

CITY OF SMITHVILLE

MARCH 11, 2019

COUNCIL MEETING

Present: Mayor Scott Saunders Jr. Councilmembers, Bill Gordon, Joanna Morgan, Bennie Rooks, Cassie Barrientos, City Manager Robert Tamble. Not present Rhonda Janak .

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 Gordon led the pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: 5th grader Callie Ruyle read her essay on the Character Trait word "Self-Reliance"

Approval of the minutes from the February 11, 2019 Council Meeting and Public Hearing: Councilwoman Barrientos moved to approve of the minutes as written. Councilman Gordon seconded and the motion passed unanimously.

Hear recommendations from Planning and Zoning on:

- a) A Minor Re-plat for 915 Turney Lane, A46 Lomas, 0.600 Acres, R# 16730, Owner K-20 Holdings - Brian Riewe said the P&Z recommended approving the minor re-plat.
- b) A Sign Variance to allow a monument sign at the Hurta River Estates (PPD) 97.170 Acres in the Edward Burleson Survey A-16 Property ID# 72231, Owner Hurta Land, Inc. - Brian Riewe said the P&Z recommended approving the variance for a sign.
- c) A Final Plat at the Hurta River Estates (PDD) 97.170 Acres in the Edward Burleson Survey A-16 property ID# 72231, Owner Hurta Land, Inc. - Brian Riewe said the P&Z recommend approving the final plat

Public Hearing:

Hear citizen comments on:

- a) A Minor Re-plat for 915 Turney Lane, A46 Lomas, 0.600 Acres, R# 16730, Owner K-20 Holdings: No one signed up to speak for or against this item
- b) A Sign Variance to allow a monument sign at the Hurta River Estates (PPD) 97.170 Acres in the Edward Burleson Survey A-16 Property ID# 72231, Owner Hurta Land, Inc.: No one signed up to speak for or against this item
- c) A Final Plat at the Hurta River Estates (PDD) 97.170 Acres in the Edward Burleson Survey A-16 property ID# 72231, Owner Hurta Land, Inc.: No one signed up to speak for or against this item

Open Meeting:

Discussion and Action on:

- a. A Minor Re-plat for 915 Turney Lane, A46 Lomas, 0.600 Acres, R# 16730, Owner K-20 Holdings: Nick Johnson would like to re-plat the property on Turney Lane to allow future construction of single-family residence(s). One citizen spoke during the public hearing at the P&Z and wanted to ensure any homes constructed would be elevated due to flooding concerns. The City requires all new homes be built 12" above the crown of the road. Councilwoman Janak made a motion to approve the minor re-plat. Councilman Rooks Seconded and the motion passed unanimously..
- b) A Sign Variance to allow a monument sign at the Hurta River Estates (PPD) 97.170 Acres in the Edward Burleson Survey A-16 Property ID# 72231, Owner Hurta Land, Inc.: Billboard and monument signs are prohibited by Article 3.201 of our City ordinance. Hurta River Estates would like to erect a 13'x60' monument sign in front of their subdivision. Councilwoman Morgan said the variance met the criteria requirements and made a motion to approve the sign variance. Councilman Gordon seconded and the motion passed unanimously.
- c) A Final Plat at the Hurta River Estates (PDD) 97.170 Acres in the Edward Burleson Survey A-16 property ID# 72231, Owner Hurta Land, Inc.: Councilwoman Janak made

a motion to approve the final plat. Councilman Rooks seconded and the motion passed unanimously.

Discussion and Action on approval of the Hurta River Estates public paving, drainage, water, and wastewater improvements and to accept ownership and maintenance of said improvements upon end of warranty period and final inspection on February 14, 2020: Hurta River Estates has completed the infrastructure (i.e., public paving, drainage, water, and wastewater improvements) for the 50-home subdivision on American Legion Road on February 14, 2019. The 1-year warranty period will end on February 14, 2020 whereby the City will assume ownership for maintenance of the above infrastructure. Until then, Hurta River Estates (or their designated Contractor) will replace and make good any faulty workmanship and/or materials discovered in the work within a 12-month period. Councilwoman Morgan made a motion to approve. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on approval of a Possession and Use Agreement between the city and Southwest Housing Partners, LTD: A Possession & Use (P&U) Agreement for a 15' utility easement between the City of Smithville and Southwest Housing Partners, LTD was prepared by our City attorney to allow work to continue on the TDA-CDBG water line expansion project. Southwest Housing Partners, LTD owns the newly renovated Independence Meadows Apartments (formerly known as the Smithville Gardens). Due to utility conflicts, the City must relocate the new 10-inch water line which will now encroach onto the Independence Meadows west property line boundary - parallel to Eagleston Street. Approving the P&U Agreement will allow work to continue while we negotiate final terms for the 15' utility easement. Councilwoman Morgan made a motion to approve the agreement. Councilwoman Janak seconded and the motion passed unanimously.

Discussion and Action on a Resolution Approving the city's submission of the CAPCOG Justice Assistance Grant and Designating the City Manager as the Authorized City Official: Approving this resolution will allow the City Manager to act as the authorized City Official for acceptance of funding for a \$31,896 grant for in-vehicle cameras, night vision rear cage suspect cameras, and in-vehicle microphones. Councilwoman Barrientos made a motion to approve the resolution. Councilman Gordon seconded and the motion passed unanimously.

Discussion and Action on the Municipal Airport Haying and Mowing Contract: The airport hay contract will expire on March 31, 2019. The contract was previously held by Mr. Ervin Hofferek who recently passed. Pursuant to Chapter 252 of the Local Government Code, an expenditure of more than \$50,000 by the City requires a City to go out or bids and follows all the requirements set forth in Subchapter B of Chapter 252. In this case, the City is not expending any dollars; therefore, Chapter 252 is not applicable. It is at the City's discretion to issue a Request for Proposals from vendors, but it is not a legal requirement. Out of respect for Mr. Hofferek and his family, I am recommending the contract be awarded to Konnor Hurta (Mr. Hofferek's grandson). In consideration for the exclusive right to cut and bale hay at the airport, Mr. Konnor Hurta shall abide by the terms of the contract and pay the City of Smithville \$1,000 per year. The contract period shall be for 2-years. Councilwoman Barrientos made a motion to award the contract to Konner Hurta. Councilwoman Morgan 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: 6:20

The City Council will hold a Closed Executive Meeting pursuant to the Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, deliberation regarding real property (the purchase of Airport Hangars): Councilwoman Barrientos made a motion to move forward with the purchase of airport hangers and obstruction survey. Councilman Gordon seconded and the motion passed unanimously.

Adjourn: at 6:45 p.m.

Attest:

Scott Saunders Jr., Mayor

Jennifer Lynch, Asst. City Secretary