

CITY OF SMITHVILLE

JANUARY 11, 2021

COUNCIL MEETING

Present: Councilmembers, Mike Kahanek, Janice Bruno, Bill Gordon, Joanna Morgan, Sharon Foerster, and City Manager Robert Tamble. This meeting was a zoom Conference call.

Open Meeting: Call to order: Mayor Pro-tem Morgan called the meeting to order at 6:00 p.m.

Invocation: Joanna Morgan gave the invocation.

Recognition/Awards/Proclamations/Announcements/Presentations: Mayor Pro-tem Morgan read a proclamation for “It’s Time Texas Challenge” & MLK Day”.

Citizen Comments: None

Discussion and Action on acceptance of Mayor Scott Saunders Jr.'s resignation: Councilwoman Bruno made a motion to accept Mayor Saunders's resignation. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the appointment to fill the unexpired term of Mayor: Councilman Gordon made a motion to appoint Joanna Morgan to fill the unexpired term of Mayor.

Councilman Kahanek seconded and the vote was:

Abstain- Morgan

For- Gordon, Kahanek, Bruno, and Foerster

Opposed-None

Citizen Comments: None

Discussion and Action on Election of Mayor Pro-Tem: Councilman Kahanek made a motion to appoint Councilman Gordon as Mayor Pro-Tem. Councilwoman Foerster seconded and the vote was:

Abstain- Gordon

For- Foerster, Bruno, and Kahanek

Opposed- None

Citizen Comments: None

Approval of the minutes from December 14, 2020, Council Meeting and Public Hearing and November 16, 2020, Special Called Council Meeting: Councilwoman Bruno moved to approve the minutes. Councilman Gordon seconded and the motion passed unanimously.

Hear recommendation from Planning and Zoning on:

- a. Amending Central Business District (CBD) Regulations in Section 2.2.11 of the Zoning Ordinance Chapter 14: Brian Riewe said the P&Z recommends approval of the Ordinance Amendment.
- b. An amendment to the Zoning Ordinance Chapter 14 by Deleting Fence Regulations in Section 3.3 Open Spaced and Amending Fence Regulations found in Section 3.6 Fences and Walls: Brian Riewe said the P&Z recommends approval of the Ordinance Amendment.

- c. A Minor re-plat at Mt. Pleasant Block 26 Lots 2, 3, & 4 (R#47230) Owner Brolo Endeavors: Brian Riewe said the P&Z recommends approving the minor re-plat.
- d. A Minor re-plat located at 200 Washington St., Townsite Block 70 Lots 11, 12, 13 & 14, R20246 Owner James Kasson: Brian Riewe said the P&Z recommends approval of the minor re-plat.

Public Hearing:

- a. On a 10 ft side yard setback variance at 300 4th Avenue, Mount Pleasant Block 8 Lot 1, R17249, Owner Aaron Kimball: No one signed up to speak for or against this item.
- b. On a minor re-plat at 216 & 218 Washington St., Townsite Block 70 Lots 19 & 20, (R20266 & R20262) Owner- Ramon Oscar Gonzales, agent Cynthia Gonzales: No one signed up to speak for or against this item.
- c. On a minor re-plat at 301 San Jacinto, Smithville City Block 89 lot 1 & ½ of 2 (R20790) Owner- Michael and Danielle Davis: No one signed up to speak for or against this item.
- d. On a Petition to Annex 20.767 acres situated in the Thomas DeCrow Survey, A-27, in Bastrop County Texas and 2,093 square feet within a proposed ingress/egress easement tract situated in the Thomas DeCrow Survey, A-27, Tract 4B, Acres 0.163 in Bastrop County Texas Owner Dan Vogler-Pentric, Inc.: No one signed up to speak for or against this item.

Open Meeting:

Council Discussion and Action on:

- a. Amending Central Business District Regulations in Section 2.2.11 of the Zoning Ordinance Chapter 14: We are amending the CBD section of the Zoning ordinance to remove the word “prohibited” with respect to the front and side yard setbacks. Front and side yard set-backs are now “not required” which gives property owners within the CBD zoning district the option of a “zero” lot line. Councilwoman Bruno made a motion to approve the amendment. Councilman Gordon seconded and the motion passed unanimously.
- b. An amendment to the Zoning Ordinance Chapter 14 by Deleting Fence Regulations in Section 3.3 Open Space and Amending Fence Regulations found in Section 3.6 Fences and Walls: Approving this amendment to the Zoning ordinance will limit the height of a fence in the front yard to 4-feet. Councilwoman Bruno made a motion to approve the amendment. Councilwoman Foerster seconded it and the motion passed unanimously.
- c. A minor re-plat at Mt. Pleasant Block 26 Lots 2, 3, & 4 (R#47230) Owner Brolo Endeavors: Troy Streuer and John Scallorn (Brolo Endeavors) is requesting approval for a minor replat to convert three (3) lots into four (4) so they may build residential homes (see survey in your packets). The property is zoned SF-2 and the minimum square footage of the new parcels is greater than 6,500 sq. ft. Although four neighboring property owners expressed objection to the project, the P&Z voted unanimously to recommend approval of the minor replat to the City Council.

