9:31 PM.