

CITY OF SMITHVILLE

September 10, 2018

COUNCIL MEETING

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

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: Councilman Rooks led the pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: Fifth grader Justin Gurley read his essay on Character Trait word "Honesty". Mayor Scott Saunders read a proclamation for Constitution Week Proclamation. Paul Lowery was presented with a certificate of Master Telecommunications.

Approval of the minutes from August 13, 2018 Council Meeting and Public Hearing, the August 29, 2018 Tax Rate Public Hearing and Budget Workshop, and the September 5, 2018 Tax Rate Public Hearing and Budget Workshop: Councilwoman Morgan moved to approve the minutes as written. Councilman Gordon seconded and the motion passed unanimously.

Hear recommendation from Planning and Zoning on:

- a. A Side Yard Setback Variance at 201 Short Street, Smithville Townsite Addition, Block 37, Lot 8, Owner-Timothy Rockafellow: Nancy with P&Z said they recommend approving the variance.
- b. A Minor Re-Plate at 307 3rd Ave. Mt. Pleasant Addition, Block 8, Lots 1-4 (R17249 & R133071), Owner-Aaron Kimball: Nancy Catherman with the P&Z said they recommend approving the minor re-plat.
- c. Changes to the City Zoning Ordinance to Reorganize, Improve Consistency, and to amend the Central Business District Regulations: Nancy Catherman said that the P&Z tabled this item until October.

Public Hearing:

Hear Citizens Comments on:

- a. A Side Yard Setback Variance at 201 Short Street, Smithville Townsite Addition, Block 37, Lot 8, Owner-Timothy Rockafellow: No one signed up to speak for or against this item.
- c. A Minor Re-Plate at 307 3rd Ave. Mt. Pleasant Addition, Block 8, Lots 1-4 (R17249 & R133071), Owner-Aaron Kimball: No one signed up to speak for or against this item.
- c. Changes to the City Zoning Ordinance to Reorganize, Improve Consistency, and to amend the Central Business District Regulations: No one signed up to speak for or against this item.
- d. Hear Citizen Comments on the 2018/2019 Fiscal Year Budget: No one signed up to speak for or against this item.
- e. Here is an opportunity for citizens to discuss the citizen participation plan, the development of local housing and community development of local housing and community development needs, and the amount of CDBG-DR funding available: No one signed up to speak for or against this item.

Open Meeting:

Discussion and Action on:

- a. A Side Yard Setback Variance at 201 Short Street, Smithville Townsite Addition, Block 37, Lot 8, Owner-Timothy Rockafellow: Mr. Rockafellow would like a side yard set-back variance to allow a bathroom addition. Property is zoned SF-1 with side yard set-back requirement of 7-1/2 ft. The criteria for granting a variance were discussed
 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: Additional master suite area
 2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and: No additional living area
 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: It will not
 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: It will not

Councilman Rooks made a motion to approve the side yard setback variance. Councilwoman Morgan seconded and the motion passed unanimously.

- b. A Minor Re-Plate at 307 3rd Ave. Mt. Pleasant Addition, Block 8, Lots 1-4 (R17249 & R133071), Owner-Aaron Kimball – Mr. Kimball is aligning and tying the alley into the lots as part of this minor replat. The P&Z unanimously recommended approval. Mr. Kimball will be attending the meeting and can answer any questions you may have. Councilman Gordon made a motion to approve the minor re-plat. Councilwoman Morgan seconded and the motion passed unanimously.
- c. Changes to the City Zoning Ordinance to Reorganize, Improve Consistency, and to Amend the Central Business District Regulations – Updates to the Zoning Ordinance are currently being reviewed by the City’s General Counsel. As such, the recommendation from the P&Z was to table any discussion and/or action regarding the Zoning Ordinance until the October P&Z meeting when the document will be available for review. This was tabled until October

Discussion and Action on a Resolution approving the submission to the General Land Office (GLO) for a 2016 Community Development & Revitalization CDBG-DR Application – Approving this resolution will allow the City to apply for a share of \$40M in 2016 GLO-CDBG disaster recovery funds for the potential buy-out of flood-damaged homes and/or infrastructure improvement (i.e., drainage, water, sewer) that benefits low-to-moderate income families as defined by HUD. Long-term recovery and restoration of housing will receive funding priority (60%) over infrastructure projects (40%). This is a competitive grant for up to \$2M with a 1% match. The minimum award amount is \$100k. The City would like to apply for funds to improve drainage on Hardeman, Gentry, Bunte, Anderson Lane and RVICS by adding an area detention pond. Councilwoman Janak made a motion to approve the resolution. Councilwoman Barrientos seconded and the motion passed unanimously.