Councilwoman Foerster made a motion to approve the minor re-plat. Councilman Gordon seconded and the motion passed unanimously.

- d. A minor re-plat located at 200 Washington St., Townsite Block 70 Lots 11, 12, 13 & 14, R20246 Owner James Kasson: Mr. Kasson would like to combine four (4) lots into two (2) to provide a larger lot size required to construct residential homes. Councilman Gordon made a motion to approve the minor re-plat. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Extending the Face Covering Ordinance until June 14, 2021, at 11:59 PM: Approving Ordinance #2021-603 will amend emergency ordinance #2020-591 to extend the requirements related to the posting of public notice by commercial establishments and the wearing of face coverings within the Smithville city limits until 11:59 pm Monday, June 14, 2020. Councilman Kahanek made a motion to approve the 380 Economic Development Agreement. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Awarding the Engineering Services (RFQ) for the TxDOT Safe Routes to School and TA Set-Aside Pedestrian Walkways Project: Proposals for engineering services (i.e., Request for Qualifications) for the TXDOT Safe-Routes-to-School (SRTS) / Transportation Alternatives Set-Aside (TASA) sidewalk project were received and reviewed by the City of Smithville on 1/6/21. Experience, work performance, and capacity to perform were criteria used by the City staff to evaluate/differentiate each engineering consultant's qualifications. Three (3) Engineering services consultants submitted their qualifications KSA Engineering received a perfect score with 100 total points. As such, it is the decision of the evaluation team to recommend KSA Engineering to the City Council for consideration/selection as the Engineering services firm to design and manage the TXDOT SRTS / TASA sidewalk project. Councilwoman Bruno made a motion to award KSA the Engineering Services. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on rescinding approval of a minor re-plat at 109 Wilkes, Byrne Addition, Block 121, lots 6,7 & 8, this item was approved on January 8, 2019, Council Meeting at the request of the owner Troy Streuer: We received a letter from Troy Streuer requesting the City to rescind the minor replats (approved at January 8, 2019, Council Meeting) for “Lots 4 & 5 at 1103 NE 2nd Street Property ID 16963” (the “NE 2nd Replat”) and “Lots 6 & 7 at 109 Wilkes Property ID 17077” (the “Wilkes Replat”). Neither the NE 2nd Replat nor the Wilkes Replat was submitted with a plat map prepared by a licensed surveyor and neither has been recorded with Bastrop County. Items 15 & 16 on the agenda will be to rescind the approval of the NE 2nd Replat and the Wilkes Replat. If Council approves to rescind both items, the City will consider the lots involved to be in their original configuration prior to the NE 2nd Replat and the Wilkes Replat. Councilman Kahanek made a motion to approve the rescinding of the plat. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on rescinding approval of a minor re-plat at 1103 NE 2nd Street, Byrne Addition, Block 116, Lot 4-5 this item was approved at January 8, 2019, Council Meeting at the request of the owner Troy Streuer: See notes from Item above. Councilwoman Bruno made a motion to approve the rescinding of the plat. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the appointment/re-appointment of members to the Smithville Hospital Authority: Per Article 9.100 of our City Ordinances, the Smithville Hospital Authority shall be governed by a board of directors consisting of seven (7) members. Three (3) directors (Places 2, 4, and 6) shall be appointed by the city council and the board of directors shall appoint four (4) additional members (Places 1, 3, 5, and 7). Each of said directors shall serve for a term of two (2) years. Vacancies shall be filled for the unexpired terms. Places 1, 3, 5, and 7 shall be appointed for terms ending in even-numbered years and Places 2, 4, and 6 shall be appointed for terms ending in odd-numbered years. All terms shall expire on February 3rd. I received an email from Mr. James Wither (Smithville Hospital Authority Board President) confirming he would like the City Council to consider the following people for appointment / re-appointment to the Smithville Hospital Authority Board:

Ann Fulcher – Re-appointment

Mark Bunte – Reappointment

Jimmy Trousdale – New Appointment to replace Dareld Morris III

Councilwoman Bruno made a motion to approve the Appointments/Reappointments to the Hospital Authority Board. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Resolution Calling for May 1, 2021, Municipal General Election: Approving this resolution is required for holding Councilmember elections in May. Three places will be on the ballot: Place 1 - currently held by Sharon Foerster, Place 2 - currently held by Mike Kahanek, and Place 3 - currently held by Bill Gordon. New and incumbent candidates may file beginning Wednesday, January 13, 2021. The deadline to file is Friday, February 12, 2021, at 5:00 pm. Councilman Gordon made a motion to approve the Resolution. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Resolution Calling for the May 1, 2021, Special-Called Election: Approving this resolution is required for holding a special-called election on May 1, 2021, for candidates to file to run for the unexpired term(s) of Mayor and Place 4 Alderman. New and incumbent candidates may file beginning Wednesday, January 13, 2021. The deadline to file is Friday, February 12, 2021, at 5:00 pm. Councilman Kahanek made a motion to approve the Resolution. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

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

Adjourn: at 7:04 p.m.

Joanna Morgan, Mayor

Attest:

Jennifer Lynch, Asst. City Secretary