

# CITY OF SMITHVILLE

October 17, 2016

## COUNCIL MEETING

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

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

*Invocation:* Jane Johnson gave the invocation.

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

*Recognition/Awards/Proclamations/Announcements/Presentations:* A proclamation was presented to Judge Ron Jones and Associate Judge David Herrington for Municipal Court Week from November 7<sup>th</sup> - 11<sup>th</sup> 2016. Fourth grader Darcy Mullen read her essay about the Character Trait word "Responsibility". A proclamation and Award were presented to Brenda Page for her 30 years of service to the City of Smithville.

*Approval of the minutes from the September 12, 2016 Council Meeting and Public Hearing, and the September 15, 2016 Special Called Meeting:* Councilman Gordon moved to approve the minutes as written for September 12, 2016 Council Meeting and Public Hearing Councilman Streuer Seconded and the motion passed unanimously. Councilwoman Morgan made a motion to approve the September 15, 2016 Special Called Meeting. Councilwoman Janak seconded and the motion passed unanimously.

*Hear recommendations from Planning and Zoning on a:*

*a) Minor Re-plat at 128 FM 2571, Tobin Addition and Front Yard Setback Variance, Blk 7, Lot 1-3(FR's) & 4, owner-128 FM 2571 Trust:* Nancy Catherman spoke and told the Council that P&Z approved the Minor Re-plat at 128 FM 2571 and that the front yard setback was not really needed because the houses have been there for many years and were grandfathered in. There was a concern with the property lines between Darrell Welcome and the 128 FM 2571 properties but the deed Mr. Welcome had and the deed the property owner had matched.

*b) A Variance for a front yard setback at 102 Turney Street, Burleson Addition, Blk 41, Lot 3, owner Fernando & Ashley Guerrero.:* Nancy told the Council that the P&Z approved a variance for a front yard setback at 102 Turney Street so that the property owner could add on to his home.

*c) A Minor Re-plat at 1400 NE 8<sup>th</sup> Street, Riverdale Addition and Back Yard Variance, Blk 1, Lot 1A (Outlot 7, Lot 3)-Owner Bonnie Campos:* Nancy and the P&Z had some concern for the Minor Re-plat and back Yard Variance at 1400 NE 8th Street. When presented to P&Z the owner wanted 4 lots and P&Z thought this would be too much and the lot would be small for the area. P&Z recommended to deny the minor re-plat at 1400 NE 8th.

### **Public Hearing:**

*Hear citizens comments on a:*

*a) Minor Re-plat at 128 FM 2571, Tobin Addition and Front Yard Setback Variance, Blk 7, Lot 1-3(FR's) & 4, owner-128 FM 2571 Trust:* Darrell Welcome was at the meeting to speak about the subdivision at 128 FM 2571. Mr. Welcome said he did not know where the survey stacks were and that he would like the surveyor to come out and show him because he did 't want them to encroach on his property.

*b) A Variance for a front yard setback at 102 Turney Street, Burleson Addition, Blk 41, Lot 3, owner Fernando & Ashley Guerrero.* Mr. Guerrero explained he would like this variance so that he can expand his home and since his home is closer that the 25' he needs this variance. There was no one at the meeting signed up to speak for or against the variance and set back at 102 Turney.

*c) A Minor Re-plat at 1400 NE 8<sup>th</sup> Street, Riverdale Addition and Back Yard Variance, Blk 1, Lot 1A (Outlot 7, Lot 3)Owner Bonnie Campos:* Kurt Kason spoke on behalf of Bonnie and said they wanted to originally split the property into 4 lots but have changed it to split into 3 lots. The back yard variance was for the fourth lot so being they are only asking for the three they do not need the Back yard setback. There were no neighbors at the meeting signed up to speak for or against the variance and set back at 1400 NE 8<sup>th</sup>.

### **Open Meeting:**

#### *Discussion and Action on:*

*a) Minor Re-plat at 128 FM 2571, Tobin Addition and Front Yard Setback Variance, Blk 7, Lot 1-3(FR's) & 4, owner-128 FM 2571 Trust.* Councilman Rooks made a motion to approve the Subdivision at 128 FM 2571 and the setback was not needed because the houses have been there for many years. Councilwoman Janak seconded the motion and the motion pass unanimously.

