



LIBERTY HILL CITY COUNCIL MINUTES MONDAY – AUGUST 12, 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 Rick Hall on Monday, August 12, 2019 at 6:30 PM in Council Chambers located 2801 Ranch Road 1869 in Liberty Hill, Texas. Invocation was given by Dawn Slack – Pastor, Grace Alive Church, followed by Pledge of Allegiance and Texas Pledge. **Council Members Present:** Mayor Rick Hall, Liz Rundzieher, Tony DeYoung, Steve McIntosh, and Kathy Canady. Quorum was established. Gram Lankford was absent due to family illness and birth of his son. **Staff and Guests in Attendance:** Greg Boatright, Tad Cleaves, Sally McFeron, Becky Wilkins, Wayne Bonnet, Chief Maverick Campbell, Tracy Ventura, Lance Dean, Barbara Zwernemann, Zach Gil, Nancy Sawyer, and other guests.

PUBLIC HEARING

Mayor Rick Hall opened the Public Hearing at 6:32 PM stating:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE CONDUCTED BY THE CITY COUNCIL OF THE CITY OF LIBERTY HILL, TEXAS ON MONDAY – AUGUST 12, 2019 AT 6:30 PM AT CITY COUNCIL CHAMBERS LOCATED AT 2801 RANCH ROAD 1869 IN LIBERTY HILL, TEXAS 78642. Said public hearing will be held to consider proposed assessments to be levied against the assessable property within the Summerly West Public Improvement District (the “District”) pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the “Act”).

The general nature of the proposed public improvements (collectively, the “Authorized Improvements”) may include: (i) the establishment of parks and open space, together with the design, construction, and maintenance of any ancillary structures, features, or amenities such as trails, pavilions, community facilities, swimming pools, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater, and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry documentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vii) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

TOTAL COSTS of the Authorized Improvements, including the costs of creating the District and issuing the bonds, is approximately \$7,500,000.

BOUNDARIES of the District include approximately 95.085 acres of land as more particularly described on Exhibit A attached hereto.

All written or oral objections on the proposed assessment within the District will be considered at the public hearing.

A copy of the Assessment Roll includes the assessments to be levied against each parcel in the District, is available for public inspection at the office of the City Secretary at City Hall located at 926 Loop 332 in Liberty Hill, Texas 78642.

Outcome: There were no comments following the hearing. Mayor Hall closed the hearing at 6:34 PM.

REGULAR SESSION

Presentation, Discussion, and Consideration of the City of Liberty Hill Fiscal Year 2017-2018 Audit by Belt Harris & Pechacek; providing for discussion and approval of said budget. Outcome: Daniel Hebert with Belt Harris & Pechacek presented the audit of Fiscal Year 2017-2018. He commended City Staff – Barbara Zwernemann, Becky Wilkins and Zach Gil for their hard work on the audit. Following the presentation, Barbara Zwernemann – City Secretary thanked Daniel Hebert and his team for their work with City Staff. On motion by Liz Rundzieher and second by Tony DeYoung, Council approved the City of Liberty Hill Fiscal Year 2017-2018 Audit by Belt Harris & Pechacek. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

PUBLIC COMMENTS

Dr. Ron Rhea – Liberty Hill citizen addressed Council stating he has concerns. He reminded Council they work for the citizens; the Mayor is not their boss. He advised them don't be a yes person, ask hard questions and serve the citizens. He stated checks and balances are needed in government. He asked why, during the budget process, Greg Boatright was left out of that process. He asked why there is a budget item for a salary for the Mayor of \$60,000. He asked why the Police Department knows of the Executive Session item regarding dismissal of Greg Boatright.

REPORTS TO CITY COUNCIL

PUBLIC WORKS

Wayne Bonnet – Director of Public Works presented. In addition to the physical report handed out to Council, he provided the following update:

- Water line projects are being planned.
- Work at the wastewater treatment plant is ongoing. They are working on the slab for the new office area.
- Casey Cobb and Mr. Bonnet are taking disaster preparedness classes.
- Microdyn has been on site and the first training class will be Wednesday – August 14th.

POLICE DEPARTMENT

- Chief Maverick Campbell presented stating there has been a reduction of Part I Crimes.
- The department is continuing its zero fatality goal.
- August 14th is High Fives with the Kids.
- Of the two vacant positions, one has been filled.
- National Night Out is coming up.
- Donuts with the Chief will be at Malted Grains on August 29th and they will be collecting school supplies.

ADMINISTRATIVE REPORT

Greg Boatright – City Administrator presented.

