



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, April 06, 2021 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, April 06, 2021 at 5:30 PM, 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
Mayor Pro Tem Mark McClinton
Council Member Justin Haschke
Council Member Nick Robinson
Council Member Brady Pendleton
Council Member Ricky Thurman
Council Member Alan Nix
Council Member Gerald Cook

COUNCIL ABSENT: Council Member Brandon Huckabee

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.

PLEDGE OF ALLEGIANCE TO THE UNITED STATES AND TEXAS FLAGS

INVOCATION

Ed Dittfurth, Cornerstone Assembly, gave the invocation

RECOGNITION OF MONTY PARKER FOR HIS APPOINTMENT TO TEXAS TASK FORCE II

Jimmy Chew, Fire Chief, recognized Monty Parker for his appointment to Texas Task Force II, which is an elite, highly-trained search and rescue group.

CITIZENS GENERAL DISCUSSION

No one came forward to address the council.

REGULAR AGENDA

1. Presentation of Proclamation for "National Therapy Animal Day"

Mayor Svien presented the following proclamation to Jennifer Yeager and Xander, Paws for Nursing at Tarleton State University, and Lyndi Hanna and Hank, founder of Annie's Therapeutic Companions.:

WHEREAS, there are thousands of Pet Partners therapy animal teams serving in communities across the United States; and

WHEREAS, Pet Partners has designated April 30 as National Therapy Animal Day; and

WHEREAS, Pet Partners therapy animal teams in the City of Stephenville play an essential role in improving human health and well-being through the human-animal bond; and

WHEREAS, Pet Partners therapy animal teams make millions of visits per year in settings such as hospitals, nursing homes, schools and hospice; and

WHEREAS, Pet Partners therapy animal teams interact with a variety of people in our community including veterans, seniors, patients, students facing literacy challenges, and those approaching end of life; and

WHEREAS, these exceptional therapy animals who partner with their human companions bring comfort and healing to those in need.

NOW, THEREFORE, I, Doug Svien, Mayor, on behalf of the City Council of the City of Stephenville, Texas, do hereby proclaim National Therapy Animal Day, April 30, 2021, in the City of Stephenville, and encourage our citizens to celebrate our therapy animals and their human handlers. Further, we salute the service of therapy animal teams in our community and in communities across the nation.

2. Presentation of Proclamation in Recognition of "Stop the Silence"

Mayor Svien presented Jennifer Thurman, Erath County Juvenile Probation, with a proclamation on behalf of Stop the Silence 2021.

3. Oncor Ad Hoc Committee Report - Ricky Thurman, Chair

Council member Ricky Thurman gave a report on the efforts of the Oncor Ad Hoc Committee. Pat Ann Wilson, representative of Oncor, was in attendance via videoconference to answer questions. No action taken.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

4. PUBLIC HEARING

Case No.: RZ2021-001

Applicant is Requesting a Rezone of the Property Located at 751 Miller, Parcel No. R32531, being Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

After a brief discussion, Taylor Kanute, applicant, withdrew his request. Mr. Kanute will submit a new application for Single Family Residential District (R 1.5).

5. Consider Approval of an Ordinance Rezoning the Property Located at 751 Miller, Parcel No. R32531, being Lot 9B, Block 2, Miller Addition, to the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

This item was removed from the agenda.

6. PUBLIC HEARING

Case No.: RZ2021-002

Applicant is Requesting a Rezone of the Property Located at 751 Miller, Parcel No. R32529, being Lot 8, Block 2, Miller Addition, of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

This request was withdrawn by the applicant.

7. Consider Approval of an Ordinance Rezoning the Property Located at 751 Miller, Parcel No. R32529, being Lot 8, Block 2, Miller Addition, of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Central Business District (B-3)

This item was removed from the agenda.

8. PUBLIC HEARING

Case No.: RZ2021-003

Applicant is Requesting a Rezone of the Property Located at 1290 Hyman, Parcel No. R33798, being Lots 4, 4A, and 4C, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021 the Planning and Zoning Commission recommended unanimous approval of the rezone.

Mayor Svien opened the public hearing.

Jeff Brady, 2121 Crestridge, owner, addressed the council regarding his plans for the property.

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

Mayor Svien closed the public hearing.

