

CITY OF SMITHVILLE

OCTOBER 21, 2019

COUNCIL MEETING

Present: Mayor Scott Saunders Jr, Councilmembers, Bill Gordon, Joanna Morgan, Cassie Barrientos, Jason Hewitt, Sharon Foerster, and 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: Cub Scout pack 183 led the pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: 4th Grader Kendall Kiss read her essay on Character Trait word "Responsibility". Mayor Saunders read a proclamation on "Municipal Court Week".

Approval of the minutes from the September 9, 2019 Council Meeting and Public Hearing: Councilman Gordon moved to approve all of the minutes. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments on:

Discussion and Action on Resolution Supporting the Bastrop County 2020 Census Complete Count Committee: Clara and Julia gave a presentation on how important the Census count is to our community. Councilwoman Morgan made a motion to approve the Resolution. Councilman Gordon Seconded and the motion passed unanimously.

Hear recommendation from Planning and Zoning on:

- a. a minor re-plat at 320 Webb St. Webb (Ivan) Addition Lot 21 acres 0.381 & Lot 20 acres 1.151 (R# 62263 & 62262) Owner- Series 62263 of Streuer LLC.: Brian Riewe said the P&Z recommend approving the minor re-plat.
- b. a side and front yard set-back variance at 309 Olive Smithville Townsite Block 23 lot 11,12,13(1/2) Owner- Reimagined Living LLC.: Brian Riewe said the P&Z recommend approving the side and front yard setbacks.
- c. a minor re-plat at 1404 Caldwell Lane Riverside Vista Addition, Lot 14 (FR) Acres 0.2217 Owner Herbert Distefano, Jr.: Brian Riewe said the P&Z recommend approving the minor re-plat with the condition that tiffany and John Scallorn represent the owner as his agent.

Public Hearing:

- a. a minor re-plat at 320 Webb St. Webb (Ivan) Addition Lot 21 acres 0.381 & Lot 20 acres 1.151 (R# 62263 & 62262) Owner- Series 62263 of Streuer LLC.: No One signed up to speak for or against this item.
- b. a side and front yard set-back variance at 309 Olive Smithville Townsite Block 23 lot 11,12,13(1/2) Owner- Reimagined Living LLC.: No one signed up to speak for or against this item.
- c. a minor re-plat at 1404 Caldwell Lane Riverside Vista Addition, Lot 14 (FR) Acres 0.2217 Owner Herbert Distefano, Jr.: No one signed up to speak for or against this item.

Open Meeting:

- a. a minor re-plat at 320 Webb St. Webb (Ivan) Addition Lot 21 acres 0.381 & Lot 20 acres 1.151 (R# 62263 & 62262) Owner- Series 62263 of Streuer LLC.: Councilman Gordon made a motion to approve the re-plat. Councilwoman Morgan seconded and the motion passed unanimously.
- b. a side and front yard set-back variance at 309 Olive Smithville Townsite Block 23 lot 11,12,13(1/2) Owner- Reimagined Living LLC.: Councilwoman Morgan made a motion to approve the side and front yard variance, with the following findings:
 - a. The variance will not be contrary to public interest; and
 - b. There are special conditions affecting the applicant's property; and
 - c. Because of the special conditions, literal enforcement of the ordinance would result in unnecessary hardship; and
 - d. The variance observes the spirit of the ordinance; and
 - e. Substantial justice is done by granting the variance

Councilwoman Barrientos seconded and the motion passed unanimously.

