



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, June 7, 2022, at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, June 7, 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 Daron Trussell
Council Member Robert "Bob" Newby
Council Member Ricky Thurman (*arrived at 5:33 PM*)
Council Member David Baskett
Council Member Gerald Cook
Council Member Mark McClinton

COUNCIL ABSENT:

Council Member Justin Haschke

OTHERS ATTENDING:

Jason M. King, Interim City Manager
Randy Thomas, City Attorney
Terri Johnson, Interim City Secretary

CALL TO ORDER

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

PLEDGES OF ALLEGIANCE

Council Member David Baskett led the Pledges of Allegiance to the United States and Texas flags.

INVOCATION

Pastor Greg Dyk with the Christian Reformed Church voiced the invocation.

RECOGNITIONS AND PROCLAMATIONS

1. Recognition of the 2022 Entrepreneurs of Erath Competition Winners

Bill Leaverton, Regional Director, Tarleton State University Small Business Development Center

No one was present for this recognition.

CITIZENS GENERAL DISCUSSION

No one came forward to address the council.

REGULAR AGENDA

2. Citizens Budget Requests

Mr. Bob Self, representing all City retirees asked the Council to consider reinstating the cost-of-living-adjustments for all City of Stephenville retirees.

Persons who submitted written budget requests regarding the Animal Control Shelter included:

Debbie Lincoln, Carrie Shawver, Donald Hetticher and Suzanne Hetticher.

3. Election of Mayor Pro-Tem

MOTION by Mark McClinton, second by David Baskett, to appoint Ricky Thurman as Mayor Pro-Tem. MOTION CARRIED by unanimous vote.

4. Consider Approval of Appointments to Council Committees

MOTION by Gerald Cook, second by Mark McClinton, to approve the Mayor's appointments to Council Committees. MOTION CARRIED by unanimous vote.

Finance Committee: Justin Haschke, chair; Ricky Thurman, David Baskett, Mark McClinton

Parks and Leisure Services Committee: Daron Trussell, chair; Justin Haschke, Bob Newby, Gerald Cook

Personnel Committee: Ricky Thurman, chair; Justin Haschke, Gerald Cook, Mark McClinton

Development Services Committee: Gerald Cook, chair; Justin Haschke, David Baskett, Mark McClinton

Public Health and Safety Committee: Bob Newby, chair; LeAnn Durfey, Daron Trussell, Ricky Thurman

Nominations Committee: David Baskett, chair; LeAnn Durfey, Daron Trussell, Bob Newby

Public Works Committee: Mark McClinton, chair; LeAnn Durfey, Ricky Thurman, David Baskett

Tourism and Visitors Bureau Committee: LeAnn Durfey, chair; Daron Trussell, Bob Newby, Gerald Cook

5. Consider Approval of a Resolution Suspending the June 17, 2022, Effective Date of Oncor Electric Delivery Company's Requested Rate Change

MOTION by Ricky Thurman, second by Bob Newby to approve Resolution No. 2022-R-14 suspending the June 17, 2022, Effective Date of Oncor Electric Delivery Company's Requested Rate Change. MOTION CARRIED by unanimous vote.

6. Consider Approval of ETJ Interlocal Agreement with Erath County

MOTION by Ricky Thurman, second by LeAnn Durfey to approve the ETJ Interlocal Agreement with Erath County. MOTION CARRIED by unanimous vote.

7. Consider Approval of Memorandum of Understanding with ABM Building Solutions

MOTION by Mark McClinton, second by LeAnn Durfey to approve the Memorandum of Understanding with ABM Building Solutions. MOTION CARRIED by unanimous vote.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

8. PUBLIC HEARING

Case No.: RZ2022-006

Applicant Tom Brooks, representing Covenant Legacy LLP, is requesting a rezone of property located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (B-2) Retail and Commercial District. The rezone is for 2.119 acres of the 29.751 acres.

Steve Killen, Director of Development Services, briefed the council on the request. On May 18, 2022, the Planning and Zoning Commission voted unanimously 6-0 to recommend denial of the rezone to Council.

Mayor Svien opened the public hearing at 5:47 PM.

The following individuals were present and spoke in opposition to the requested rezoning of this property:

James Bucher, 101 Blue Jay

Dave and Brenda Guise, 713 Spring Meadow

James Stephenson, 135 Blue Jay

Caleb Allen, 117 Blue Jay and property owner of 123 and 140 Blue Jay

Mark Kaiser, 111 Blue Jay

Mr. Kaiser spoke on behalf of a group submitting a petition opposing this rezoning. The group was comprised of more than 20% of the property owners within 200 feet of this property.

Others who submitted written opposition regarding this proposed rezoning included:

Aaron and Nikole Grimmer, 103 Blue Jay

Russ McDaniel, 143 Blue Jay

Mayor Svien closed the public hearing at 6:10 PM.

9. Consider Approval of an Ordinance Rezoning 2.119 Acres of 29.751 Acres Located at W FM8, Parcel R22552, of Menefee Jarrett to the City of Stephenville, Erath County, Texas, from (R-1) Single Family Residential to (B-2) Retail and Commercial District

MOTION by Ricky Thurman, second by David Baskett, to deny the requested rezoning as recommended by the Planning and Zoning Commission. MOTION CARRIED by unanimous vote.

10. Case No.: CP2022-001

Applicant Collin Parsons is requesting a Conditional Use permit for a home occupation to be operated at 1317 Inglewood Drive, Parcel R311643, being Lot 2 & 3 of Block 1 of the Dale Avenue North Addition to the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the council on the request. The applicant is requesting the Conditional Use Permit to allow a home occupation for firearm sales. On May 18, 2022, the Planning and Zoning Commission voted unanimously 6-0 to recommend approval of the Conditional Use Permit to Council. The applicant's permit from the Bureau of Alcohol, Tobacco and Firearms (ATF) is pending the City Council's approval of the Conditional Use Permit.

Mayor Svien opened the public hearing at 6:15 PM.

Mr. Collin Parsons, 1317 Inglewood reviewed his request with Council.

Mayor Svien closed the public hearing at 6:17 PM.

11. Consider Approval of a Conditional Use Permit for a Home Occupation to be operated at 1317 Inglewood Drive, Parcel R31164, being Lot 2 & 3 of Block 1 of the Dale Avenue North Addition to the City of Stephenville, Erath County, Texas

MOTION by David Baskett, second by Gerald Cook to approve the Conditional Use Permit for a home occupation to be operated at 1317 Inglewood Drive. MOTION CARRIED by unanimous vote.

12. Case No.: RZ2022-011

Applicant Ryan Studdard, authorized representative of Preshcer Custom Homes, is requesting a rezone of property located at 715 Miller, Parcel R32524, being Block 2, Lot 2 & 3 (S PT of 3) of the Miller Addition to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1) Single Family Residential.

Steve Killen, Director of Development Services, briefed the council on the request. He reported that the Comprehensive Plan for future land use designates this property to be single family. On May 18, 2022, the Planning and Zoning Commission voted unanimously 6-0 to recommend approval of the requested rezoning to the City Council.

The Mayor opened the public hearing at 6:19 PM.

There were no public comments.

Mayor Svien closed the public hearing at 6:19 PM.

13. Consider Approval of an Ordinance Rezoning Property Located at 715 Miller, Parcel R32524, being Block 2, Lot 2 & 3 (S PT of 3) of the Miller Addition to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1) Single Family Residential

MOTION by Daron Trussell, second by LeAnn Durfey to approve Ordinance No. 2022-O-15 rezoning property located at 715 Miller, Parcel R32524, being Block 2, Lot 2 & 3 (S PT 3) of the Miller Addition to the City of Stephenville, Erath County, Texas, from (B-1) Neighborhood Business to (R-1) Single Family Residential. MOTION CARRIED by unanimous vote.

14. Case No.: PD2022-001

Consideration of the Development Plan and Rezoning of Property Located at 1300 Pecan Hill Drive, Parcel R50244, 1.190 Acres S5465 Glasgow Addition, Lot 1, of the City of Stephenville, Erath County, Texas from Single Family Residential District (R-1) to Planned Development District (PD).

Steve Killen, Director of Development Services, briefed the council on the request. On May 18, 2022, the Planning and Zoning Commission voted unanimously 6-0 to recommend approval to the City Council.

Mayor Svien opened the public hearing at 6:21 PM.

The developer of this property was present via Zoom but did not speak on behalf of the request.

The Mayor closed the public hearing at 6:21 PM.

15. Consider Approval of an Ordinance for the Development Plan and Rezoning of Property Located at 1300 Pecan Hill Drive, Parcel R50244, 1.190 Acres S5465 Glasgow Addition, Lot 1, of the City of Stephenville, Erath County, Texas from Single Family Residential District (R-1) to Planned Development District (PD).

MOTION by Daron Trussell, second by Bob Newby to approve Ordinance No. 2022-O-16 for the Development Plan and Rezoning of property located at 1300 Pecan Hill Drive, Parcel R50244, 1.190 Acres S5465 Glasgow Addition, Lot 1, of the City of Stephenville, Erath County, Texas from Single Family Residential District (R-1) to Planned Development District (PD). MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

Monica Harris, Director of Finance

16. Budget Report for the Period Ending April 30, 2022

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

In reviewing the financial statements ending April 30, 2022, the financial indicators are overall as or better than anticipated.

Property Tax - We received \$43K in property taxes in the month of April, resulting in \$89K or 1.38% increase over funds collected last fiscal year to date. The amount collected is 96.8% of budget, which is .84% or \$57K more than anticipated.

Sales Tax - We received \$569K in sales tax in April, resulting in \$433K or 9.98% more than the funds collected last fiscal year to date. The amount collected is 65.06% of the \$7.3 million budgeted, which is 7.19% or \$527K higher than anticipated.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$19.4 million. We received \$21.7 million in operating revenue fiscal year to date, resulting in \$2.3 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 \$13 million. We expended \$12.7 million in operating expenditures fiscal year to date, resulting in \$378K under the target budget; 49% of the \$463K variance in the general fund is salary savings.

Revenue (Prior year comparison) Operating revenue received last year was \$19.3 million as compared to the current year's \$21.7 million, resulting in a \$2.4 million increase due to property tax, sales taxes, franchise taxes, hotel occupancy taxes, sports venue taxes, service charges, building permits, insurance proceeds, sale of assets, and donations.

Expenditures (Prior year comparison) - Operating expenditures last year were \$11.9 million as compared to the current year's \$12.7 million, resulting in a \$793K increase due to personnel, outside professional services, utilities, fuel and maintenance.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director

Mr. Sandford gave a brief report.

CONSENT AGENDA

17. **Approval of Minutes May 3, 2022 Regular City Council Meeting**
18. **Approval of Minutes – May 10, 2022 Special City Council Meeting**
19. **Approval of Minutes – May 17, 2022 Special City Council Meeting**
20. **Approval of Amendment No. 13 with Freese & Nichols, Inc. for Development Plan Reviews**
21. **Approval of Fuel Purchase Contract for June 2022 through September 2023 with Texas Association of School Boards Energy Cooperative**

MOTION by Mark McClinton, second by Gerald Cook, to approve the consent agenda as presented.
MOTION CARRIED by unanimous vote.

COMMENTS BY CITY MANAGER

Tuesday, June 21 – Council Committee Meetings

Tuesday, June 28 – City Council Work Session

Thursday, June 16 – Concert in the Park – Tejas Brothers

Monday, July 4 – Independence Day Celebration

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey expressed appreciation for everyone’s help with the Moo-La Fest.

Daron Trussell agreed that this year’s Moo-La Fest was outstanding.

Bob Newby stated that he was still learning in his new Council position.

David Baskett praised the Moo-La Fest and expressed his appreciation to the citizens who showed up and voiced their opinions at tonight’s meeting.

Mark McClinton stated that he would be happy to find new jokes for SEDA Executive Director Sandford.

Doug Svien informed everyone that the Main Street Advisory Board had been moved to the Tourism and Visitors Bureau Committee. He also stated that the Thoroughfare Plan would be undertaken by the Development Services Committee.

The Mayor recessed the Open Meeting at 6:42 PM.

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

22. Section 551.087 Deliberation Regarding Economic Development Negotiations – Project Crown

23. Section 551.072 Deliberation Regarding Real Property – to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in John Dupuy Survey.

24 Section 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: Parks and Leisure Director

Mayor Svien called the meeting into executive session at 6:46 PM.

The meeting was called back to regular session at 7:17 PM.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

23. 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 Mark McClinton, second by Gerald Cook, to approve the execution of a contract for real property with Oncor pending satisfactory terms and environmental testing studies as discussed in Executive Session. MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 7:19 PM.

Doug Svien, Mayor

ATTEST:

Terri Johnson, Interim City Secretary