

**CITY OF SMITHVILLE**  
**COUNCIL MEETING MINUTES**  
December 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 Jameson gave the Invocation and led the Pledge.

Recognition/Awards/Proclamations/Announcements/Presentations:

- a. Presentation/update on the new City Website: Jill Strube gave an update on the city website

This item was moved up on the agenda.

Citizen Comments: Sharon Schiedeck and Brandy Royster spoke.

Discussion and Action to decide which of two proposals to submit for the January 16, 2024 Texas Commission on the Arts "Art Responds" Grant opportunity: The deadline for the next Texas Commission on the Arts grant opportunity is January 16. Two projects are under consideration. The Lost Pines Artisans Alliance is proposing to create new artwork to install on the outside walls through a community-led program that will directly serve approximately 60 people in arts experiences and will involve no less than six artists and two people who will provide informational classes in gardening. The budget is \$5,500 for which TCA would pay half and LPAA/Sponsors would pay half – the City would not be expected to provide any funds for this project. Janus Lee is proposing to work with the Smithville Community Gardens to create a mural on the outside back wall of the building that will directly serve about 13 people and one artist (herself). Councilwoman Bruno made a motion to approve the "Nature of the Arts" project. Councilman Jenkins seconded and the motion passed unanimously.

Discussion and Action on Approval of the minutes from November 13, 2023, Council Meeting and Public Hearing and December 7, 2023 Special Called Council Meeting. Councilman Etheredge made a motion to approve the minutes from November 13, 2023 with the amendment on the "Hope Floats" sign, that the sign would be paid in full by Hotel Occupancy Tax funds. Councilwoman Bruno seconded and the motion passed unanimously. Councilman Etheredge made a motion to approve the December 7, 2023 minutes. Councilwoman Bruno seconded and the motion passed unanimously.

Hear from the Applicant/Agent on all Planning and Zoning (P&Z) applications: Applicant Tom Etheridge made a presentation on his request to combine his two lots into one.

Hear recommendations from Planning and Zoning on: Planning and Zoning chair Brian Riewe said the P&Z recommended approving the re-plat.

- a) A re-plat to combine two lots into one at 107 NE 4th Street, Property ID 19187, Smithville Townsite, Block 14 Lot 7 (South FR) and Lot 8, property owner Charles and Debi Etheredge, agent Kevin Von Minden, BEFCO Engineering.

Brian Riewe resigned from the P&Z Commission and the Mayor presented him with a plaque for his service on the board.

### **Public Hearing:**

Hear Citizen Comments: No one signed up to speak for or against this item.

- a) A re-plat to combine two lots into one at 107 NE 4th Street, Property ID 19187, Smithville Townsite, Block 14 Lot 7 (South FR) and Lot 8, property owner Charles and Debi Etheredge, agent Kevin Von Minden, BEFCO Engineering.

### **Open Meeting:**

Discussion and Action from Council on:

- a) A re-plat to combine two lots into one at 107 NE 4th Street, Property ID 19187, Smithville Townsite, Block 14 Lot 7 (South FR) and Lot 8, property owner Charles and Debi Etheredge, agent Kevin Von Minden, BEFCO Engineering. Councilman Jenkins made a motion to approve the Special Use Permit. Councilwoman Bruno seconded and the vote was:  
For: Jenkins, Jameson, Bruno, and Washington  
Abstain: Etheredge

Citizen Comments: Leslie Troy spoke.

Discussion and Action on Cemetery Software Presentation by All Funeral Services: Mr. Alex Resnikoff (Managing Director of Business Development for All Funeral Services) had a presentation about the services they provide. All Funeral Services offers a turnkey, online platform that streamlines business operations and offers better customer service experience. The online platform will accommodate both web-based and smart phone formats. Should the Council approve entering into an agreement / contract with All Funeral Services, the initial set-up fee is approximately \$21k for both Oak Hill and Mt. Pleasant cemeteries. Thereafter, the annual license / subscription fee is 3.99% of any plots sold. Cemetery plots for property owners inside the city limits cost \$1000 outside the city limits cost \$2000. So, the corresponding fee would be \$39.99 and \$79.80 respectively for each lot purchased. On average, the revenue from cemetery plots is \$35-40k per year. Councilman Etheredge made a motion to authorize the City Manager to discuss the contract with All Funeral and bring a clean copy back to the Council for review and approval. Councilwoman Bruno amended the motion to add that if we do move forward we would go ahead and do it interest-free. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the Appointment / Reappointment to the Smithville Airport Advisory Board: The Airport Advisory Board (AAB) serves in an advisory capacity to the City Manager / Airport Manager in all matters pertaining to the administration, operation, development, improvement, and maintenance of the Smithville-Crawford Municipal Airport. AAB members serve two (2) year terms and are recommended by the Mayor. Four (4) members will be subject to appointment in even numbered years and three (3) members subject to appointment in odd number years. The individuals listed below would like to be considered for reappointment to the AAB with term expiring in December 2025:

Odd Numbered Years:

Ken Peck – Reappointment

Travis Hill – Reappointment

James Sterling – Reappointment

Even Numbered Years (FYI ONLY):

Sandy Meyerson – Term Expires in December 2024 (Chairman)

Forrest Sanderson – Term Expires in December 2024

Johnny Briggs – Term Expires in December 2024

Ron Spencer – Term Expires in December 2024.

Councilwoman Bruno made a motion to approve Ken Peck, Tavis Hill, and James Sterling. Councilman Etheredge seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the Appointment of the Municipal Court Judge (Anna Hernandez) Councilman Jenkins made a motion to appoint Anna Hernandez. Councilwoman Bruno seconded and the motion passed unanimously. The City Secretary swore in the Municipal Court Judge Anna Hernandez.

Citizen Comments: None

Discussion and Action on the Appointment of the Associate Municipal Court Judge (Brian Riewe). Councilman Etheredge made a motion to appoint Brian Riewe as Associate Municipal Court Judge. Councilman Washington seconded and the motion passed unanimously. The City Secretary swore in the Associate Municipal Court Judge.

Citizen Comments: None

Discussion and Action on the Appointment to the Planning and Zoning Board to replace Brian Riewe: Councilman Jenkins made a motion to appoint Leigh Kilgore to replace Brian Riewe on the P&Z Commission. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Consent Agenda: A consent agenda is a tool used to streamline meeting procedures by collecting routine, non-controversial items (e.g., meeting minutes, finance report, etc.) into a group whereby all are passed (without discussion) with a single motion and vote.

Councilmember Jameson will lead the discussion regarding the possibility of adopting a consent agenda. No action was taken on this item.

Citizen Comments: None

Discussion and Action on an Ordinance for Stop Signs on Burleson, Hudgins, and Colorado Street(s): Chief David Repka will present his recommendation for adding stop signs at the intersections indicated above. Councilman Jenkins made a motion to approve the ordinance. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments: Vickie Green and Jenny Busche spoke

Discussion and Action on an Ordinance Amending Section 3.08.009, to allow and regulate the use of sidewalks by merchants: The goal is to keep the ordinance simple to ensure compliance with ADA requirements while placing any liability on the business owner or merchant placing material on the sidewalk. In summary, the amended ordinance will allow / require the following:

“Business owners and/or merchants are authorized to use the sidewalk for placement of material (e.g., decorations, sandwich boards, signs, planters, plants, tables, chairs, benches, wares, and/or merchandise, etc.) as long as a 4-ft clear space is maintained at all times for ADA compliance. Business owners and/or merchants shall assume all liability for any injury or damage resulting from placement of such material on the sidewalk.”

Councilman Jenkins made a motion to approve the ordinance. Councilman Washington seconded and the vote was:

For: Jenkins, Bruno, and Washington

Opposed: Etheredge and Jameson

Citizen Comments: None

Discussion and Action of the Uniform Relocation Assistance Plan for the City of Smithville’s GLO-MIT Contract No. #22-085-020-D256: The tenant at 1674 NE Loop 230, Smithville, TX is eligible for relocation assistance Under the Texas General Land Office (GLO) Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Approval of the URA plan is required as part of the steps necessary for closing on the 3.7- acre property for construction of a regional detention pond. The closing date for the purchase of the property is pending completion of GLO review and public comment. Upon completion of the public comment period, GLO will issue Authorization to Use Grant Funding (AUGF) with closing tentatively scheduled for the second week in January 2024. Councilman Jenkins made a motion to approve the Uniform Relocation Assistance plan. Councilman Washington seconded and the motion passed unanimously.

Citizen Comments: Leigh Killgore spoke

Discussion and Action on Creating a Community Input agenda item on future agendas to get citizen input and concerns: Councilmember Jameson will lead the discussion regarding the possibility of adopting a community input item on future council agendas. Councilman Jameson made a motion to allocate 30 minutes at the beginning of each meeting to allow citizens to comment on any issues or concerns they may have. The councilwoman amended the motion to 15 minutes. Councilman Etheredge seconded and the vote was:

For: Jameson, Etheredge, and Bruno

Opposed: Jenkins and Washington

Citizen Comments: None

Discussion and Action on the Approval of the Financial Report: Councilman Etheredge made a motion to approve the Finance Report. Councilwoman Bruno seconded and the motion passed unanimously.

**Closed Meeting: Went into Executive Session at 8:08 PM**

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 (duties of the City Manager / 2024 Goals & Objectives).

**Open Meeting: Came back into Open Session at 10:08 PM**

Citizen Comments: None

Discussion and Action as a result of the Executive Meeting. No action was taken as a result of the Executive Session.

Adjourn 10:09 p.m.

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Sharon Foerster, Mayor

Attest:

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Jennifer Lynch, City Secretary