- Wetzel Park is moving forward. There was a slight delay due to a change in hierarchy on the job site. Implementing 3-phase power was the biggest day. The building should be delivered this week.
- The Sculpture Fest will be in October at Foundation Park.
- The Fowler House project is wrapping up.
- The Forrest Street House project – they are finishing up the punch list and driveway.
- Courthouse – the roof will be replaced. Other work is ongoing.
- City staff had a good meeting with the Georgetown CCN regarding an exchange for water services. Staff will be meeting with the Executive Director of BRA; the City needs BRA's approval for the transfer. Phase 1 of this acquisition would include around 1,500 customers. Phase 2 would include approximately 4,500.

CONSENT AGENDA

Outcome: On motion by Liz Rundzieher and second by Kathy Canady, the following Consent Agenda items were approved. **Motion passed on vote of 3 AYES, 0 NAYS, and 1 ABSTENTIONS.** Steve McIntosh abstained for possible conflict of interest with one of the items.

- Council Minutes of Monday, July 22, 2019.
- Recommendation from the Planning & Zoning Commission to City Council regarding the Final Plat for Morningstar Ranch Subdivision – Phase 3 – Section 2B located at Ronald Reagan and Highway 29 in the ETJ of Liberty Hill.
- Recommendation from the Planning & Zoning Commission to City Council regarding the Final Plat for Summerlyn West – Phase 1 located west and adjacent to Summerlyn Subdivision off Highway 183A South in the City Limits of Liberty Hill.
- Recommendation from the Planning & Zoning Commission to City Council to approve the Final Plat for Liberty Parke Subdivision – Phase 3 located in the City Limits of Liberty Hill.
- Recommendation from the Planning & Zoning Commission to City Council on the Final Plat of Liberty Parke Subdivision – Phase 4 located in the City limits of Liberty Hill.
- Recommendation from the Planning & Zoning Commission for City Council to approve the Final Plat for Highland Meadows – Phase 3B located on Highway 29 East in the ETJ of Liberty Hill.

RE-CONVENE TO REGULAR SESSION

Discuss and Consider an update and presentation on the City of Liberty Hill Capital Improvement projects (CIP); providing for discussion and approval of said Budget.

Outcome: Becky Wilkins – Finance Director provided a PowerPoint presentation to Council. There was discussion of the various projects and upcoming bond election.

Review and Discuss Delivery of the City of Liberty Hill FY 2019 – 2020 Preliminary Budget in preparation for August 19th Budget Workshop; providing for review of the FY 2019 – 2020 Budget and Tax Rate timeline. **Outcome:** Becky Wilkins – Finance Director presented. She stated Monday – August 19th will be the Budget Workshop for Council. Currently the tax rate for the City of \$0.50. The City is looking at the rollback rate of \$0.49. She will be presenting a balanced budget. She, the Mayor, and Mayor Pro Tem worked closely with Department Heads to prepare the budget.

Discussion by Council members on proposing an Ad Valorem Tax Rate for FY 2019 – 2020 for the City of Liberty Hill. **Outcome:** Mayor Rick Hall stated Becky Wilkins – Finance Director will be proposing the rollback rate. Ms. Wilkins stated there will be two public hearings as mandated. The Budget and Tax Rate are to be adopted September 9, 2019.

Discuss and Consider a proposed Ordinance of the City Council of the City of Liberty Hill, Texas Accepting and Approving a Service and Assessment Plan and Assessment Roll for Summerlyn West Public Improvement District; Making a Finding of Special Benefit to the

