

CITY OF SMITHVILLE
SPECIAL-CALLED COUNCIL MEETING AND WORKSHOP MINUTES
DECEMBER 8, 2021

Present: Mayor Morgan, Councilmembers, Bill Gordon, Sharon Foerster, Janice Bruno, Tom Etheredge, Stan Gerdes, and City Manager Robert Tamble.

Open Meeting: Call to order: Mayor Morgan called the meeting to order at 5:00 p.m.

Citizen Comment: Guy Farmer spoke and wanted GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program information to be provided to the citizens in advance of the meeting via the City website so that they can be informed. Mr. Farmer signed up to speak on the remaining items but the City answered his question and request here.

Discussion and Action to Adopt the Resolution regarding the Civil Rights Policies for the 2020 GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Contract #22-085-020-D256. Councilman Gordon made a motion to approve the Resolution. Councilman Gerdes seconded and the motion passed unanimously.

Citizen Comment: None

Discussion and Action to Approve the Resolution Designating Authorized Signatories for Contractual and Financial Documents pertaining to the 2020 GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Contract # 22-085-020-D256. Councilwoman Bruno made a motion to approve the Resolution. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Proclamation declaring December 2021 as the City of Smithville - Fair Housing Month; Mayor to Sign Proclamation. Councilwoman Foerster made a motion to approve the Proclamation. Councilman Etheredge seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action to approve Amendment #1 for the \$1,439,325.00 Grant Administration Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract Number #22-085-020-D256. Councilman Etheredge made a motion to approve the Amendment to the Service Contract. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action to approve Amendment #1 for the \$1,112,186.11 Engineering Services contract for the 2020 Community Development Block Grant – Mitigation (CDBG-MIT) Program Contract Number #22-085-020-D256. Councilwoman Foerster made a motion to approve the amendment to the engineering contract. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discuss and Action to adopt Local Procurement Policies & Procedures pertaining to the GLO Community Development Block Grant – Mitigation (CDBG-MIT) Program, Infrastructure Contract Number #22-085-020-D256. Councilman Gerdes made a motion to approve the Procurement Policies & Procedures. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Presentation from Jill Phinney with Langford Community Management Services, Inc. (LCMS) about the American Recovery Plan Act (ARPA) funding. Jill gave a brief overview of what the city can spend the ARPA funds on and what projects are being proposed.

Citizen Comments: **Guy Farmer** (citizen) spoke and said the Workforce program is extremely important to this community which was one of the ARPA funds suggested projects. **April Daniels** (Chamber of Commerce Executive Director) spoke about the Workforce Program and all the accomplishments so far. **Charity Rogers** (Behavioral Health Director, Smithville Community Clinic) spoke about the Community Clinic and the clinic would like to have some of the ARPA funds to utilize.

Discussion and Action on the American Recovery Plan Act (ARPA) funding and proposed projects. Tom Etheredge requested that there be direct reporting to the Council on the ARPA funds on a monthly basis. Councilwoman Foerster made a motion to approve the proposed projects as presented in the financial summary for \$585,000 presented by Jill with Langford Community Management Services. The vote was:

For: Foerster, Etheredge, Gerdes, and Gordon

Abstain: Bruno

Workshop – Discussion of Sound Ordinance:

Mayor Morgan opened the workshop by giving a background to citizens and members of the city council about the recent issues involving the sound ordinance and the work that David Repka (Chief of Police), Tom Etheredge (Councilmember), and April Daniels (Chamber of Commerce Executive Director) had completed to date. Mayor Morgan thanked members of this team as well as those community members attending the workshop for their input in advance. Members of the community that signed up to speak were given three (3) minutes each to do so.

Citizen Comments: **David Vickery** (citizen) stated he was not opposed to the music but doesn't want it too loud and supports two zonings. **Joel Kirkby** (citizen) spoke and said 85 dBA is too loud, the offenders need consequences otherwise why have an ordinance. Also, he doesn't think the music should be heard three blocks away. **Nancy Moree** (citizen) spoke and is not bothered by the music from Rio Social House. She wants the ordinance to accommodate and not to discriminate against one business. **April Daniels** (Chamber of Commerce Executive Director) stated she has worked on the ordinance revisions and wants to come up with what makes sense across the city and align with other cities. **Carrie Keith** (the Rio Social House owner) wants to eliminate the permit and doesn't like the proposed map. She said it isn't fair. **Tiffany Prior** (Katy House) owner said she can see both sides and wants the music to stay but wants to protect

weeknights. She said a 9:00 pm cut-off would be reasonable. **Sarah LoRusso** (small business owner) likes the music in Rio and wants it included in the district (map). **Ashley Marshall** (citizen) said to expand the map. There is room to negotiate and wants to have music on the South side. Steve Simmons said everything is about balance. We need to be respectful of neighbors and would like no boundaries, and let's work together. **Tracy Burns** (citizen) said she would like to invest in property here and have live music and wants to be informed as to what the city is proposing. She supports the Rio. **John Gilkison** (owner of Central School) wants flexibility on the ordinance and to be included in the map area. **Ann Van Zandt** (citizen) said she wants a reasonable time, deadlines for weekdays, and no permits. **Gary Wood** (citizen) said he is not against Rio but does have a problem when their music rattles his windows. It is too loud, and not just the music, it's the people that leave from there that are loud as well. **David Lewis Morgan** (citizen) said he has open mic a Rio and wants to work together for a solution.

Discussion on Sound Ordinance/Permit (re. Chapter 8 Offenses and Nuisances, Article 8.04 Nuisances, Division 2. Noise). Mayor Morgan thanked the community for their input and said the group will consider everyone's feedback during the next sound ordinance update. The City will hold other public hearings in the future on this topic. No action was taken.

Adjourn: The meeting adjourned at 6:25 p.m.

Joanna Morgan, Mayor

Attest:

Jennifer Lynch, City Secretary