

CITY OF SMITHVILLE
COUNCIL MEETING MINUTES
November 13, 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 Pro-tem Etheredge called the meeting to order at 5:00 p.m. Councilwoman Bruno gave the Invocation and led the Pledge.

Closed Meeting: Went into Executive Session at 5:02 PM

Executive Meeting pursuant to the Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Code Annotated, in accordance with the authority contained in Section 551.071 Consultation with Attorney to discuss Open Meetings Act training and compliance

The City Council will hold an Executive Meeting pursuant to the Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Code Annotated, in accordance with the authority contained in Section 551.074, to discuss personnel (annual evaluation of the City Manager / 2024 Goals & Objectives).

Open Meeting: Came back into Open Session at 6:15 PM

Citizen Comments: None

Discussion and Action as a result of the Executive Meeting.

Recognition/Awards/Proclamations/Announcements/Presentations:

- a. Proclamation for "Day of Thanksgiving": Mayor Foerster read the proclamation.
- b. Proclamation for "Honor Our Veterans Day": Councilwoman Bruno Read the proclamation.
- c. Proclamation for "Opposition to Rock Crushing Plant": Councilman Etheredge read the proclamation.
- d. Presentation from Smithville VFW Post 1309: Stephen Barthelme spoke and said thank you for the support.
- e. Presentation from Lorie Vincent on Economic Development
- f. Presentation from *Stacy Savage* on Recycling Center
- g. Presentation from *Carlos Osuna* (Verkada) on Security Cameras

Citizen Comments: None

Approval of the minutes from the October 16, 2023 Council Meeting and the October 18, 2023 Special-Called Meeting / Workshop: Councilman Etheredge made a motion to approve the October 16, 2023 minutes with the changes given to the City Secretary. Councilman Washington seconded and the motion passed unanimously. Councilman Etheredge made a motion to approve the October 18, 2023 minutes. Councilwoman Brunoseconded and the motion passed unanimously.

Hear from the Applicant/Agent on all P&Z Application requests.

Hear recommendations from Planning and Zoning on:

- a) A Special Use Permit for a guest house at 801 NE Tiger Lane, Property ID# 16738, A46 Lomas, L. Acres0.48, property owners Lance Schriner and Sara Hickman: P&Z Chairman Brian Riewe said the P&Z recommended approving the special use permit.
- b) A re-plat combining two lots into one at 207 San Jacinto, Smithville Townsite, Block 76 Lot 3 and 4 Property ID#20394 Owner Ian and Ellen Strain-Seymour: P&Z Chairman Brian Riewe said the P&Z recommended approval of the re-plat.

Public Hearing:

Hear Citizen Comments: Kent Hanna, Kathy McNamara, Frank McNamara, Clover Green, Stephanie McCurry, and Monica Poss all spoke on item A for the Special Use Permit.

- a) A Special Use Permit for a guest house at 801 NE Tiger Lane, Property ID# 16738, A46 Lomas, L. Acres0.48, property owners Lance Schriner and Sara Hickman.
- b) A re-plat combining two lots into one at 207 San Jacinto, Smithville Townsite, Block 76 Lot 3 and 4 Property ID#20394 Owner Ian and Ellen Strain-Seymour.

Open Meeting:

Discussion and Action from Council on: Sara Hickman Spoke.

- a) A Special Use Permit for a guest house at 801 NE Tiger Lane, Property ID# 16738, A46 Lomas, L. Acres0.48, property owners Lance Schriner and Sara Hickman: The property owner is requesting a Special Use Permit (SUP) for a Guest House to provide space for her elderly mother. The P&Z recommended 4 to 1 approval of a SUP for a Guest House at 801 Tiger Lane. Per our Zoning Ordinance, Guest Houses are allowed in SF1 with a SUP. Should the council approve the SUP for the Guest House at 801 Tiger Lane, there will be a list of things that will need to be researched and addressed to ensure compliance with our building codes. The building in question is neither a manufactured home (governed by HUD) nor a modular home (governed by TDLR). It is basically a large 640 sq. ft. storage building converted into what is being called a “tiny home”. Accessory buildings do not have any minimum square footage requirement but do require a 3’ side and rear yard setback. Councilman Jenkins made a motion to approve the Special Use Permit. Councilwoman Bruno seconded and the motion passed unanimously.