Property in the District; Levying Assessments Against Property within the District and Establishing a Lien on Such Property; Providing for the Method of Assessment and the Payment of the Assessments in Accordance with Chapter 372, Texas Local Government Code, as Amended; Providing Penalties and Interest on Delinquent Assessments; Providing for Severability; and Providing an Effective Date. Outcome: Taylor Raymond – Bond Counsel and Vanessa Stowe – PID Administer presented, stating Ordinance 19-O-45 will approve the final assessment plan and levy the assessments. On motion by Steve McIntosh and second by Liz Rundzieher, Council approved Ordinance 19-O-45 accepting and approving a Service and Assessment Plan and Assessment Roll for Summerlyn West Public Improvement District; Making a Finding of Special Benefit to the Property in the District; Levying Assessments Against Property within the District and Establishing a Lien on Such Property; Providing for the Method of Assessment and the Payment of the Assessments in Accordance with Chapter 372, Texas Local Government Code, as Amended; Providing Penalties and Interest on Delinquent Assessments; Providing for Severability; and Providing an Effective Date. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider a proposed Resolution of the City of Liberty Hill, Texas Approving and Authorizing the Mayor to Execute the “Landowner Agreement” by and between the City of Liberty Hill, Texas and Pulte Homes of Texas, L.P. Outcome: On motion by Steve McIntosh and second by Kathy Canady, Council approved Resolution 19-R-46 approving and authorizing the Mayor to execute the “Landowner Agreement” by and between the City of Liberty Hill, Texas and Pulte Homes of Texas, L.P. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider approval of an Assessment Collection Agreement for Summerlyn West Pubic Improvement District (PID) pursuant to Texas Government Code Ann. §§791.001 et seq, and Texas Property Tax Code Ann. §§6.21 authorizing Williamson County, Texas Tax Assessor / Collector to Act as the Tax Collector for said Jurisdiction with regard to said properties; providing for Resolution of the City Council of Liberty Hill Authorizing Agreement with Williamson County, Texas for Collection of Assessment and providing for Resolution Authorizing Control for Collection of Assessment of Taxes. Outcome: On motion by Kathy Canady and second by Tony DeYoung, Council approved Resolutions 19-R-47 and 19-R-48 for approval of an Assessment Collection Agreement for Summerlyn West Pubic Improvement District (PID) pursuant to Texas Government Code Ann. §§791.001 et seq, and Texas Property Tax Code Ann. §§6.21 authorizing Williamson County, Texas Tax Assessor / Collector to Act as the Tax Collector for said Jurisdiction with regard to said properties; providing for Resolution of the City Council of Liberty Hill Authorizing Agreement with Williamson County, Texas for Collection of Assessment and providing for Resolution Authorizing Control for Collection of Assessment of Taxes. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider Action on establishing two (2) public hearing dates on the proposed Ad Valorem Tax Rate for FY 2019 - 2020; proposed Public Hearing dates are shown below.

**Proposed Public Hearing Date (OR Dates) – Ad Valorem Tax Rate
PUBLIC HEARING – MONDAY – AUGUST 19, 2019 – 6:30 PM
PUBLIC HEARING – MONDAY – AUGUST 26, 2019 – 6:30 PM**

Outcome: Becky Wilkins – Finance Director stated these dates are for the public hearings regarding the Ad Valorem Tax Rates. On motion by Tony DeYoung and second by Steve McIntosh, Council approved establishment of two (2) public hearing dates on the proposed Ad Valorem Tax Rate for FY 2019 – 2020. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider a Resolution of the City Council of Liberty Hill by and between Williamson County Emergency Management Services and the City of Liberty Hill to assist in preparation for, response to, recovery from and mitigation against potential risks and hazards to the citizens of the City of Liberty Hill. **Outcome:** Mayor Rick Hall presented stating this is an ongoing annual Resolution wherein the City asks Williamson County for their assistance if we have a disaster. Mayor Hall, Lance Dean – Executive Director of the Liberty Hill Economic Development Corporation, and Casey Cobb – Emergency Management Planner are the points of contact. On motion by Kathy Canady and second by Steve McIntosh, Council approved Resolution 19-R-49 by and between the Williamson County Emergency Management Services and the City of Liberty Hill to assist in preparation for, response to, recovery from, and mitigation against potential risks and hazards to the citizens of the City of Liberty Hill; with the addition of Tony DeYoung’s name to the Resolution as Alderman Place 4 of the City Council of Liberty Hill, Texas. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Consider request by the Williamson County Appraisal District (WCAD) to provide recommendations for WCAD Board Members. Mayor Hall stated the WCAD asked if the City would nominate someone to join their board. **Outcome:** On motion by Liz Rundzieher and second by Kathy Canady, Council nominated Steve McIntosh – Councilmember as their recommendation for the Williamson County Appraisal District Board. **Motion passed on vote of 4 AYES, 0 NAYS, AND 0 ABSTENTIONS.**