9. Consider Approval of an Ordinance Rezoning the Property Located at 1290 Hyman, Parcel No. R33798, being Lots 4, 4A, and 4C, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

MOTION by Mark McClinton, second by Nick Robinson, to approve Ordinance No. 2021-O-07 rezoning the property located at 1290 Hyman. MOTION CARRIED by unanimous vote.

10. PUBLIC HEARING

Case No.: RZ2021-004

Applicant is Requesting a Rezone of the Property Located at 1270 Hyman, Parcel No. R33799, being Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

Steve Killen, Director of Development Services, briefed the council on the case. This case is related to Case No. RZ2021-003. On March 10, 2021 the Planning and Zoning Commission recommended unanimous approval of the rezone.

Mayor Svien opened the public hearing.

Jeff Brady, 2121 Crestridge, owner, addressed the council regarding his plans for the property.

Sheryl Wells, 801 Alexander Road, expressed concern over increased traffic in the area.

No one else came forward to address the council.

Mayor Svien closed the public hearing.

11. Consider Approval of an Ordinance Rezoning the Property Located at 1270 Hyman, Parcel No. R33799, being Lot 5, Block 35, South Side Addition, to the City of Stephenville, Erath County, Texas, from (R-1) Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

MOTION by Brady Pendleton, second by Mark McClinton, to approve Ordinance No. 2021-O-08 rezoning the property located at 1270 Hyman. MOTION CARRIED by unanimous vote.

12. PUBLIC HEARING

Case No.: RZ2021-005

Applicant is Requesting a Rezone of the Property Located at 820 Alexander, Parcel No. R33804, being Lot 7B, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021 the Planning and Zoning Commission recommended unanimous approval of the rezone.

Mayor Svien opened the public hearing.

Beau Mayo, owner, addressed the council regarding his plans for the property and speak in favor of the rezone.

Sheryl Wells, 801 Alexander Road, expressed concern over increased traffic in the area.

No one else came forward to address the council.

Mayor Svien closed the public hearing.

13. Consider Approval of an Ordinance Rezoning the Property Located at 820 Alexander, Parcel No. R33804, being Lot 7B, Block 35, South Side Addition, of the City of Stephenville, Erath County, Texas, from Single-Family Residential District (R-1) to Multiple Family Residential District (R-3)

MOTION by Mark McClinton, second by Brady Pendleton, to approve Ordinance No. 2021-O-09 rezoning the property located at 820 Alexander Road. MOTION CARRIED by unanimous vote.

14. PUBLIC HEARING

Case No.: SC2021-001

Abandonment of the 800 Blk. of N. Lillian Avenue

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021, the Planning and Zoning Commission voted 3-1 to make a positive recommendation to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the abandonment of the 800 block of North Lillian Avenue.

Mayor Svien closed the public hearing.

15. Consider Approval of an Ordinance Abandoning the 800 Blk. of N. Lillian Avenue and Authorizing the Sale of Same

MOTION by Mark McClinton, second by Ricky Thurman, to approve Ordinance No. 2021-O-10 abandoning the 800 block of N. Lillian Avenue and authorizing the sale of same. MOTION CARRIED by unanimous vote.

16. PUBLIC HEARING

Case No.: SC2021-002

Abandonment of an Undeveloped Portion of Shirley Street Located between Paddock Street and the Ft. Worth and Western Railroad

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021, the Planning and Zoning Commission made a unanimous positive recommendation.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the abandonment of the 800 block of North Lillian Avenue.

Mayor Svien closed the public hearing.

17. Consider Approval of the Abandonment of an Undeveloped Portion of Shirley Street Located between Paddock Street and the Ft. Worth and Western Railroad and Authorizing the Sale of Same

MOTION by Justin Haschke, second by Gerald Cook to approve Ordinance No. 2021-O-11 abandoning and undeveloped portion of Shirley Street and authorizing the sale of same.

18. PUBLIC HEARING

Case No.: SV2021-001

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 – Sidewalks, along County Road 257 / Peach Orchard Road, Parcel No. R23789, being Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021, the Planning and Zoning Commission voted 3-1 to deny the waiver.

Mayor Svien opened the public hearing.

Bert Thompson, applicant, was in attendance to answer questions and speak in favor of the waiver. Mr. Thompson explained that the entrance on Peach Orchard Road would be a delivery entrance only; customers would enter from Washington / US 377.

