

CITY OF SMILEY
COUNCIL FOR REGULAR SESSION
NOVEMBER 16, 2023
MINUTES

The Smiley City Council met in a regular session on Wednesday the November 16th, 2023 at 4:00 p.m. at the Smiley City Hall located at 207 Steele, Smiley, TX 78159.

Members present were Mayor Lisa Benavidez, Ellis Villasana, Lori Price, Melva Childress, Daniel Benavidez, Scott Jewett, Marshal Jason Torres

Members absent were Diana Moreno

A Quorum was present, and Mayor Benavidez called the meeting to order.

Invocation given by Mayor Benavidez

The Pledge of Allegiance to the U.S. and Texas recited.

Citizen to be Heard:

1. 1st motion made by Melva Childress and 2nd by Daniel Benavidez to approve the minutes of the October 18th, 2023 meeting. All in Favor, 4/0, None Opposed. Motion Passed.
2. 1st motion made by Daniel Benavidez and 2nd by Lori Price to approve Financial Statements, unpaid bills, and approve the payment of debt for the month, All in Favor, 4/0, None Opposed. Motion Passed.
3. Presentation was given by Lania Wells about the Stella Hart Library. Mrs. Wells also submitted her resignation as the President and Historian of the Stella Hart Library board.
4. 1st motion made by Melva Childress and 2nd by Daniel Benavidez to approve 2023 Tax Roll, All in Favor, 4/0, None Opposed. Motion Passed.
5. The City Marshall reported 2 calls for service and 45 citations for the previous month. The Marshall also reported that their office had two radars that needed to be serviced. A company has been identified that will give free estimates. A new deputy has been hired.
6. Smiley Fire Department Monthly Report: 1 Medical and 2 Fire calls.
7. The Utility Department Monthly Report: A new sewer pump was installed at a lift station. The department is in need of a new lawn mower.
8. Mayor Lisa Benavidez gave the City Managers report:

The ground stabilizer lifts on Welborn need attention because it has settled.

One check was made out to GBRA for \$1,153.00 to bring the city up to date with water testing.

The city needed to replace a sewer pump for one of the lift stations. The bill was \$5,000.00.

The November light bill for Stella Hart Library was \$53.41.

The office will be closed on Thursday to join Judge Becker at city hall for his annual thanksgiving dinner.

The city has been advised by our attorney that we need to relook all ordinances that are

older than 10yrs to bring them up to date.

The city has contacted Republic Trash in reference to trash cans. If they brought trash cans each resident would only be allowed ONE trash can per household. Any additional trash cans that is placed at the curb would be billed to the resident at \$20.00 per can. Any trash not in a can would not get picked up. As of today, Republic will pick up all trash that is placed at the curb prior to pick up. Because of the additional financial burden that this may put some residents in the city has elected not to have the can delivered.

The Utility department needs a new lawn mower so we will be looking into pricing and purchasing a new on.

9. 1st motion made by Daniel Benavidez and 2nd by Lori Price to approve Christmas bonus for all city employees. The bonus will consist matching the employees pay from 29 Nov-12 Dec and will be paid by check on 13 December. All in Favor, 4/0, None Opposed. Motion Passed.
10. Discussion/Possible Action on Amending/Updating city Ordinance 77-04. Melva Childress abstained from voting. 1st motion made by Ellis Villasana and was not seconded by any member to table until the next meeting. Motion failed. 1st motion made by Daniel Benavidez and was not seconded by any member for the city council to take over library board duties. Motion failed. The city council did agree to keep prior arrangements in place. City Ordinance 77-04 remains unchanged.
11. 1st motion made by Ellis Villasana and 2nd by Melva Childress to approve removing Carol Nunez and Kathleen Whitehead from the Library account. All in Favor, 4/0, None Opposed. Motion Passed.
12. 1st motion made by Ellis Villasana and 2nd by Melva Childress to deny allowing Rise Broadband inside of city limits. All in Favor, 4/0, None Opposed. Motion Passed.
13. Vote on Gonzales County Appraisal District Board of Directors:

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|------------------|-----|-----------------|-----|
| Frank "Bud" Box | 3/2 | Jeff Harvey | 4/0 |
| Lauren Clampit | 0/4 | Craig Hines | 1/3 |
| Briana Dominguez | 4/0 | Ryan Mills | 0/4 |
| Sandra Gorden | 0/4 | D'Anna Robinson | 0/4 |
| Sue Gottwald | 1/3 | Shannon Smith | 3/2 |
| Josh Gray | 0/4 | | |

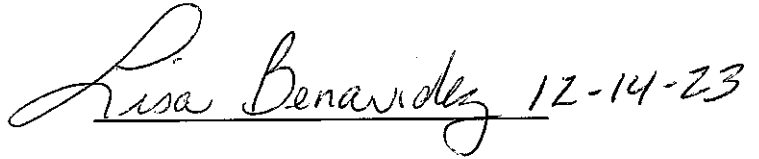
EXECUTIVE SESSION: The Smiley City Council may convene into executive (closed) session in accordance with the Texas Government Code when necessary and legally justified. Any item on this agenda may be discussed in executive session if authorized by Texas Law regardless of whether it is listed under "Executive Session" of this agenda, and regardless of any past or current practice of the City Council. Executive Sessions herein are closed meetings, and may include the consideration of any item otherwise listed on the agenda plus any subject matter specified in the executive session notice, and may include items under the Texas Government Code as follows: Section 551.071 (Consultation with Attorney regarding contemplated or pending litigation, a settlement officer or administrative hearing); Section 551.072 (Deliberations regarding Real Property); Section 551.073 (Deliberations about Gifts & Donations); Section

551.074 (Personnel Matters); Section 551.076 (Deliberation about Security Devices); Section 551.086 (Deliberations regarding Municipally Owned Utility); and Section 551.087 (Deliberations regarding Economic Development Negotiation). In compliance with the Americans with Disabilities Act, the City of Smiley will provide for reasonable accommodations for persons attending City Council meetings. To better serve attendees, requests should be received 48 hours prior to the meeting. Please contact city secretary by phone at 830-587-6220 or fax 830-587-6231.

14. 1st motion made by Ellis Villasana and 2nd by Daniel Benavidez to ADJOURN. All in Favor, 4/0, None Opposed, Motion Passed. Time 4:48 p.m.

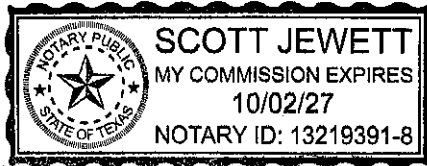


Scott Jewett
Smiley City Secretary



Lisa Benavidez
Mayor

Attest:



Scott Jewett
Smiley City Secretary