Discussion and Action on a Resolution to Adopt a Citizens Participation Plan and Complaint Procedure – Adopting a Citizen’s Participation Plan and Complaint Procedure are GLO requirements for applicants seeking 2016 CDBG-DR project funding. Councilwoman Morgan made a motion to approve the resolution. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on a Resolution to Adopt a Federal Grant Procurement Policy - Adopting a Federal Grant Procurement Policy is a GLO requirement for applicants seeking 2016 CDBG-DR project funding. Councilwoman Morgan made a motion to approve the resolution. Councilwoman Janak seconded and the motion passed unanimously.

Discussion and Action on an appointment to the General Assembly CAPCOG (Capital Area Council of Governments) Board: Councilmember Bill Gordon is currently serving on the CAPCOG Board. Councilwoman Barrientos made a motion to appoint Bill Gordon to the General Assembly CAPCOG. Councilman Rooks seconded and the vote was:

For: Barrientos, Janak, Morgan, Rooks
Abstain: Bill Gordon

Discussion and Action on SCT Broadband Install & Service Agreement: The proposed 5-year service agreement was reviewed and approved by our General Counsel and included in your packets. SCT Broadband has agreed to provide 1 Gigabit Fiber Service for all locations (i.e., City Hall, Library, Police Department, Warehouse, and Gazebo) at a contract cost of \$950 per month or \$11.4k per year. A 10% annual discount will be applied if the City pays for 12-months of service in advance. SCT Broadband has also agreed to install community WiFi at the Gazebo at no additional cost to the City. Councilwoman Morgan made a motion to approve the service agreement. Councilwoman Barrientos seconded and the motion passed unanimously.

Discussion and Action on an Ordinance adopting the 2018/2019 Fiscal Year Budget: Our FY18/19 revenues and expenditures are currently BALANCED at \$11,725,068. This is \$216,634 greater than our FY17/18 budget of \$11,508,343 --- this equates to a 1.9% INCREASE in projected spending. Councilwoman Janak made a motion to approve the Ordinance adopting the 2018/2019 Fiscal Year Budget. Councilwoman Morgan seconded and the motion passed unanimously.

Discussion and Action on an Ordinance adopting the 2018/2019 Fiscal Year Tax Rate: You have been given a PROPOSED AD VALOREM TAX RATE of \$0.56902 cents per \$100 valuation --- an INCREASE of \$0.0300 cents or 5.57% for consideration. This will bring in an additional \$72k of revenue to the General Fund to help pay for drainage improvements and street repairs. The impact to homeowners is an additional \$45 per year based on an average home value in Smithville of \$152k. Councilwoman Morgan made a motion to approve the Ordinance adopting the 2018/2019 Fiscal Year Tax Rate. Councilwoman Barrientos seconded and the motion passed unanimously.

Discussion and Action on a Resolution adjusting the fee for Large Commercial/Demand Distribution Energy Charge per kWh - Recommend increasing large customer electric distribution rate from \$0.0400 to \$0.0500 to align with residential and small business customer distribution rates – This will bring an additional \$106k (estimate) of revenue to the Utility Fund. Councilwoman Janak made a motion to approve the resolution. Councilman Gordon seconded and the motion passed unanimously.

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

Closed Meeting: 6:35pm

Pursuant to Section 551.072 of the Texas Government Code, Council shall convene into a Closed Meeting to deliberate the purchase, exchange, lease, or value of real property donated to the City of Smithville outside the city limits – Discuss 7.9-acre Wilderness Ridge property.

Open Meeting: 7:01

Discussion and Action as a result of the Closed Executive Meeting: No action was taken as a result of the closed meeting.

Adjourn: at 7:02 p.m.

Scott Saunders Jr., Mayor

Attest:

Jennifer Lynch, Asst. City Secretary