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

Mayor Svien closed the public hearing.

19. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 – Sidewalks, along County Road 257 / Peach Orchard Road, Parcel No. R23789, being Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

MOTION by Brady Pendleton, second by Mark McClinton, to approve the waiver. MOTION CARRIED with Alan Nix casting a dissenting vote.

20. PUBLIC HEARING

Case No.: SV2021-002

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, along County Road 257 / Peach Orchard Road, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021, the Planning and Zoning Commission voted 3-1 to approve the waiver.

Mayor Svien opened the public hearing.

Bert Thompson, applicant, was in attendance to answer questions and speak in favor of the waiver.

Mayor Svien closed the public hearing.

21. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, along County Road 257 / Peach Orchard Road, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

MOTION by Brady Pendleton, second by Mark McClinton to approve the curb and gutter waiver. MOTION FAILED by the following votes:

Ayes: Mark McClinton, Brady Pendleton

Noes: Justin Haschke, Nick Robinson, Ricky Thurman, Alan Nix

Staff was instructed to work with the developer to create an escrow account for the curb and gutter improvements.

22. PUBLIC HEARING

Case No.: SV2021-003

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, along S US Highway 377, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the case. On March 10, 2021, the Planning and Zoning Commission voted 3-1 to approve the waiver.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

23. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, along S US Highway 377, located at Parcel No. R23789, Lot 2, Block 1, Excels Addition of the City of Stephenville, Erath County, Texas

MOTION by Mark McClinton, second by Justin Haschke, to approve the waiver. MOTION CARRIED by unanimous vote.

NOMINATIONS COMMITTEE

Gerald Cook, Chair

24. Committee Report - April 6, 2021

Gerald Cook, chair, gave the committee report.

25. Consider Approval of an Ordinance Creating the Main Street Advisory Board and Other Matters Related Thereto

MOTION by Gerald Cook, second by Alan Nix, to approve Ordinance No. 2021-O-12 creating the Main Street Advisory Board and adopting the board's bylaws, and updating the Boards and Commissions Handbook to include the Main Street Advisory Board. MOTION CARRIED by unanimous vote.

PARKS AND LEISURE SERVICES COMMITTEE

Nick Robinson, Chair

26. Parks and Leisure Services Committee Report

Nick Robinson, chair, gave the committee report.

27. Consider Approval of a Resolution Authorizing a Financing Agreement with Government Capital Corporation for the Purpose of Financing Mowers and Related Equipment

MOTION by Nick Robinson, second by Alan Nix, to approve Resolution No. 2021-R-09 authorizing a financing agreement with Government Capital Corporation. MOTION CARRIED by unanimous vote.

PUBLIC WORKS COMMITTEE

Alan Nix, Chair

28. Committee Report - March 30, 2021

Alan Nix, chair, gave the committee report.

29. Consider Approval of a Professional Services Agreement with Provenance Engineering for 536 Well Field Development

MOTION by Alan Nix, second by Mark McClinton, to approve a Professional Services Agreement with Provenance Engineering. MOTION CARRIED by unanimous vote.

FINANCE COMMITTEE

Mark McClinton, Chair

30. Committee Report - March 16, 2021

Mark McClinton, chair, gave the committee report.

31. Consider Authorization for Staff to Proceed with the Process of Creating Tax Increment Reinvestment Zone No. 1C

MOTION by Mark McClinton, second by Gerald Cook, to authorize staff to initiate the process of creating Tax Increment Reinvestment Zone No. 1C. MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

32. Monthly Budget Report for the period Ending February 28, 2021

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

In reviewing the financial statements ending February 28, 2021, the financial indicators vary with an overall positive outcome.

Property Tax - We received \$53K in property taxes in the month of February, resulting in \$133K or 2.15% increase over funds collected through last February. The \$6.33 million collected fiscal year to date is 95.18% of budget, which is slightly less than the 96.35% anticipated.

Sales Tax - We received \$944K in sales tax in February, resulting in \$318K or 50.67% more than the funds collected last February. There were \$276K of audit collections in the February, which far exceeds the losses experienced in January, April through June, August, and September. The \$3.3 million collected fiscal year to date is 53.48% of the \$6.24 million budgeted, which is higher than the 42.93% anticipated.

