



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, May 03, 2022 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, May 3, 2022 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular City Council Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

COUNCIL PRESENT: Mayor Doug Svien
Council Member LeAnn Durfey
Council Member Justin Haschke
Council Member Brady Pendleton
Council Member Ricky Thurman
Council Member Alan Nix
Council Member Gerald Cook

COUNCIL ABSENT: Council Member Daron Trussell

OTHERS ATTENDING: Jason M. King, Interim City Manager
Randy Thomas, City Attorney
Staci King, City Secretary

CALL TO ORDER

Mayor Svien called the meeting to order at 5:30 p.m.

PLEDGES OF ALLEGIANCE

Council member LeAnn Durfey led the Pledges of Allegiance to the United States and Texas flags.

INVOCATION

Wayne Hancock, Cross Timbers Church of Christ, gave the invocation.

CITIZENS GENERAL DISCUSSION

No one came forward to address the council.

PROCLAMATION IN RECOGNITION OF NATIONAL POLICE WEEK

Mayor Svien presented the following proclamation to Chief Dan Harris.

Proclamation for National Police Week 2022

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the 40 dedicated men and women of the Stephenville Police Department; and

WHEREAS, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC; and

WHEREAS, 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34th Candlelight Vigil, on the evening of May 13, 2022; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which will be observed this year May 11-17; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

NOW, THEREFORE, I, Doug Svien, Mayor of the City of Stephenville, Texas, and on behalf of the City Council of the City of Stephenville, Texas, do hereby recognize May 11-17, 2022, as National Police Week In honor of the service and sacrifice of law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

REGULAR AGENDA

1. Consider Approval of the Sale, Auction, or Raffle of Autographed Guitar

MOTION by Alan Nix, second by Brady Pendleton, to approve the sale of an autographed guitar to Doug Svien for \$1,000, with the funds to be donated to help construct the city's inclusive playground. MOTION CARRIED by unanimous vote.

2. Consider Award of the 536 Transmission Line and Site Civil Project

MOTION by Alan Nix, second by Justin Haschke, to award a contract to MH Civil Constructors, Inc. in the amount of \$3,137,010. MOTION CARRIED by unanimous vote.

3. Consider Approval of Development Agreement with The Stable, LLC for Traffic Signal Work

MOTION by Alan Nix, second by Gerald Cook, to approve Resolution No. 2022-R-10 authorizing the City to enter into a Local On-System Agreement with TxDOT and a Developer Agreement between the City and The Stable, LLC. MOTION CARRIED by unanimous vote.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

4. PUBLIC HEARING

Case No.: SV2022-002

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 Sidewalks to be constructed at 191 Davis Avenue, Parcel R76719, being Block 2, Lot 17 of the McAlister Second Addition of the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On April 20, 2022, the Planning and Zoning Commission voted 6-1 to recommend approval to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the request.

Mayor Svien closed the public hearing.

5. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 Sidewalks to be constructed at 191 Davis Avenue, Parcel R76719, being Block 2, Lot 17 of the McAlister Second Addition of the City of Stephenville, Erath County, Texas

MOTION by Alan Nix, second by LeAnn Durfey, to approve Case No. SV2022-002. MOTION CARRIED by unanimous vote.

6. PUBLIC HEARING

Case No.: SV2022-003

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.08.C Triangular Sight Visibility Easements at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of City Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On April 20, 2022, the Planning and Zoning Commission voted 5-2 to recommend approval to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the request. Mayor Svien closed the public hearing.

Mayor Svien closed the public hearing.

7. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.08.C Triangular Sight Visibility Easements at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of City Addition to the City of Stephenville, Erath County, Texas

MOTION by Brady Pendleton, second by Justin Haschke, to approve Case No. SV2022-003. MOTION CARRIED by unanimous vote.

8. PUBLIC HEARING

Case No.: SV2022-004

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.05.G Driveway Design for City Maintained Roadways for the property located at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of the City Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On April 20, 2022, the Planning and Zoning Commission voted 5-2 to recommend approval to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the request. Mayor Svien closed the public hearing.

Mayor Svien closed the public hearing.

9. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.06.05.G Driveway Design for City Maintained Roadways for the property located at 222 E. College, Parcel R29239, being Block 14, Lots 1,2,3, and 4 of the City Addition to the City of Stephenville, Erath County, Texas

MOTION by Ricky Thurman, second by Brady Pendleton, to approve Case No. SV2022-004. MOTION CARRIED by unanimous vote.

10. PUBLIC HEARING

Case No.: RZ2022-004

Applicant is Requesting a Rezone of the Property Located at 855 College Farm Road, Parcel No. R29923, being Block 87, Lot 2 of the City Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2)

Steve Killen, Director of Development Services, briefed the council on the request. On April 20, 2022, the Planning and Zoning Commission voted unanimously to recommend approval to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the request. Mayor Svien closed the public hearing.

Mayor Svien closed the public hearing.

- 11. Consider Approval of an Ordinance Rezoning the Property Located at 855 College Farm Road, Parcel No. R29923, being Block 87, Lot 2 of the City Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2)**

MOTION by Ricky Thurman, second by LeAnn Durfey, to approve Ordinance No. 2022-O-13 rezoning the property located at 855 College Farm Road from Neighborhood Business District (B-1) to One- and Two-Family Residential District (R-2).

PARKS AND LEISURE SERVICES COMMITTEE

Daron Trussell, Chair

- 12. Committee Report - April 19, 2022**

Kelli Votypka, Director of Parks and Leisure Services, gave the committee report.

