

CITY OF SMITHVILLE

JUNE 14, 2021

COUNCIL MEETING

Present: Mayor Joanna Morgan, Councilmembers, Janice Bruno, Bill Gordon, Tom Etheredge, Stan Gerdes, and City Manager Robert Tamble. Not Present Sharon Foerster.

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

Invocation and Pledge of Allegiance: Councilman Gerdes gave the invocation and pledge.

Recognition/Awards/Proclamations/Announcements/Presentations: Mayor Morgan read a proclamation for “National Flag Day”.

Citizen Comments: None

Approval of the minutes from May 10, 2021, Council Meeting and Public Hearing, and May 19 City Council Workshop: Councilwoman Bruno moved to approve the minutes from the May 10<sup>th</sup> Council Meeting with the addition of City Managers' comments to the public. Councilman Gerdes seconded and the motion passed unanimously. Councilwoman Bruno made a motion to approve the minutes from May 19<sup>th</sup> Council Workshop. Councilman Etheredge seconded and the motion passed unanimously.

Hear from the Applicant/Agent on all P&Z Application requests: Mr. David Cox (Smithville Solar One) acting as the owner’s agent addressed the Council.

Hear recommendation from Planning and Zoning on the following:

- a) a variance requests for a masonry wall or other equivalent noise attenuating barrier between the solar farm (C-3) and adjacent residential properties at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: Brian Riewe said the P&Z recommends approving the Variance
- b) a variance request to allow a six-foot fence with two-foot barbed wire along the top for security purposes at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: Brian Riewe said the P&Z recommends approving the Variance

**Public Hearing:**

Hear Citizens Comments On:

- a) a variance request for a masonry wall or other equivalent noise attenuating barrier between the solar farm (C-3) and adjacent residential properties at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: No one signed up to speak for or against this item.
- b) a variance request to allow a six-foot fence with two-foot barbed wire along the top for security purposes at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: No one signed up to speak for or against this item.

Councilwoman Bruno made a motion to approve the resolution. Councilman Gordon seconded and the motion passed unanimously.

### **Open Meeting:**

Discussion and Action On:

- a) a variance request for a masonry wall or other equivalent noise attenuating barrier between the solar farm (C-3) and adjacent residential properties at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: Mr. Cox is requesting this variance based upon the low level of sound the solar array single-axis tracking motor(s) produce. Councilwoman Bruno made a motion to approve the cyclone fence and said the variance met all criteria. Councilman Gordon seconded and her motion passed unanimously.
  
- b) a variance request to allow a six-foot fence with two-foot barbed wire along the top for security purposes at Decrow Survey ABS A-27, 20.7668 Acres, R8716063, Owner Pentric, Inc.: The variance is being requested to allow a cyclone fence that is at least 7.1 feet with 6 feet of fence and 3 or more strands of barbed wire per National Electric Code (NEC) safety requirements and for security purposes. This applies to the entire Phase I project and to the perimeter of 20.67 Acres. Councilman Gordon made a motion to approve the variance for a six-foot fence and up to 2 ft of barbwire at the top of the fence and that the variance met all criteria. Councilman Etheredge seconded and the motion passed.

Citizen Comments on: None

Hear from the Historic Preservation Design Standards (HPDS) Advisory Committee on Certificate of Appropriateness for a back-lit sign at 217 Main St: Sarah O'Brien spoke for the HPDS Committee and said they recommend approving the COA. Council asked what her thoughts were about the sign and Sarah said she doesn't feel it is historical or appropriate for the downtown district.

Citizen Comments: Sam Gerdes spoke in opposition to the sign and said it doesn't fit the character of Main Street her main concern was the backlit lighting of the sign and said the sign would be appropriate in a strip center not on Main Street. Nancy Catherman spoke in approval of the sign. Nancy said she has been here for many years and has seen Main Street change many times over the years. She is on the HPDS Committee and was one that voted for the COA. Nancy said we are going to have to try to blend the old and new phases into the future of Main St.

Discussion and Action on a Certificate of Appropriateness application for Chase Hodges at 217 Main Street to have a sign placed on the building: Approving this COA will allow Chase Hodges to install his back-lit sign on the building. Mr. Hodges answered questions from the Council and Audience. He said there is a lot of personal preference in regards to his sign but not any guidelines as to what is required. Hodges asked if someone could tell him what it should look like or if the design should have looked another way what would that be? Councilwoman Bruno made a motion to approve the COA. Councilman Gordon seconded and the vote was:

For: Gordon, Bruno, Etheredge

Opposed: Gerdes

Citizen Comments:

Discussion and Action on a License Agreement for encroachment at 217 Main Street for Chase Hodges to place his lighted sign on the building: The license agreement is needed to authorize the

encroachment and indemnify the City against future liability claims should the sign fail in a manner that causes personal injury and/or property damage. Councilman Etheredge made a motion to approve the License Agreement with the addition to the agreement that it must be maintained and in proper working order. Councilwoman Bruno seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on a Resolution Authorizing the Submission of a Texas Home Investment Partnerships Program Application to the Texas Department of Housing and Community Affairs for Participation in the Home Program Reservation System; and Authorizing the City Manager to Act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's Participation in the Home Program Reservation System: The City of Smithville will be submitting a Housing Rehabilitation Assistance (HRA) Program grant application to the Texas Department of Housing and Community Affairs (TDHCA). The HRA program and is more commonly referred to as the HOME grant program. If awarded, the City of Smithville will be guaranteed enough funds to build one (1) new \$135,000 home within the city limits once an eligible candidate is identified. The HOME grant program funds rehabilitation (or reconstruction) of homes owned and occupied by low-to-moderate income residents of our community. Eligible homes must be inside the city limits and homeowners must have clear title to their property, be current on their property taxes (and mortgage, if applicable), and must have incomes below the 80% Area Median Family Income (AMFI) limits for Bastrop County (see below).

Bastrop County 80% AMFI Limits for 2021								
Family Size	1	2	3	4	5	6	7	8
Annual Income	\$ 54,700	\$ 62,500	\$ 70,300	\$ 78,100	\$ 84,350	\$ 90,600	\$ 96,850	\$103,100

Councilman Etheredge 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 Gerdes made a motion to approve the Financial Report. Councilman Gordon seconded and the motion passed unanimously.

*Adjourn:* at 7:15 p.m.

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Joanna Morgan, Mayor

Attest:

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Jennifer Lynch, Asst. City Secretary