

CITY OF SMITHVILLE
COUNCIL MEETING MINUTES
SEPTEMBER 11, 2023

Present: Mayor Sharon Foerster, Councilmembers Janice Bruno, Tom Etheredge, Jimmy Jenkins, Tyrone Washington, Mitchell Jameson, and City Manager Robert Tamble.

Open Meeting: Call to order: Mayor Foerster called the meeting to order at 6:00 p.m. Councilman Etheredge gave the Invocation and led the Pledge.

Recognition/Awards/Proclamations/Announcements/Presentations:

- a. Proclamation for “National Preparedness Month” Councilwoman Bruno read the proclamation.
- b. Proclamation for "Energy Efficiency Day" Councilman Jameson read the proclamation.

Approval of the minutes from the August 14, 2023, City Council Meeting and Public Hearing, the August 23, 2023 Council Workshop, the August 31, 2023 Special-Called Council Meeting, and the September 6, 2023 Special-Called Council Meeting, Public Hearing, and Workshop. Councilman Etheredge made a motion to approve all of the minutes. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: Jeannie Raley, Leigh Kilgore, Jenny Busche, and Britanie Olvera all spoke. Discussion and Action on an Ordinance adopting the 2023/2024 Fiscal Year Budget. Our FY23/24 revenues and expenditures are currently BALANCED at \$15,713,873. This is now \$999,537k greater than our FY22/23 budget of \$14,714,336 and represents a 6.79% INCREASE in projected Y-O-Y spending.

Councilman Jameson wanted his statement written into the minutes. Councilman Jameson: “First of all, please let me make clear that the City Manager reacted to Council input when he made adjustments to the original budget. He did NOT go off on his own and make changes. That being said, this was a Learning Experience for me in hearing from the Community after Workshop #2 was held. The large majority of feedback I have received has been opposed to some, most, or all of the increased spending proposed in the proposal we are considering tonight. The majority of the negative feedback, however, has been in support of the original budget that included an 8.5% Equity Adjustment for hourly employees and a 5% COLA for exempt versus the proposed 16.5% / 8% tonight, while carving out and protecting Law Enforcement, assisting the Fire Department and leaving Recycling alone. There has also been a consensus on investing in Revenue Growth with some really good ideas put forth. At the same time, the Council has an obligation to address the things we can control. And we CAN control City Staff Compensation. We CAN address the long overdue need for Equity Adjustment. Just as we face roadblocks and impediments that make it challenging for us to create an immediately impactful Revenue Growth Plan, we face roadblocks and impediments to finding a Budget that is palatable to our citizens. We’ll never be able to please everyone.”

Councilman Etheredge made a motion to approve the budget as presented with the change of the 8% COLA to a performance-based merit and that we also carve out the City Manager increase and deal with any increase that might happen with the City Manager during his annual review. Councilman Jenkins seconded. Councilman Jameson made a motion to amend the proposed budget to revert to the original budget proposed at workshop number one. There was no second, Councilman Jameson's motion died. Mayor called for a vote on the main motion made by Councilman Etheredge and seconded by Councilman Jenkins the vote was:

ForL Etheredge, Jenkins, Washington, and Bruno

Opposed: Jameson

Citizen Comments on: Jenny Busche

Discussion and Action on an Ordinance by the City Council of the City of Smithville, Texas authorizing the issuance of "City of Smithville, Texas Tax Notes, Series 2023"; levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the Obligations; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the Obligations; authorizing the execution of any necessary engagement agreement with the City's financial advisors and/or bond counsel; and other matters in connection therewith: Approving this ordinance will allow the issuance of a \$3M tax note to be used to purchase capital equipment, upgrading infrastructure, and improving city-owned facilities. The tax note will be funded by the I&S portion of the total property tax rate. Mark Mckliney (Managing Director - SAMCO) was there for questions on the City of Smithville, Texas Tax Notes, Series 2023. Councilwoman Bruno made a motion to approve the \$3 million Tax Note to purchase capital equipment, upgrade infrastructure, and improve city-owned facilities, the approved bidder was Raymond James and Associates, Inc., and the tax note will be funded by the I&S portion of the tax rate. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments on: Jeanne Raley, and Britanie Olvera spoke.