- c. a minor re-plat at 1404 Caldwell Lane Riverside Vista Addition, Lot 14 (FR) Acres 0.2217 Owner Herbert Distefano, Jr.: Councilwoman Barrientos made a motion to approve the minor re-plat. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action as required per Chapter 13, Utilities, Article 13.500 Water and Sewer Main Extension, Section 13.502 Application for Extension, for the approval of an extension outside city limits for the Creekside RV Park on State Highway 71: Steve Simmons is seeking Council approval to extend water service outside city limits for what will eventually become the Creekside RV Park (175 spaces) on State Highway 71. The 8" water line will run beneath and parallel to Hwy-71. Per ordinance, approval of the City Council shall be required for all extensions outside the city limits. In addition, the developer must pay for all costs associated with water line extensions that are outside the city limit in accordance with city specifications. An engineering estimate and preliminary design have been provided by BEFCO Engineering, Inc. Councilwoman Morgan made a motion to approve the Water and Sewer Main Extension. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on a Resolution Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the Texas Community Development Block Grant Program (TxCDBG) - Approving this resolution will identify authorized signatories for signing contractual documents and requesting the release of funds in support of a \$30k Texas Department of Agriculture (TDA) Economic Development Plan (EDP) grant to hire a consultant to develop a Strategic Economic Development Plan. Councilwoman Barrientos made a motion to approve the resolution. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on an Ordinance amending the Code of Ordinances to add Article 8.900 Pertaining to Camping in Public Places; Repealing Conflicting Ordinances; Providing a Severability Clause; and Providing an Effective Date: Approving this ordinance will prohibit non-permitted camping in public spaces. Tents, bed-rolls, sleeping bags, and/or cardboard boxes cannot be used for the purpose of constructing a temporary shelter. Councilwoman Morgan made a motion to approve the ordinance. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on a License Agreement for an Encroachment for signage at 200 Main Street, Smithville, Tx., by owner Elizabeth Neely - Ms. Neely purchased the Yerger Hill building at 200 Main and would like to put up a neon sign like the one already located at the Smithville General Store. An administrative Certificate of Appropriateness (COA) for the neon sign was granted by the City Staff on 10/4/19 and a License Agreement for Encroachment is now required to allow Ms. Neely to install the sign. Councilwoman Barrientos made a motion to approve the License agreement. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on a License Agreement for an Encroachment for an Awning at 205 Main Street, Smithville, Tx., by owner Edward "Ted" LeVieux - Ted LeVieux purchased the old Ragsdale's building at 205 Main and would like to replace the awning that will encroach onto City property. The existing encroachments (awning) conveyed with the sale property. However, the City has no record of entering into a license agreement with the previous owner. Councilwoman Morgan made a motion to approve the License Agreement. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Hear recommendation from Historic Preservation and Design Standards Advisory Committee (HPDS) on a Certificate of Appropriateness (COA) request for Edward "Ted" LeVieux at 205 Main Street, Smithville, Tx.: April Daniels said the HPDS advisory committee recommends approving this COA.

Citizen Comments on: None

Discussion and Action on a Certificate of Appropriateness (COA) request for Edward "Ted" LeVieux at 205 Main Street, Smithville, Tx.: Councilwoman Morgan made a motion to approve the COS.

Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on an Appointment to replace a member of the Smithville Housing Authority Board: Recommend appointing Tracie Wallace to replace Ronnie Holt to serve out his remaining term on the Smithville Housing Authority Board. The term expires December 2019. Councilman Hewitt made a

