

CITY OF SMITHVILLE

August 14, 2017

COUNCIL MEETING

Present: Mayor Saunders, Councilmembers Joanna Morgan, Bennie Rooks, Bill Gordon, Troy Streuer, Rhonda Janak and City Manager Tamble.

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

Invocation: Buddy Fowler from the Cowboy Church gave the invocation.

Pledge of Allegiance: Mayor Saunders led the pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: Mike Maugere gave a presentation on the promotion of Greg Stewart, Matt Henderson and Jadwin Hubbard.

Approval of the minutes from the July 17, 2017 Council Meeting and Public Hearing: Councilman Gordon moved to approve the minutes as written. Councilwoman Morgan seconded and the motion passed unanimously.

Here recommendations on:

- a. A zone change from Highway Commercial (C-3) and Single Family Dwelling District (SF-1) to Planned Development District (PDD) at 1716 Colorado Drive, Riverdale, Lots 2,3, 4,&5FR's, Acres 36.642 and Riverdale, Lot Outlot 2 FR, acres 5.3700 (R16962 & R73919) Owner Douglas Y Nichols, Jr. Nancy Catherman said Planning and Zoning recommended approving the zone change.
- b. A minor re-plat at 100 Main Street, Smithville Townsite, BLK 43, Lot 1,2,3,4,5,6, & 11, Owner Project 101 Main Series, a series of Millspaugh Holdings LLC. Nancy Catherman said Planning and Zoning recommended approving the minor re-plat.
- c. A zone change from Single Family Dwelling & Duplex Dist. (SF-2) to Community Facility (CF) at 300 Lynch Street, Burleson Addition Blk 43, Lot 6 Owner Smithville Community Clinic. Nancy Catherman said Planning and Zoning recommended approving the zone change.

Public Hearing:

- a. A zone change from Highway Commercial (C-3) and Single Family Dwelling District (SF-1) to Planned Development District (PDD) at 1716 Colorado Drive, Riverdale, Lots 2,3, 4,&5FR's, Acres 36.642 and Riverdale, Lot Outlot 2 FR, acres 5.3700 (R16962 & R73919) Owner Douglas Y Nichols, Jr. April Daniels spoke in favor of the project and said this would be great for Smithville. Jamie Damon said she knows Smithville needs housing but questions how are these people going to get in and out of this area and thinks the traffic will be an issue.
- b. A minor re-plat at 100 Main Street, Smithville Townsite, BLK 43, Lot 1,2,3,4,5,6, & 11, Owner Project 101 Main Series, a series of Millspaugh Holdings LLC. No one signed up to speak on this item.
- c. A zone change from Single Family Dwelling & Duplex Dist. (SF-2) to Community Facility (CF) at 300 Lynch Street, Burleson Addition Blk 43, Lot 6 Owner Smithville Community Clinic. . No one signed up to speak on this item.

Open Meeting:

- a. A zone change from Highway Commercial (C-3) and Single Family Dwelling District (SF-1) to Planned Development District (PDD) at 1716 Colorado Drive, Riverdale, Lots 2,3, 4,&5FR's, Acres 36.642 and Riverdale, Lot Outlot 2 FR, acres 5.3700 (R16962 & R73919) Owner Douglas Y Nichols, Jr. Chris Stewart with Moody Engineering was there to explain the project in detail and answer any questions. Councilwoman Morgan said this development will be much more attractive than Bastrop's developments. Morgan also said that the 71 corridor is the perfect place for this development. Morgan also said that the City will keep a close eye on the traffic issue. Councilwoman Morgan made a motion to approve the zone change from

Highway Commercial (C-3) and Single Family Dwelling District (SF-1) to Planned Development District (PDD). Councilwoman Janak seconded the motion and the motion passed unanimously.

- b. A minor re-plat at 100 Main Street, Smithville Townsite, BLK 43, Lot 1,2,3,4,5,6, & 11, Owner Project 100 Main Series, a series of Millspaugh Holdings LLC. Councilwoman Morgan made a motion to approve the minor re-plat. Councilman Gordon seconded the motion and the motion passed unanimously.
- c. A zone change from Single Family Dwelling & Duplex Dist. (SF-2) to Community Facility (CF) at 300 Lynch Street, Burleson Addition Blk 43, Lot 6 Owner Smithville Community Clinic. Councilwoman Janak made a motion to approve the zone change from Single Family Dwelling & Duplex Dist. (SF-2) to Community Facility (CF). Councilman Rooks Gordon seconded the motion and the motion passed unanimously.

Discussion and Action on a Resolution Authorizing the Submission of a Criminal Justice Department Grant and Designating the City Manager as the Authorized City Official. Councilwoman Janak made a motion to approve the Resolution Authorizing the Submission of a Criminal Justice Department Grant and Designating the City Manager as the Authorized City Official. Councilman Gordon seconded the motion and the motion passed unanimously.

Discussion and Action on an amendment to the City Ordinances, Chapter 2 Animal Control, Article 2.1100 Penalty, Section 2 Citations. City Manager explained that this would allow the Animal Control officer to issue tickets to people in violation instead of calling an officer to do it. Councilman Rooks made a motion to approve the amendment to the City Ordinance. Councilwoman Janak seconded the motion and the motion passed unanimously.

Discussion and Action on a City Ordinance amending the Official Zoning Map, Chapter 14, and making this amendment part of the said Official Zoning , Re-zoning 41.879 acres of land out of the B. Barton Survey, from Single Family Dwelling District (SF-1) AND Highway Commercial (C-3) to Planned Development District (PDD). Councilwoman Morgan made a motion to approve the amendment to the ordinance. Councilman Gordon seconded the motion and the motion passed unanimously.

Discussion and Action on Proposal to set the Ad Valorem Tax Rate at the September 11, 2017 Council Meeting. Councilwoman Morgan made a motion to set the Ad Valorem Tax Rate at the September 11, 2017 Council Meeting.

Approval of the Financial Report: Councilman Rooks made a motion to approve the report. Councilman Gordon seconded and the motion passed unanimously.

Closed Meeting:

Pursuant to Section 551.071 of the Texas Government Code, Council shall convene into a Closed Executive Session to seek legal advice from the City's Attorney regarding the lawsuit styled Byrne Street, LLC v. City of Smithville, et al., Cause No 470-21, 21st District Court, Bastrop County, Texas.

Open Meeting: Returned from Executive at 7:35 p.m.

Discussion and Action regarding the lawsuit styled Byrne Street, LLC v. City of Smithville, et al., Cause No 470-21, 21st District Court, Bastrop County, Texas. Councilwoman Morgan moved to instruct our City Attorney to accept the motion for non-suit and to take no further action at this time. In the best interest of the city it was time to move forward. Councilman Gordon seconded and the motion passed with a vote of:

For:	Gordon, Morgan and Rooks
Against:	Janak
Abstained:	Streuer

The meeting adjourned at 7:40 p.m.

Scott Saunders Jr., Mayor

Attest:

Jennifer Lynch, Asst. City Secretary