

CITY OF SMITHVILLE

August 13, 2018

COUNCIL MEETING

Present: Mayor Saunders, Councilmembers, Bill Gordon, Joanna Morgan, Bennie Rooks, Rhonda Janak, Cassie Barrientos, City Manager Robert Tamble and Jason Rammel

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

Invocation: Robert Tamble gave the invocation.

Pledge of Allegiance: Councilwoman Barrientos led the pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: Mayor Saunders recognized the girls Little League Softball that went to the World Series and won second place.

Approval of the minutes from the July 9, 2018 Council Meeting and Public Forum and the July 23, 2018 Workshop: Councilwoman Morgan moved to approve the minutes as written for July 9, 2018 Council Meeting and Public Forum and the July 23, 2018 Workshop. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on the approval of bids for the 7th Street Storm Sewer Improvements Project (FEMA-DR-4266-012): The bid opening for the 7th Street Drainage Conveyance project (HMG DR-4266) was held on Friday, August 10, 2018 at City Hall. Six (6) contractors submitted base bids ranging from \$195k to \$334k. The lowest base bid was submitted by M&C Fonseca Construction in the amount of \$195,914.00. Joseph from BEFCO Engineering, Inc. was there to provide an overview of the project and bid tabulation. Once a Contractor is selected, BEFCO will prepare the necessary contract documents. We will then hold a pre-construction meeting and issue the notice to proceed with an estimated construction start date of September 17, 2018. The project will take approximately 60-90 days to complete. Joseph with BEFCO recommended awarding M&C Fonseca Construction the contract. Councilwoman Janak made a motion to accept M&C Fonseca Construction as the contractor. Councilwoman Barrientos seconded and the motion passed unanimously.

Hear recommendation from Planning and Zoning on:

a) a variance to abut a street for a distance of less than thirty-five (35) feet at A46 Lomas, L., Acres 3.363 R#21018 located off of Colorado Street-Owner Beverly Shade: The P&Z made a recommendation to approve the variance.

b.)a zone change from Single Family Dwelling (SF-1) to Neighborhood Shopping District (C-1) at 407 Ramona Smithville Townsite Addition Block 12, Lot 1,2,5 & 6-Owner Quance Development: The P&Z made a recommendation to deny the zone change.

Public Hearing:

Hear Citizen's comments on:

a)a variance to abut a street for a distance of less than thirty-five (35) feet at A46 Lomas, L., Acres 3.363 R#21018 located off of Colorado Street-Owner Beverly Shade: There was no one signed up to speak for or against this variance.

b)a zone change from Single Family Dwelling (SF-1) to Neighborhood Shopping District (C-1) at 407 Ramona Smithville Townsite Addition Block 12, Lot 1,2,5 & 6-Owner Quance Development, LLC: Ron Samek spoke against the project. Samek said C-1 is not appropriate for this neighborhood; it would increase traffic, drainage and doesn't have enough parking. Mark Bunte spoke against this project and said it intrudes on the historic district, and is a dangerous zoning. Marvin Kasper spoke against the project he said C-1 could have anything on it. Kasper said we don't have enough information to change the zone he doesn't want the neighborhood messed up. Sherry Ceader spoke against the project and said why do we need an inn in the historic district? Ceader said there is not enough parking. Bruce Blaylock signed up to speak against the project but

then changed his mind and was for the project and said the parking was covered because they could park on another property. He thinks the project is great and there were more cars at an SF-1 property round the corner at least they will have parking on property. Sallie Blaylock spoke in favor of this project; she said it's good that one of the vacant mansions in town is being fixed up. She also said that Smithville needs lodging and this will also provide sales tax, occupancy tax, and jobs to our City. April Daniels spoke in favor of the project and said Smithville needs lodging, we need growth and this project will be good. Steve Simons spoke in favor of the project and said this is a large investment to the town and we need lodging. Bruce Hahn spoke in favor of the project; he thinks this is a very important project Smithville needs lodging. Leigh Killgore spoke in favor of the project if it has restriction to only allow Country Inn. Erik McCown spoke in favor of the project but then started taking about how the City doesn't utilize the Colorado River and thinks the city should.