motion to appoint Tracie Wallace. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on a Resolution for the Nomination of a position on the Board of Directors of the Bastrop Central Appraisal District: Nominations for the BCAD Board of Directors are due. The City of Smithville will have 52 votes to cast out of a total of 5000 votes and our nominations are Bill Hector and Dennis Snyder. Councilwoman Foerster made a motion to nominate Bill Hector and Dennis Snyder for the BCAD Board of Directors. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on the award of a Construction/Builder for the Reconstruction of Two (2) Homes funded through the Texas Department of Housing and Community Affairs HOME Program: The City of Smithville received sealed bids for the reconstruction of two (2) three-bedroom homes on October 21, 2019 Construction of the homes will be funded thru the Texas Department of Housing and Community Affairs (TDHCA) HOME program. The \$100k homes will be built at 207 Gentry (Elena Borja) and 307 Yeager (Cebrina Gaona). RM Quality Construction, LLC was the only construction contractor that submitted a bid. The base bid is \$100,000 per home with the City paying \$5,000 (match) for either site prep or permit fees. No other bid alternates (i.e., gutters and/or carport) will be included unless the homeowner covers the cost. Councilwoman Morgan made a motion to award RM Quality Construction the Bid. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on the awarding of an Engineering Firm for the services of a FEMA Hazard Mitigation Assistance (HMA) Grant Application Program (HMGP) for proposed drainage project: Four (4) Engineering services consultants submitted their qualifications. BEFCO Engineering, Inc. received the highest total score (99) and as such will be recommended to the City Council for consideration / selection. Note: Thonhoff Consulting Engineers, Inc. submitted their RFQ approximately 15 minutes after the submission deadline of 2:00 pm. Councilwoman Barrientos made a motion to award BEFCO Engineering the services of a FEMA Hazard Mitigation Assistance (HMA) Grant Application Program (HMGP) for proposed drainage project. Councilwoman Morgan seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on the awarding of a Consultant/Management Firm for the services of a FEMA Hazard Mitigation Assistance (HMA) Grant Application for the Hazard Mitigation Grant Program (HMGP): Langford Community Management Services (LCMS) was the only administrative / management consulting firm to submit an RFQ packet. As such, it is recommended that LCMS be awarded the FEMA HMGP management services contract. Councilwoman Morgan made a motion to Award Langford Community Management the Consultant/Management Firm for the services of a FEMA Hazard Mitigation Assistance (HMA) Grant Application for the Hazard Mitigation Grant Program (HMGP). Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on the awarding of an Engineering Firm for the relocation of city utilities (e.g., water, wastewater) Associated with TxDot's SH95 Expansion in Smithville, Tx.: Proposals for engineering services (Request for Qualifications) for the City of Smithville SH95 Utilities Relocation project were received and reviewed by City Staff on 10/18/19. Experience, work performance, and capacity to perform were criteria used by the City staff to evaluate / differentiate each engineering consultant's qualifications. Seven (7) Engineering services consultants submitted their qualifications. BEFCO Engineering, Inc. received the highest total score (95) and is the engineering services firm recommended for selection. Councilwoman Foerster made a motion to award BEFCO Engineering the relocation of city utilities (e.g., water, wastewater) Associated with TxDot's SH95 Expansion in Smithville, Tx. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on amending Chapter 12 Traffic and Vehicles Ordinance, Article 12.200 Control Devices, Section 12.204 Stop Signs at Hickory Street and 5th Ave - Mr. Charlie Hoy is requesting a STOP sign at Hickory and 5th Ave (on The Hill). Robert would like to take no action on this item at this time. No action taken.

Citizen Comments on: None

Discussion and Action on amending Chapter 12 Traffic and Vehicles Ordinance, Article 12.600 One-Way Streets and Alleys, Section 12.602 Designated One-Way Alley between Main Street and Olive Street from Loop 230 to 2nd Street: Ms. Jeri Nell Winslett is requesting to make the alley ONE-WAY for safety concerns. Councilman Gordon made a motion to approve the amendment. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on an amendment to Article 12.800 City Ordinance pertaining to Recreational Vehicles, Trailers, and Commercial Vehicles Parked or Stored on Right-Of-Ways, Section 12.802 Prohibited Activities, Subsection (a) regarding to the period of excess parking time: Requesting the current ordinance be amended to limit parking of Recreational Vehicles, Trailers, and Commercial Vehicles in the City ROW to 4-hours. Councilwoman Foerster made a motion to approve amendment to 4hour limit for parking in the Right-of-Way. Councilman Hewitt seconded and the motion passed unanimously.

Citizen Comments on: None

Discussion and Action on Budget Amendment(s) amending the 2018-2019 Fiscal Year Budget: Cynthia has finalized our 2018/19 budget amendments. Councilwoman Foerster made a motion to approve the budget amendments. Councilwoman Barrientos seconded and the motion passed unanimously

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

Closed Meeting: 7:15

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: 9:10

Citizen Comments on: none

Discussion and Action as a result of the Executive Meeting: Councilwoman Barrientos said the City Manager had a favorable evaluation and moved to increase his salary by 5% as allowed in the budget. Councilwoman Morgan seconded and the motion passed unanimously.

Adjourn: 9:20

Scott Saunders Jr., Mayor

Attest:

Jennifer Lynch, Asst. City Secretary