



## REGULAR CITY COUNCIL MEETING

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City Hall Council Chambers, 298 West Washington Street  
Tuesday, August 03, 2021 at 5:30 PM

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### MINUTES

The City Council of the City of Stephenville, Texas, convened on August 3, 2021, in the City Hall Council Chambers, 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 Daron Trussell  
Council Member Ricky Thurman  
Council Member Alan Nix  
Council Member Gerald Cook  
Mayor Pro Tem Brandon Huckabee

**COUNCIL ABSENT:** Council Member Brady Pendleton

**OTHERS ATTENDING:** Allen Barnes, 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 Justin Haschke led the Pledges of Allegiance.

#### INVOCATION

Kory Koch, Oakdale Methodist Church, gave the invocation.

#### CITIZENS GENERAL DISCUSSION

Joyce Ann Cook addressed the council regarding the city's stormwater rates.

#### FY 2021-2022 BUDGET

**1. Set the Maximum Proposed Tax Rate for 2021**

Monica Harris, Director of Finance, briefed the council on their options for the tax rate.

Bruce Delater addressed the council regarding the proposed tax rate.

MOTION by Justin Haschke, second by Alan Nix, to set the maximum tax rate for 2021 at \$0.442 per \$100 valuation. MOTION CARRIED by the following votes:

Ayes: LeAnn Durfey, Justin Haschke, Daron Trussell, Ricky Thurman, Alan Nix, Gerald Cook, Brandon Huckabee

Absent: Brady Pendleton

**2. Set Date, Time, and Location of Public Hearing on Proposed Tax Rate for 2021**

MOTION by Ricky Thurman, second by Brandon Huckabee, to set the date, time, and location of the public hearing on the proposed tax rate for 2021 as Tuesday, September 14, 2021 at 5:30 p.m. in the City Hall Council Chambers, 298 W. Washington. MOTION CARRIED by unanimous vote.

**REGULAR AGENDA**

**3. Presentation of Donation by Waste Connections, LLC**

Adam Sharp and William Rhodes, representing Waste Connections, LLC, presented the Stephenville Parks and Recreation Department with a check for \$10,000 for the purchase of equipment for the city's inclusive playground.

**4. Consider Approval of Executive Staff Reorganization of the Stephenville Police Department**

Dan Harris, Chief of Police, addressed the council regarding changes in the Police Department's executive staff structure. He requested approval from council to take the vacant assistant chief position and vacant lieutenant and create two captain positions. This would change the executive staff structure to two captains and two lieutenants under the chief of police.

MOTION by Gerald Cook, second by Daron Trussell, to approve the reorganization to the Stephenville Police Department executive staff structure. MOTION CARRIED by unanimous vote.

**5. Consider Approval of an Ordinance Amending the City of Stephenville Policy and Procedure Manual by the Addition of Section 4.12 Paid Quarantine Leave Policy**

Allen Barnes, City Manager, briefed the council on HB2073(F) that created legislation requiring paid quarantine leave for police, fire, and EMT fire personnel.

MOTION by Ricky Thurman, second by LeAnn Durfey, to approve Ordinance No. 2021-O-23 amending the City of Stephenville Policy and Procedure Manual to include Section 4.12 *Paid Quarantine Leave Policy*. MOTION CARRIED by unanimous vote.

**PLANNING AND ZONING COMMISSION**

**Jason King, Assistant City Manager**

**6. PUBLIC HEARING - Case No.: SC2021-004  
Closure and Abandonment of an Undeveloped Portion of Fifth Avenue**

Jason King, Assistant City Manager, briefed the council on Case No. SC2021-004. The Planning and Zoning Commission met on July 21, 2021, with the matter receiving a vote of 3-3.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

**8. Consider Approval of an Ordinance Abandoning an Undeveloped Portion of Fifth Avenue and Other Matters Related Thereto**

MOTION by Daron Trussell, second by Brandon Huckabee, to approve Ordinance No. 2021-O-23 abandoning an undeveloped portion of Fifth Avenue. MOTION CARRIED by unanimous vote.