HOT Funds - Lodging establishments have reported \$150K in Hotel Occupancy Taxes through February, as compared to the \$158K through last February. We have received 14K of sports venue tax through February. We spent \$215K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$93K last year due to the Day Tripper contract and gateway planning.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$14.80 million. We received \$14.92 million in revenue fiscal year to date, resulting in \$127K over the target budget due to sales taxes and service charges.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$8.8 million. We expended \$8.3 million fiscal year to date resulting in \$522K under the target budget.

Revenue (Prior year comparison) - Operating revenue received last year was \$14.96 million as compared to the current year's \$14.92 million, resulting in a \$32K decrease. Increases in property tax and sales taxes almost offset the reduction in interest on investments and the large insurance proceeds received last year.

Expenditures (Prior year comparison) - Operating expenditures last year were \$8.2 million as compared to the current year's \$8.3 million, resulting in a \$141K increase due to costs associated with COVID-19 prevention, stimulus grant to reduce the impact of COVID-19, damage claims, wages, advertising and gateway planning.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY

Jeff Sandford, Executive Director, gave an update on the Stephenville Economic Development Authority.

CONSENT

- 33. Approval of Minutes - March 2, 2021 Regular City Council Meeting**
- 34. Approval of Minutes - March 8, 2021 Special City Council Meeting**
- 35. Approval of Minutes - March 16, 2021 Employee Benefits Trust and Special City Council Meeting**
- 36. Approval of Resolution No. 2021-R-09 Authorizing Membership in the Oncor Cities Steering Committee**
- 37. Approval of 2021 Annual Chip Seal Bid Award**
- 38. Approval of Annual Micro-Surface Bid Award**
- 39. Approval Resolution No. 2021-R-10 Authorizing Application for a Downtown Revitalization Program - Main Street Grant**
- 40. Approval of Resolution No. 2021-R-11 Adopting the 2021 Erath County Hazard Mitigation Action Plan**

MOTION By Mark McClinton, second by Ricky Thurman, to approve the consent agenda as presented.
MOTION CARRIED by unanimous vote.

COMMENTS BY CITY MANAGER

Monday, April 19, 10:00 a.m. - City Council Work Session

Tuesday, April 20, 5:30 p.m. - Special City Council Meeting and Council Committee Meetings

Tuesday, May 4, 5:30 p.m. - Regular City Council Meeting

Town Hall Meetings for May 1, 2021 Bond Election

Thursday, April 8, 6:00 p.m. @ City Hall (will be live streamed)

Tuesday, April 13, 6:00 p.m. @ Ranger College

Monday, April 19, 6:00 p.m. @ City Hall (will be live streamed)

Monday, April 26, 6:00 p.m. @ Ranger College

Facility Open House Events

Monday, April 12, 6-8 p.m. - Senior Citizens Center

Thursday, April 15, 6-8 p.m. - Library

Thursday, April 22, 6-8 p.m. - Recreation Hall

Early Voting for the May 1, 2021 Election

April 19-23, 8 am - 5 pm

April 26-27, 7 am - 7 pm

Election Day

Saturday, May 1, 2021, 7 am - 7 pm

COMMENTS BY COUNCIL MEMBERS

Mark McClinton recognized Steve Killen and Randy Thomas for their innovation and persistence in finding a solution for a resident. He also encouraged everyone to go to the annual Native and Heirloom Plant Fair at the Stephenville Historical Museum on Saturday, April 10 from 9-3.

Justin Haschke reminded everyone that the Upland Bird Extravaganza would be taking place in the month of April.

Brady Pendleton invited everyone to a kick-off event for a local option election petition to be placed on the November election ballot.

Ricky Thurman congratulated Monty Parker for his acceptance to Texas Task Force II.

Alan Nix thanked city staff for their quick and efficient work.

Gerald Cook thanked staff for organizing the bond election Town Hall meetings so that voters can be informed.

EXECUTIVE SESSION

41. Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Blue

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

1. Assistant Director of Public Works

2. Planner

43. 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 7:37 p.m.

Mayor Svien called the meeting into Regular Session at 8:27 p.m.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

MOTION by Ricky Thurman, second by Alan Nix to approve a contract with Strategic Government Resources for recruiting services for the Assistant Director of Public Works and Planner positions.

ADJOURN

The meeting was adjourned at 8:27 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary