

CITY OF SMITHVILLE

May 14, 2018

COUNCIL MEETING

Present: Mayor Saunders, Councilmembers, Bill Gordon, Rhonda Janak and Joanna Morgan, Bennie Rooks, Cassie Barrientos, and City Manager Robert Tamble. Not present Troy Streuer

**Open Meeting:** Call to order: Mayor Saunders called the meeting to order at 6:00 p.m.

*Invocation:* Pastor Brown from Mt. Pilgrim Baptist Church gave the invocation.

*Pledge of Allegiance:* Councilman Rooks led the pledge.

*Recognition/Awards/Proclamations/Announcements/Presentations:* Character Trait Presentation "Integrity" – Chidinma Meremikwu – (3rd Grader). A proclamation was given by the Mayor in recognition of Motorcycle Safety & Awareness, Lupus Awareness Month / Put on Purple Day, Police Officer Memorial Day & National Police Week Proclamation, and Municipal Clerk's Week. Judy Bergeron gave a presentation on PBS Reads & Texas Book Festival Presentation.

*Approval of the minutes from April 9, 2018, Council Meeting and Public Hearing:* Councilwoman Janak moved to approve the minutes as written for April 9, 2018, Council Meeting and Public Hearing Councilman Gordon Seconded and the motion passed unanimously.

Discussion and Action on a Resolution Canvassing May 5, 2018, Municipal Election: Councilman Gordon made a motion to approve the resolution Canvassing the May 5, 2018, Municipal Election. Councilwoman Janak seconded and the motion passed unanimously.

Administering of Pre-Oaths and Oath of Office to Elected Officials – Brenda Page administered Pre-Oaths and Judge Jones administer the Oaths of Office to the newly elected Councilmember Cassie Barrientos and the re-elected Councilmember Joanna Morgan and re-elected Mayor Scott Saunders Jr.

Issuing of Certificates of Election - Brenda issued the Certificates of Election to Cassie Barrientos, Scott Saunders Jr., and Joanna Morgan.

Discussion and Action on Election of Mayor Pro-tem: Councilwoman Janak made a motion to nominate Councilwoman Morgan as the Mayor Pro-tem. Morgan accepted the nomination and the motion passed unanimously.

Hear recommendation from Planning and Zoning on a fence height variance at 1102 Charleston Blvd. Riverdale Addition Block 7, Lot 2, Owner-Dale Guettler: Nancy Catherman from the P&Z made a recommendation that the council approves the 9' fence height variance.

**Public Hearing:**

Hear Citizen's comments on a minor re-plat at 172 FM 2571 Robert G. Anstey Subdivision, Lot 1, ACRES 1.332 Owner-Robert G Anstey: No one signed up to speak for or against the variance.

**Open Meeting:**

Discussion and Action on a fence height variance at 1102 Charleston Blvd. Riverdale Addition Block 7, Lot 2, Owner-Dale Guettler: Mr. Guettler is requesting a height variance so he can put up a new 9' fence to block his backyard from the view of motorists and help control sound. The P&Z unanimously approved this request after verifying the four variance criteria were met.

1. There are special circumstances or conditions affecting the land involved, such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land; and: Traffic on the Colorado Rd overpass of Hwy 71 has visibility into the backyard of this house, affording no privacy in the use of the space. The overpass was constructed after the house was built. The requested 9 ft fence would restore privacy to this area.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and: Noise from the increased traffic on the Colorado Rd overpass is also a detriment to the enjoyment of the outdoor space. The privacy fence would also serve to provide some buffering, preserving the owner's ability to enjoy use of this space.
3. The granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area; and: The fence design is attractive, and will have no impact on public health, safety or welfare.
4. The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance: This is not an issue with the requested variance.

Councilman Rooks made a motion to approve the 9' fence variance. Councilwoman Janak seconded the motion and the motion passed unanimously.

Discussion and Action on the appointments to City Boards:

- a) Housing Authority Board – Appoint Kim Roberts to replace Mike Murphy: Councilwoman Morgan made a motion to appoint Kim Roberts to the Housing Authority Board. Councilman Gordon seconded and the motion passed unanimously.
- b) Historic Preservation/Design Standards Committee – (2-year Term) Appoint Caroline Noya and Walter Winslett. Re-appoint: Carol Snyder, David Herrington, April Daniels, Victoria Allen, Nancy Catherman, Michael Hightower, Sara O'Brien: Councilwoman Morgan made a motion to appoint Caroline Noya and Walter Winslett and re-appoint Carol Snyder, David Herrington, April Daniels, Victoria Allen, Nancy Catherman, Michael Hightower and Sara O'Brien to the Historic Preservation/Design Standards Committee. Councilman Rooks seconded and the motion passed unanimously.
- c) Planning and Zoning Commission – (2-year Term) Appoint James Nolan, Brian Riewe, and Bradley Klaerner Re-appoint: Nancy Catherman and Judy Smith: Councilwoman Janak made a motion to appoint James Nolan, Brian Riewe, and Bradley Klaerner and re-appoint Nancy Catherman and Judy Smith to the Planning and Zoning Commission. Councilman Gordon seconded and the motion passed unanimously.
- d) Easy as ABC Staff Committee – Ad Hoc Appoint: Judy Bergeron, Jill Strube, Jack Page, Ashley Garrison, Brenda Page, Scott Saunders: Councilwoman Janak made a motion to appoint Judy Bergeron, Jill Strube, Jack Page, Ashley Garrison, Brenda Page, and Scott Saunders to the Easy as ABC Staff Committee. Councilwoman Morgan seconded and the motion passed unanimously.

Discussion and Action on the proposed locations of the NEA/ABC art projects: Judy Bergeron was requesting approval for the location(s) of the NEA "Easy as ABC" Art in Public Places Program. Locations, where local artists will place their artwork, include: the City Water Treatment Plant, MLK Sign, Fire Station 2, River Street Community Garden, and the Smithville Rec Center: Councilwoman Morgan made a motion to approve the locations of the art projects. Councilman Gordon seconded the motion and the motion passed unanimously.

Discussion and Action on a Resolution authorizing the submission of a Texas Home Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for Participation in the Home Program and Designating the City Manager as the City Representative in all matters in connection with the application: Approving this resolution will clear a deficiency identified in our latest HOME grant application (submitted in December) where the grant match and city population were not correctly documented. The match should be 4% instead of 3% and the population should be 4008 instead of 3817. Councilwoman Janak made a motion to approve the resolution. Councilman Rooks seconded and the motion passed unanimously.

Discussion and Action on awarding the Administration/Management Services contract for preparation of a FEMA Hazard Mitigation Grant (HMG) per DR-4332 (Hurricane Harvey) to be used for the property acquisition, design, and construction of a detention pond to mitigate

drainage issues in Oak Meadows Subdivision: A request for Administration / Management Services was published in the Smithville Times and Bastrop Advertiser as required by the FEMA Hazard Mitigation Grant Program. Langford Community Management Services (LCMS) was the only qualified management consulting firm who submitted a proposal. The cost of preparing/submitting the HMGP application is \$1,000. The fee for administrative grant management services (subsequent to grant funding) will be negotiated at the time of contract with FEMA. However, the cost will not exceed 5% of the total grant amount. If awarded, the HMGP grant will be used for property acquisition, design, and construction of a detention pond to mitigate drainage issues in Oak Meadows. Councilwoman Morgan made a motion to award the Administration/Management Services contract to Langford Community Management. Councilwoman Janak seconded and the motion passed unanimously.

Discussion and Action on awarding the Engineering Services contract for preparation of a FEMA Hazard Mitigation Grant (HMG) per DR-4332 (Hurricane Harvey) to be used for the property acquisition, design, and construction of a detention pond to mitigate drainage issues in Oak Meadows Subdivision: A request for Engineering Services was published in the Smithville Times and Bastrop Advertiser as required by the FEMA Hazard Mitigation Grant Program. Proposals for engineering services were received and reviewed by City staff on 5/8/18. Experience, work performance, and capacity to perform were criteria used by the City staff to evaluate/differentiate each engineering consultant's qualifications. BEFCO Engineering, Thonhoff Consulting Engineers (TCE), and KSA were the three (3) engineering services consultants who submitted proposals. The cost for engineering services is typically 10-12% of the total project cost. Councilwoman Janak made a motion to award BEFCO Engineering the Engineering Services contract. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on the approval of an Ordinance amendment for stop signs at NE 6th and NE 8th at Mills Street: A concerned citizen requested STOP signs be placed at the intersection. Councilwoman Morgan made a motion to approve an Ordinance amendment for stop signs at NE 6th and NE 8th at Mills Street. Councilwoman Janak seconded and the motion passed unanimously.

Discussion and Action on the Annual Audit for the Fiscal Year 2016/2017: Singleton, Clark & Company, PC completed the annual audit of the City of Smithville's 2016-17 financial statements. The results of the audit indicate the assets of the City exceeded its liabilities at the close of the fiscal year by \$ 11,559,432. The total net position of the city increased by \$ 1,365,601. The City's governmental funds reported a combined fund balance of 1,390,684, a decrease of \$127,521 in comparison with the prior year. The City's proprietary funds reported a combined fund balance of reported fund balance of \$5,327,584, a decrease of \$253,478 from the prior year. The audit reported no findings or questionable costs be reported in accordance with Government Auditing Standards. Councilwoman Janak made a motion to approve the Annual Audit for the Fiscal Year 2016/2017. Councilwoman Morgan seconded and the motion passed unanimously.

*Discussion and Action on the Financial Report:* Councilwoman Morgan made a motion to approve the Financial Report. Councilman Rooks seconded the motion and the motion passed unanimously.

*Adjourn:* at 7:00 p.m.

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Scott Saunders Jr., Mayor

Attest:

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Jennifer Lynch, Asst. City Secretary