**9. PUBLIC HEARING - Case No.: PP2021-001**

**Applicant is Requesting a Preliminary Plat of the Property Located at 422 S Lillian, Parcel No. R33522, being Block 8, Lots 5, 6, 7, 8 of the South Side Addition of the City of Stephenville, Erath County, Texas.**

Jason King, Assistant City Manager, briefed the council on Case No. PP2021-001. Mr. King explained that Case Nos. PP2021-001, PP2021-002, and PP2021-003 were related. The Planning and Zoning Commission met on July 21, 2021, and unanimously voted to recommend approval to Council.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

**10. Consider Approval of a Preliminary Plat of the Property Located at 422 S Lillian, Parcel No. R33522, being Block 8, Lots 5, 6, 7, 8 of the South Side Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Brandon Huckabee, second by Justin Haschke, to approve Case No. PP2021-002. MOTION CARRIED by unanimous vote.

**11. PUBLIC HEARING - Case No.: PP2021-002**

**Applicant is Requesting a Preliminary Plat of a Property Located at 1600 W Swan, Parcel No. R33564, being Block 14, Lot 5 (pt of) of the South Side Addition of the City of Stephenville, Erath County, Texas.**

Jason King, Assistant City Manager, briefed the council on Case No. PP2021-002. Mr. King explained that Case Nos. PP2021-001, PP2021-002, and PP2021-003 were related. The Planning and Zoning Commission met on July 21, 2021, and unanimously voted to recommend approval to Council.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

**12. Consider Approval of a Preliminary Plat of a Property Located at 1600 W Swan, Parcel No. R33564, being Block 14, Lot 5 (pt of) of the South Side Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Brandon Huckabee, second by Gerald Cook, to approve Case No. PP2021-002. MOTION CARRIED by unanimous vote.

**13. PUBLIC HEARING - Case No.: PP2021-003**

**Applicant is Requesting a Preliminary Plat of a Property Located at 1601 W Swan, Parcel No. R33513, being Block 7, Lot 7 and 8 of the South Side Addition of the City of Stephenville, Erath County, Texas.**

Jason King, Assistant City Manager, briefed the council on Case No. PP2021-003. Mr. King explained that Case No. PP2021-001 PP2021-002, and PP2021-003 were related. The Planning and Zoning Commission met on July 21, 2021, and unanimously voted to recommend approval to Council.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

**14. Consider Approval of a Preliminary Plat of a Property Located at 1601 W Swan, Parcel No. R33513, being Block 7, Lot 7 and 8 of the South Side Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Brandon Huckabee, second by Ricky Thurman, to approve Case No. PP2021-003. MOTION CARRIED by unanimous vote.

**15. PUBLIC HEARING - Case No.: PP2021-004**

**Applicant is Requesting a Preliminary Plat of Property Located at 2675 W Overhill, Parcel No. R22423, being 2.101 Acres, A0515 of the William Motley Survey in the City of Stephenville, Erath County, Texas.**

Jason King, Assistant City Manager, briefed the council on Case No. PP2021-004. The Planning and Zoning Commission met on July 21, 2021, and unanimously voted to recommend approval to Council.

Mayor Svien opened the public hearing.

Kory Koch, pastor of Oakdale Methodist Church, spoke in favor of replat.

Mayor Svien closed the public hearing.

**16. Consider Approval of a Preliminary Plat of Property Located at 2675 W Overhill, Parcel No. R22423, being 2.101 Acres, A0515 of the William Motley Survey in the City of Stephenville, Erath County, Texas.**

MOTION by Brandon Huckabee, second by Gerald Cook, to approve Case No. PP2021-004. MOTION CARRIED by unanimous vote, with Council member Justin Haschke abstaining.