- b) A re-plat combining two lots into one at 207 San Jacinto, Smithville Townsite, Block 76 Lot 3 and 4 Property ID#20394 Owner Ian and Ellen Strain-Seymour. Councilwoman Bruno made a motion to approve the re-plat. Councilman Jenkins seconded and the motion passed unanimously.

Citizen Comments: Vickie Green, Mark Richter, and Michelle Nelson all spoke.

Discussion and Possible Action on Obstruction of the Sidewalks in the Downtown Business District: City manager Robert Tamble gave a presentation on the issue. Councilwoman Bruno made a motion to have Robert modify this ordinance and come back in January with his recommendations and to not enforce the current ordinance until it comes back to the Council. Councilman Jenkins seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the Cultural District projects budgeted for 2023/2024: Jill Strube presented information to the Council for consideration. Councilman Jameson made a motion to fund the top 3 projects proposed by the Cultural District in the amount originally requested (Yarn Bombers \$1943.00, Courtney Dyer \$2,160.00, Michelle Gardella \$2,970.00 and spend Hotel Occupancy Tax funds to fund the HopeFloats sign. Councilman Etheredge seconded and the motion passed unanimously.

Citizen Comments: Mrs. Schafer

Discussion and Possible Action with St. Vincent de Paul regarding help with utility bills: Mr. Richard Schafer made a presentation to the Council about concerns regarding high utility bills. Councilwoman Bruno made a motion for her and the Community Engagement Coordinator to come up with some data to inform the Council about this issue and present it back to them. Councilman Etheredge seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Memorandum of Understanding (MOU) with the Smithville Workforce Training Center (SWTC) regarding the use of the City of Smithville facilities located at 404 Fawcett: The SWTC Board of Directors approved allocating two (2) city-appointed board seats but did not approve the phrase “representing no less than 20% of the board”. Councilman Washington made a motion to approve the MOU. Councilman Etheredge seconded and the vote was:

For: Washington, Etheredge, Jameson, and Jenkins

Abstain: Bruno

Citizen Comments: Alan Butler

Discussion and Possible Action on the Tax Note Update: The City Manager provided an update regarding the equipment purchased, ordered, and delivered against the Series 2023 Tax Note. Councilman Etheredge made a motion to approve the \$50,000 baseball field and park upgrades, \$200,000 playground equipment, and park upgrades, misc facility upgrades, installation on the show bard, replacement playscapes at the Train Park, Riverbend Park, and have the basketball courts re-stripped. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments:

Discussion on the City of Smithville's website update: Jill Strube provided an overview of the website re-design project. No action taken.

Citizen Comments:

Discussion and Action on Resolution Casting Votes for the Board of Directors of the Bastrop Central Appraisal District: Nominations for the BCAD Board of Directors are due. The City of Smithville has 53 votes to cast out of a total of 5000 votes and our nominations are Justin Bezner and Jeannie Ralph. It is recommended to cast 26 votes for each Smithville nominee with the "extra" vote going to the candidate of your choice. The five (5) nominees with the highest number of votes will be elected. Councilman Jameson abstained. Councilman Jenkins made a motion to give Jeannie Ralph 27 votes and Justin Bezner 26 votes. Councilwoman Bruno seconded and the vote was:

For: Jenkins, Washington, Etheredge, and Bruno

Abstain: Jameson

Citizen Comments: None

Discussion and Action on the 2022 Certified Tax Levy for the City of Smithville: In accordance with the Texas Property Tax Code 26.09(e), the Council must approve the certified Tax Roll for 2023. Property taxes will bring in \$2,377,859.70 based on a total assessed value of \$ 445,962,142. Councilwoman Bruno made a motion to approve the 2023 Certified Tax Levy. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a contract with AT&T for pole attachments: The City has completed negotiations with Southwestern Bell Telephone Co. (dba AT&T) to renew our Joint Use Pole Attachment Agreement. If approved, the new base rate for the 10-year contract will be increased by 20% from \$12.50 to \$15.00 per pole attachment. AT&T has 588 attachments on our poles. We have 215 attachments on their poles. The difference is 373 poles. The expected revenue will be approximately \$6k per year. In addition, AT&T has agreed to clear up past-due balances totaling \$46k. Councilman Etheredge made a motion to approve the agreement as documented in the handout from the City Manager this afternoon. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

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

Adjourn 10:22 p.m.

Sharon Foerster, Mayor

Attest:

Jennifer Lynch, City Secretary