Discussion and Action on an Ordinance adopting the 2023/2024 Fiscal Year Tax Rate at .548952 per \$100 valuation an increase of .003% per 100 from last year's Tax Rate: Recommend setting the 2023/2024 AD VALOREM TAX RATE of \$0.548952 cents per \$100 valuation --- a slight increase from our current tax rate of \$0.548934. The BCAD assessed property values in Smithville increased by 12.6% this year which will bring in an additional \$167k of revenue to the General Fund to help pay for fire, police, drainage, and street repairs. The Average Home Value INCREASED from \$208k to \$235k. The average homeowner will pay \$1,290 in property taxes (\$128 more than the average paid in 2022). The FY23-24 effective tax rate (now called the "No-New-Revenue Tax Rate") is \$0.51174. The rollback rate (now called the "Voter-Approval Tax Rate") is \$0.548952. The maximum increase the City can raise taxes in a given year without triggering a rollback election is 3.5% of the effective M&O tax rate. Councilman Jenkins made a motion to approve the tax rate of .548952 per \$100 valuation an increase of .003% per 100 from last year's tax rate. Councilman Etheredge seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Ratifying the Property Tax Revenue Increase reflected in the FY 2023-2024 Budget. – State law requires a separate and additional vote to ratify that the adopted budget will raise more revenue from ad valorem taxes than in the prior fiscal year. Councilman Etheredge made a motion to ratify the vote to approve the FY23/24 budget which will raise more revenue

from ad valorem taxes than the previous fiscal year. Councilwoman Bruno seconded and the motion passed unanimously.

Hear recommendations from Planning and Zoning on the following:

- a. on a re-plat and multiple variance requests including lot coverage, property line setbacks, barbed wire fence use, and a variance for a masonry wall at Smithville City/Townsite Block 66, Lots 1,2,3,4, property owner Sweeney Projects, LLC, Logan Sweeney: Vice P&Z Chairman Caroline Noya said the P&Z voted to approve the re-plat to combine the 4 lots into one. Noya said the lot coverage became a non-issue because he lowered his coverage and they didn't vote on that. P&Z voted to deny the setback variance and the barbed wire. P&Z voted to approve the masonry wall variance because if it were to be built it could become a line of site issue.

Public Hearing:

Hear Citizen's Comments: Stefanie Distefano, Jerri Ramirez, Johnnie Thomas, Carlos Rodriguez, and Pamela Davis all spoke in opposition to these variances and the storage facility being built.

- a. on a re-plat and multiple variance requests including lot coverage, property line setbacks, barbed wire fence use, and a variance for a masonry wall at Smithville City/Townsite Block 66, Lots 1,2,3,4, property owner Sweeney Projects, LLC, Logan Sweeney.

Adjourn

Open Meeting:

Discussion and Action on a re-plat at Smithville City/Townsite Block 66, Lots 1,2,3,4, property owner Sweeney Projects, LLC, Logan Sweeney: Logan Sweeney is combining four (4) lots into one (1). The property is zoned C2 – General Commercial District. Councilman Jenkins will not vote on the next two items, he has signed a conflict of interest form due to being related to Logan Sweeney. Councilwoman Bruno made a motion to approve the re-plat. Councilman Etheredge seconded and the vote was:

For: Etheredge, Bruno, Jameson, and Washington

Abstain: Jenkins

Discussion and Action on an Ordinance for multiple variance requests at Smithville City/Townsite Block 66, Lots 1,2,3,4, property owner Sweeney Projects, LLC, Logan Sweeney:

- a. Requesting Lot coverage > 40%
- b. Requesting variance to allow “zero” lot line setbacks
- c. Requesting variance to allow barbed-wire fence
- d. Requesting variance to waive requirement for a masonry wall.

Councilwoman Bruno made a motion to deny all of the variances as it would be contrary to the public interest, and there are no special conditions affecting the applicant's property, and even with the special conditions it does not make literal enforcement of the ordinance result in unnecessary

hardship; and the variance doesn't observe the spirit of the ordinance, and substantial justice would not be done. Councilman Etheredge seconded and the vote was:

For: Etheredge, Bruno, Jameson, and Washington

Abstain: Jenkins

Citizen Comments: Jenny Busche

Discussion and Action on a Resolution to update the Master Fee Schedule of the City of Smithville: Councilwoman Bruno made a motion to approve the resolution. Councilman Jenkins seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Resolution of the City of Smithville and the Texas Department of Transportation to improve the runway lighting at the Smithville-Crawford Municipal Airport: The City of Smithville received notice that there is an official agreement between TxDOT and the FAA to administer the Infrastructure, Investment, and Jobs Act (IIJA) funding for improvements to General Aviation Airports. This is a \$1,545,500 dollar grant with a 10% match (\$154,500) for replacing the runway lighting, beacon, electrical vault, and the Precision Approach Pathway Indicators (PAPI's) with a more energy-efficient system. Approving this Resolution will allow the City Manager to act on behalf of the City of Smithville pertaining to all matters associated with this grant. The 10% match is being funded by the Series 2023 Tax Note. Councilman Jameson made a motion to approve the resolution. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on an appointment to the Library Board to fill a vacancy: Judy Bergeron is requesting David Edwards be appointed to fill Danne Absher's vacancy on the Library Board. Councilwoman Bruno made a motion to appoint David Edwards. Councilman Jameson seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the Approval of the Financial Report: Councilman Washington made a motion to approve the financial report. Councilman Etheredge seconded and the motion passed unanimously.

Adjourn 8:03 p.m.

Sharon Foerster, Mayor

Attest:

Jennifer Lynch, City Secretary