**17. PUBLIC HEARING - Case No.: RZ2021-012**

**Applicant is Requesting a Rezone of the Property Located at 408 Morgan Mill Rd, Parcel No. R33346, being Lot 4, Block 3 of the Sims Addition of the City of Stephenville, Erath County, Texas, from Single Family Residential District (R-1) to Retail and Commercial Business District (B-2)**

Jason King, Assistant City Manager, briefed the council on Case No. RZ2021-012. The Planning and Zoning Commission met on July 21, 2021, and unanimously voted to recommend approval to Council.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

**18. Consider Approval of an Ordinance Rezoning the Property Located at 408 Morgan Mill Rd, Parcel No. R33346, being Lot 4, Block 3 of the Sims Addition of the City of Stephenville, Erath County, Texas, from Single Family Residential District (R-1) to Retail and Commercial Business District (B-2)**

MOTION by Brandon Huckabee, second by LeAnn Durfey, to approve Ordinance No. 2021-O-24 rezoning the property located at 408 Morgan Mill Road from Single-Family Residential District (R-1) to Retail and Commercial Business District (B-2). MOTION CARRIED by unanimous vote.

**DEVELOPMENT SERVICES COMMITTEE**

**Brandon Huckabee, Chair**

**19. Committee Report - July 22, 2021**

Brandon Huckabee, chair, gave the committee report.

**20. Consider Approval of an Ordinance Amending the City of Stephenville Zoning Ordinance to Allow for the Sale of Alcohol in Certain Zoning Districts**

This item was removed from the agenda. It will be referred to the Planning and Zoning Commission for review and recommendation.

**21. Consider Approval of Amendments to the City of Stephenville Home Improvement Incentive Program**

MOTION by Brandon Huckabee, second by Ricky Thurman, to approve amending the City of Stephenville Home Improvement Incentive Program by changing the qualifying home value from \$120,000 or less to \$200,000 or less. MOTION CARRIED by unanimous vote.

## FINANCIAL REPORTS

### 22. Monthly Budget Report for the period Ending June 30, 2021

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

In reviewing the financial statements ending June 30, 2021, the financial indicators are as or better than anticipated.

**Property Tax** – We received \$21K in property taxes in the month of June, resulting in \$155K or 2.41% increase over funds collected through last June. The \$6.59 million collected fiscal year to date is 99.16% of budget, which is fundamentally the 99.17% anticipated.

**Sales Tax** – We received \$595K in sales tax in June, resulting in \$930K or 19.73% more than the funds collected through last June. The \$5.6 million collected fiscal year to date is 90.34% of the \$6.24 million budgeted, which is higher than the 73.54% anticipated.

**HOT Funds** – Lodging establishments have reported \$333K in Hotel Occupancy Taxes through June, as compared to the \$299K through last June. We have received \$69K of sports venue tax through June. We spent \$375K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$134K last year due to the Day Tripper contract, gateway planning, and Moo-la fest.

**Revenue (Budgetary comparison)** – The target budget for operating revenue is \$22.5 million. We received \$23.1 million in revenue fiscal year to date, resulting in \$594K over the target budget due to sales taxes and service charges.

**Expenditures (Budgetary comparison)** – The target budget for operating expenditures is \$15.7 million. We expended \$14.9 million fiscal year to date, resulting in \$838K under the target budget.

**Revenue (Prior year comparison)** – Operating revenue received last year was \$22.04 million as compared to the current year's \$23.1 million, resulting in a \$1 million increase due to property tax, sales taxes, and service charges.

**Expenditures (Prior year comparison)** – Operating expenditures last year were \$14.08 million as compared to the current year's \$14.9 million, resulting in an \$820K increase due to costs associated with COVID-19 prevention, stimulus grant to reduce the impact of COVID-19, damage claims, wages, professional fees, advertising and gateway planning.