Open Meeting:

Discussion and Action on a variance to abut a street for a distance of less than thirty-five (35) feet at A46 Lomas, L., Acres 3.363 R#21018 located off of Colorado Street-Owner Beverly Shade Parcel 21018 is a "flag lot" and the property line frontage boundary is not wide enough for the driveway.

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: The lot itself is adequate size to build a residence, only the street frontage is narrow according to City code.
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and: We would like to build a house on the property. Without a house, the property effectively has no value. Building a house contributes to local tax revenue. The City allowed Earl Warlborg to divide his property into the current shape. Why didn't they require the driveway access to be 5' wider at the time?
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: This driveway is already in use under easement for the adjacent house.
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 the last lot accessed by this route, no other properties would be affected.

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

Discussion and Action on an Ordinance amending the Zoning for the Area Generally Located at 407 Ramona Street; Directing the Amendment of the Zoning Map; Repealing Conflicting Ordinances; Providing a Severability Clause; and Proving an Effective Date for a zone change from Single Family Dwelling (SF-1) to Neighborhood Shopping District (C-1) at 407 Ramona Smithville Townsite Addition Block 12, Lot 1,2,5 & 6-Owner Quance Development, LLC: Teri Quance spoke about the project and said she will have a deed restriction put on her lot that would say only a Country" Inn or SF-1 could be on this property. City attorney said the deed needed to add a sentence that states "enforceable by the City of Smithville. Councilwoman Barrientos made a motion to approve the ordinance as amended. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on Approving a Checking Account for the USDA SH95 Construction Project: Creating an additional checking account will help improve tracking and accounting of expenses associated with the USDA SH95 Utilities Relocation project. Councilman Gordon made a motion to approve the Checking account. Councilwoman Morgan seconded and the motion passed unanimously.

Discussion and Action on SCT Broadband Contract: SCT Broadband (formerly LiveAir Networks) is our current internet service provider. The 5-year contract is for service and maintenance of our fiber optic and WiFi systems at the Rec Center, Airport, City Hall, Library, and PD. The

proposed contract term is 60 months with monthly payments of \$950. The total cost is \$57k over the 5-year contract. This represents a 46% increase compared to what LiveAir was charging us 5-years ago (\$39k). I was expecting something around the \$54k range (38% increase). However, this is much better than the 92% increase SCT Broadband proposed in the initial agreement. Approving the SCT Broadband contract will allow WiFi services to continue uninterrupted. Councilwoman Barrientos made a motion to table this item to look into this more. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on a Memorandum of Understanding and Interlocal Cooperation Agreement (MOU) between the City of Smithville (City) and the Smithville Independent School District (SISD) regarding the School Resource Officer (SRO): The Memorandum of Understanding (MOU) and Inter-local Agreement between SISD and the Smithville PD establishes the purpose, mission, responsibilities, and terms for the School Resource Officer (SRO). By approving this, the SRO will be funded 75% by the school and 25% by the City. The SRO's primary office will be located at the High School. SPD and SISD have identified Cpl. Glenn Addison as a candidate for the SRO position. Cpl. Addison is currently the Community Policing Officer and he has built an excellent rapport with all SISD campuses over the past 3 years by engaging with the staff and students during walkthroughs of each campus and conducting presentations on bullying and drug-related topics. If approved, the MOU will remain in effect and automatically renew annual until any one party provides written notification to terminate the agreement. Councilwoman Barrientos made a motion to approve the agreement. Councilwoman Morgan seconded and the motion passed unanimously.

Discussion and Action on a Proposal to set the Ad Valorem Tax Rate at the September 10, 2018 Council Meeting: Councilwoman Morgan made a motion to approve the Proposal to set the Ad Valorem Tax Rate at the September 10, 2018. Councilwoman Janak seconded and the motion passed unanimously.

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

Adjourn: at 7:47 p.m.

Scott Saunders Jr., Mayor

Attest:

Jennifer Lynch, Asst. City Secretary