- 13. Consider Approval of Expenditure for Splash Pad UV System**

MOTION by Justin Haschke, second by Alan Nix, to approve the expenditure for a splash pad UV disinfecting system for Splashville. MOTION CARRIED by unanimous vote.

- 14. Consider Approval of a Contract for the Parks and Recreation Open Space Master Plan**

MOTION by Alan Nix, second by Ricky Thurman, to approve a contract with Vista Planning & Design for a Parks and Recreation Open Space Master Plan. MOTION CARRIED by unanimous vote.

- 15. Consider Approval of an Ordinance Creating City of Stephenville Code of Ordinances Chapter 97 *Municipal Parks, Facilities, and Cemeteries***

MOTION by Justin Haschke, second by Ricky Thurman, to approve Ordinance No. 2022-O-14 adopting Chapter 97 *Municipal Parks, Facilities, and Cemeteries*. MOTION CARRIED by unanimous vote.

NOMINATIONS COMMITTEE

Gerald Cook, Chair

- 16. Nominations Committee Report**

Gerald Cook, chair, gave the committee report.

- 17. Consider Approval Changes to the City Council Rules of Procedure**

MOTION by Gerald Cook, second by Justin Haschke, to approve amendments to the City Council Rules of Procedure as presented. MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

Monica Harris, Director of Finance

18. Monthly Budget Report for the period Ending March 31, 2022

Monica Harris, Director of Finance, gave the following report:

In reviewing the financial statements ending March 31, 2022, the financial indicators are overall as or better than anticipated.

Property Tax - We received \$101K in property taxes in the month of March, resulting in \$71K or 1.11% increase over funds collected last fiscal year to date. The amount collected is 96.16% of budget, which is .28% or \$18K more than anticipated.

Sales Tax - We received \$651K in sales tax in March, resulting in \$305K or 7.85% more than the funds collected last fiscal year to date. The amount collected is 57.31% of the \$7.3 million budgeted, which is 6.33% or \$463K higher than anticipated.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$16.9 million. We received \$18.7 million in operating revenue fiscal year to date, resulting in \$1.8 million over the target budget due to sales taxes, franchise tax, hotel occupancy tax, sports venue tax, service charges, insurance proceeds, sale of assets, and donations.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$11.3 million. We expended \$10.3 million in operating expenditures fiscal year to date, resulting in \$1 million under the target budget; 78% of the \$969K variance in the general fund is salary savings.

Revenue (Prior year comparison) - Operating revenue received last year was \$16.8 million as compared to the current year's \$18.7 million, resulting in a \$1.98 million increase due to property tax, sales taxes, franchise taxes, hotel occupancy taxes, sports venue taxes, service charges, insurance proceeds, sale of assets, and donations.

Expenditures (Prior year comparison) - Operating expenditures last year were \$9.9 million as compared to the current year's \$10.3 million, resulting in a \$383K increase due to personnel, outside professional services, utilities, and maintenance.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Ashleigh Feuerbacher, Assistant Director, gave the monthly report.

CONSENT AGENDA

19. Approval of Minutes - April 5, 2022 Regular City Council Meeting
20. Approval of Minutes - April 19, 2022 Special City Council Meeting
21. Approval of a Resolution Changing the Designation of Banking Authority
22. Approval of a Contract with Kirbo's Office Systems for Lease of Copiers
23. Authorization to Sell City Property via Online Auction

MOTION by Brady Pendleton, second by LeAnn Durfey, to approve the consent agenda as presented. MOTION CARRIED by unanimous vote.

COMMENTS BY CITY MANAGER

Saturday, May 7 - Election Day, Farmers Market, CincoVille Activities

Tuesday, May 17 - Special City Council Meeting to Canvass the May General Election, Reception for Outgoing and Incoming Council Members

Thursday, May 19

Concerts in the Park featuring Davin James and Asleep at the Wheel

Friday, June 3 - Moo-La Fest

Saturday, June 4 - Moo-La Fest, Farmers Market

Tuesday, June 7 - Regular City Council Meeting

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey let everyone know that this week was National Tourism Week and encouraged people to follow the Stephenville Tourism and Visitors Bureau on Facebook. She also reminded everyone that Saturday was Election Day and encouraged them to go vote.

Brady Pendleton thanked those that helped with the Downtown Cleanup Day.

Ricky Thurman thanked Brandon Huckabee for his service to the city. He congratulated Justin Haschke for receiving the Outstanding Young Alumnus award from Tarleton State University. He also said thanks to former city manager Allen Barnes for his service and to Jason King for stepping in to fill the interim role.

Alan Nix wished Brandon Huckabee good luck in his new role. He also stated that he had attended the dedication ceremony for the Jimmy D. Chew Fire Station and described it as a fitting tribute to former chief Chew for his years of service.

Doug Svien informed everyone that it was National Teacher Appreciation Week and Better Hearing and Speech Month.

EXECUTIVE SESSION

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

24. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in

1. John Dupuy Survey

2. South Side Addition

25. Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Secretary

Mayor Svien called the meeting into executive session at 6:27 p.m.

The meeting was called back to regular session at 6:56 p.m.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

24. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in South Side Addition

MOTION by Alan Nix, second by Gerald Cook, to authorize the sale of real property located in the South Side Addition of the City of Stephenville, Texas to Tarleton State University. MOTION CARRIED by unanimous vote.

25. Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Secretary

MOTION by Ricky Thurman, second by Justin Haschke, to accept the resignation of Staci King, effective Friday, May 20, 2022. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 6:57 p.m.

Doug Svien, Mayor

ATTEST:

Terri Johnson, Interim City Secretary