**Investments** – The total market value of cash and investments on June 30, 2021 was \$44,535,201. This is allocated 3% in demand accounts, 38% in TexStar investment pool, and 59% in TexPool investment pool. We earned \$1,319.39 in interest for the quarter. The average yield to maturity for all account types for the quarter was 0.02%. The average yield to maturity for investment accounts for the quarter was 0.01%. The average yield to maturity for a 3-month treasury bill for the quarter was .03%.

## STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY UPDATE

Jeff Sandford, Executive Director

This item was removed from the agenda.

## CONSENT AGENDA

23. Approval of Minutes - July 6, 2021 Regular City Council Meeting
24. Approval of Minutes - July 19, 2021 Budget Work Session
25. Approval of Minutes - July 22, 2021 Special City Council Meeting
26. Approval of a Resolution Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Regarding the Company's 2021 Rate Review Mechanism Filing
27. Approval of an Easement Agreement Renewal with Tarleton State University
28. Approval of a Resolution Accepting the 377 Ground Storage Tank Rehabilitation Project and Authorizing Final Payment
29. Approval of a Memorandum of Understanding between City of Stephenville and Stephenville Independent School District for an Emergency Management Plan

MOTION by Ricky Thurman, second by Daron Trussell, to approve the consent agenda. MOTION CARRIED by unanimous vote.

#### **COMMENTS BY CITY MANAGER**

##### **Thursday, August 12**

Deadline to register for SPARD fall sports  
Texstar Summer Concert Series - Casey Donahew, 8 p.m. - 10 p.m.

##### **Tuesday, August 17**

Council Committee Meetings

##### **Wednesday, August 18**

First day of school for Stephenville ISD  
Erath County United Way Fish Fry, 4:30 - 7:30 p.m.

##### **Thursday, August 26**

Deadline for Trash to Treasure Golf Tournament

#### **COMMENTS BY COUNCIL MEMBERS**

Justin Haschke reminded everyone that Friday, August 6 is CASA's Casino Night fundraiser.

Daron Trussell shared that on Friday, August 6 Tarleton would be holding two graduation ceremonies. He also shared that August 13-15 was move-in day for Tarleton for the fall semester, with 1700+ freshman moving into the dorms.

Ricky Thurman urged everyone to be cautious and drive carefully as school begins. He thanked Chief Harris for the opportunity to do a ride along; he encouraged others to do the same. Mr. Thurman encouraged any political action committees who had an impact on the May General Election to be transparent and file their campaign paperwork in order to maintain transparency, just as other political groups or individuals are required to do.

Brandon Huckabee thanked those who attended the council meeting. He also stated that he acknowledges that the tax system is broken, but that changes would not be made until legislators are held accountable. He encouraged citizens to take a look at their taxes for each entity and felt that the City of Stephenville did a good job of providing services to its residents in relation to the taxes it receives.

Doug Svien thanked Waste Connections LLC for their donation and encouraged everyone to sign up for the Trash to Treasure Golf Tournament to help provide accessible playground equipment for people of all abilities.

#### **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**

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

**1. GIS Manager**

**31. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property.**

Mayor Svien called the meeting into executive session at 6:14 p.m.

#### **ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY**

Mayor Svien called the meeting into regular session at 6:45 p.m.

MOTION by Ricky Thurman, second by Gerald Cook, to approve the reclassification of GIS Analyst to GIS Manager, with a base salary of \$56,000 and certification pay of \$3,000 for a drone pilot license. MOTION CARRIED by unanimous vote.

**32. Consider Approval of an Ordinance Amending City of Stephenville Code of Ordinances, Chapter 95, Article IV, *Closing Streets and Alleys***

MOTION by Justin Haschke, second by Gerald Cook, to approve Ordinance No. 2021-O-25 amending Chapter 95, Article IV *Closing Streets and Alleys*. MOTION CARRIED by unanimous vote, with Ricky Thurman casting a dissenting vote.

**ADJOURN**

Mayor Svien adjourned the meeting at 6:50 p.m.

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Doug Svien, Mayor

ATTEST:

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Staci L. King, City Secretary