*b) A Variance for a front yard setback at 102 Turney Street, Burleson Addition, Blk 41, Lot 3, owner Fernando & Ashley Guerrero.* Councilwoman Morgan made a motion to approve the variance and front yard setback at 102 Turney. Councilman Rooks seconded the motion and the motion passed unanimously.

*c) A Minor Re-plat at 1400 NE 8<sup>th</sup> Street, Riverdale Addition and Back Yard Variance, Blk 1, Lot 1A (Outlot 7, Lot 3):* Councilman Streuer made a motion to approve the subdivision of the lot into 3 lots not 4 and no variance was needed. Councilwoman Morgan seconded the motion. Councilwoman Janak abstained from voting. Councilmembers Morgan, Streuer, Rooks, and Gordon voted to pass the subdivision.

#### *Discussion and Action on Resolutions setting Public Hearings on the annexation on the following petitions:*

*a)6.154 Acres in the Faldyn Subdivision (Parcel R122460) owned by the Smithville Hospital Authority –* Accepting the voluntary annexation petition will initiate the process to allow the 6.154 acre property to be incorporated into the City Limits. Councilwoman Morgan made a motion to approve the resolution setting the public hearing on the 6.154 Acres in the Faldyn Subdivision (Parcel R122460) owned by the Smithville Hospital Authority. Councilman Gordon seconded the motion and the motion passed unanimously.

*b) 68.094 Acres in the Thomas Addition (Parcel R70936) and 1.014 Acres in the Thomas Addition (Parcel R21659) owned by Smithville 71, GP, LLC:* Accepting the voluntary annexation petition

will initiate the process to allow the 69 acre property to be Councilwoman Morgan made a motion to approve the resolution setting the public hearing on the 68.094 Acres in the Thomas Addition (Parcel R70936) and 1.014 Acres in the Thomas Addition (Parcel R21659) owned by Smithville 71, GP, LLC. Councilman Rooks seconded the motion and the motion was passed unanimously.

*Discussion and Action on Appointments to the Library Board:* Judy explained that she wanted to appoint Karen Riles to place 7, Rana Leon Place<sup>8</sup> and Marie Elena Granillo to place<sup>9</sup>. Councilman Gordon made a motion to approve the Appointments to the Library Board. Councilwoman Janak seconded the motion and the motion passed unanimously.

*Discussion and Action on an Agreement with Bastrop County Commissioners Court Approving an Interlocal Cooperation Agreement:* This interlocal agreement is between Bastrop County (Precinct 2) and the City of Smithville for annual paving of roads, hauling dirt for the rodeo arena at Riverbend Park, and the little league baseball field at MLK Park. Precinct 2 will supply the equipment and *three-hundred (300) man-hours toward these efforts. In return, the City of Smithville agrees to pay (or reimburse the County) for all dirt and/or paving materials used.* Councilman Rooks made a motion to approve the interlocal agreement. Councilman Gordon seconded the motion and the motion passed unanimously.

*Discussion and Action on a Resolution Approving the Bastrop County Hazard Mitigation Plan and resolving to execute the action in the plan:* FEMA concluded the review of the Bastrop County Hazard Mitigation Plan, and the plan is found to be approvable pending adoption. In order for this plan to receive final FEMA approval, the City must adopt this plan and submit the complete adoption package to the state within 90 days. Councilwoman Morgan made a motion to approve the Bastrop County Hazard Mitigation Plan and resolving to execute the action in the plan. Councilman Steuer seconded the motion and the motion passed unanimously.

*Discussion and Action on an Ordinance Amending the 2015/2016 Fiscal Year Budget:* Councilman Streuer made a motion to approve the Ordinance Amending the 2015/2016 Fiscal Year Budget. Councilman Gordon seconded the motion 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 the motion and the motion passed unanimously.

### **Closed Meeting:**

*The City Council will hold an Executive Meeting pursuant to the Open Meetings Act, Chapter 55, Govt. Code, Vernon's Texas Code Annotated, in accordance with the authority contained in Section 551.074, to discuss personnel (annual evaluation of the City Manager).*

### **Open Meeting:**

*Discussion and Action as a result of the Closed Meeting:* Councilwoman Morgan made a motion to give the City Manager a 3% increase as budgeted due to receiving a favorable evaluation. Councilman Gordon seconded the motion and the motion passed unanimously.

*Adjourn:* at 8:16 p.m.

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Scott Saunders Jr., Mayor

Attest:

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Jennifer Lynch, Asst. City Secretary