Discuss and Consider a proposal between the City of Liberty Hill and W.S. Beng Engineering related to Modeling for Loop 332 (Main Street) at Ranch Road 1869 and Loop 332 (Main Street) at CR 279 (Bagdad Road) in Liberty Hill; providing for study of intersection turns, existing traffic volume, and projected traffic volume for an amount not to exceed \$8,000. **Outcome:** Mayor Hall presented stating City staff want to make sure the best plan for traffic flow is set. Jay Kennedy with WSB Engineering stated they will put together a visual simulation of traffic with specific turn lanes at intersections. This will be an overview of the present with options for the future. The presentation will be brought back to Council and staff. On motion by Steve McIntosh and second by Liz Rundzieher, Council approved a proposal between the City of Liberty Hill and W.S. Beng Engineering related to Modeling for Loop 332 (Main Street) at Ranch Road 1869 and Loop 332 (Main Street) at CR 279 (Bagdad Road) in Liberty Hill; providing for study of intersection turns, existing traffic volume, and projected traffic volume for an amount not to exceed \$8,000. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Take Action on recommendation of the LHEDC Board to appoint a Director to fill the vacancy on the LHEDC Board of Directors for a term beginning 8/2019 and ending 8/2020. **Outcome:** Lance Dean – Executive Director, LHEDC presented stating at the last EDC meeting the Board recommended Liz Rundzieher to fill that vacancy. The Board now seeks Council approval. On motion by Kathy Canady and second by Tony DeYoung, Council

appointed Liz Rundzieher Director of LHEDC. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

Discuss and Take Action on a recommendation to City Council from the LHEDC Board of Directors to approve a Façade Grant application for “The Wildflower Republic” as recommended by the LHEDC Board. Outcome: Lance Dean – Executive Director, LHEDC presented stating three local business owners are combining to form this new store which is located at the old Blue Door location. The application has been approved by EDC and they now seek Council’s approval of the application in the amount of \$1,491.50. On motion by Kathy Canady and second by Tony DeYoung, Council approved a Façade Grant application for “The Wildflower Republic” as recommended by the LHEDC Board. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

CONVENE – EXECUTIVE SESSION

Mayor Rick Hall convened City Council to Executive Session at 7:28 PM pursuant to Texas Government Code §551.071 – Consultation with Legal Counsel, Code §551.072 – Real Property and Code Section §551.074 – Personnel Matters. City Council will entertain discussion related to the matter shown below. No action will be taken in Executive Session.

- **Consultation and follow-up with Legal Counsel concerning MUD No. 13 concerning the City’s utility rate study. (Consultation with City Attorney - Texas Gov’t Code §551.071).**
- **Consultation with Legal Counsel concerning electric franchise agreement negotiations. (Legal Advice pursuant to Tex. Gov’t. Code Sec. 551.071).**
- **Consultation regarding real property owned by the City of Liberty Hill and possible acquisitions. (Real Property pursuant to Texas Government Code §551.072).**
- **Consultation with Legal Counsel regarding appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Administrator. (Personnel Matters pursuant to Texas Government Code §551.074.)**
Outcome: No action was taken during Executive Session.

RECONVENE – REGULAR SESSION

Mayor Hall reconvene City Council to Regular Session at 8:55 PM following Consultation with Legal Counsel pursuant to Texas Government Code §551.071 – Consultation with Legal Counsel, Code §551.072 – Real Property and Code Section §551.074 – Personnel Matters. Council will entertain discussion related to the matters shown below.

- **Follow-up with Legal Counsel concerning MUD No. 13 regarding the City’s utility rate study; (Consultation with City Attorney - Texas Government Code §551.071).**
Outcome: No action was taken.
- **Consultation with Legal Counsel concerning electric franchise agreement negotiations. (Legal Advice pursuant to Tex. Gov’t. Code Sec. 551.071). Outcome:** On motion by Liz Rundzieher and second by Tony DeYoung, Council authorized the Bojorquez Law Firm to meet with PEC. **Motion passed on vote of 4 AYES, 0 NAYS, and 0 ABSTENTIONS.**

- **Consider real property owned by the City of Liberty Hill and possible acquisitions. (Real Property pursuant to Texas Government Code §551.072). Outcome:** No action was taken.
- **Consultation with Legal Counsel regarding appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Administrator. (Personnel Matters pursuant to Texas Government Code §551.074.) Outcome:** Mayor Rick Hall stated that City Administrator – Greg Boatright resigned voluntarily effective immediately. On motion by Liz Rundzieher and second by Kathy Canady, Council accepted the resignation of Greg Boatright – City Administrator. Motion passed on vote of 3 AYES, 1 NAY, and 1 ABSTENTION.

FUTURE AGENDA ITEMS

- Kathy Canady stated she would like to see a celebration of some sort for the 20th anniversary of Liberty Hill which is in 2019.
- Kathy Canady stated she would like to have Council consider longer terms, possibly three (3) years. Mayor Hall stated Council would have to pass a resolution. He asked Tad Cleaves – City Attorney to look into those possibilities.
- Steve McIntosh stated he would like Council to re-address the meter issue; it was stated Ferguson is in the process of putting together .

ADJOURNMENT

Outcome: On motion by Liz Rundzieher and second by Kathy Canady, Council was adjourned at 9:00 PM.