



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, October 01, 2024 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, October 01, 2024, in the City Hall Council Chambers, 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 Pro Tem David Baskett
Council Member LeAnn Durfey
Council Member Gerald Cook
Council Member Lon Reisman
Council Member Dean Parr
Council Member Maddie Smith
Council Member Brandon Greenhaw
Council Member Alan Nix

COUNCIL ABSENT:

Mayor Doug Svien

OTHERS ATTENDING:

Jason King, City Manager
Randy Thomas, City Attorney
Sarah Lockenour, City Secretary

CALL TO ORDER

Mayor Pro Tem David Baskett called the Regular City Council meeting to order at 5:30 PM.

PLEDGES OF ALLEGIANCE

Council Member Maddie Smith led the pledges to the flags of the United States and the State of Texas.

INVOCATION

Reverend Brian Davis, Solid Rock Baptist Church voiced the invocation.

PRESENTATIONS AND RECOGNITIONS

Fire Prevention Month Proclamation and Presentation

Assistant Fire Marshal Brandon Lockenour gave a presentation to Council regarding the importance of Fire Prevention Month and the related activities happening this October.

Mayor Pro Tem read the following proclamation, which was received by Chief Robert Isbell, Fire Marshal Gregg Schrupf, and Assistant Fire Marshal Brandon Lockenour.

CITY OF STEPHENVILLE FIRE PREVENTION WEEK PROCLAMATION

WHEREAS, the safety and well-being of our community are of utmost importance, and fire prevention plays a critical role in ensuring the protection of lives and property; and

WHEREAS, the Stephenville Fire Department is dedicated to reducing the risk of fires in homes through prevention and education; and

WHEREAS, the National Fire Protection Association (NFPA) has designated October 6 through 12, 2024, as Fire Prevention Week with the theme "Smoke alarms: Make them work for you!" emphasizing the importance of installing and maintaining working smoke alarms in every home; and

WHEREAS, roughly three out of five fire deaths happen in homes that had no smoke alarms or no working smoke alarms; and

WHEREAS, smoke alarms play a critical role in early fire detection, providing precious seconds for residents to escape and call for help; and

WHEREAS, it is vital to educate our community on the importance of testing smoke alarms monthly, replacing batteries when necessary, and ensuring that smoke alarms are installed in every sleeping area, outside each sleeping area, and on every level of the home; and

WHEREAS, fire prevention and education are crucial for the safety of our community, and Fire Prevention Week offers an opportunity to raise awareness about simple yet lifesaving actions that can help protect lives and property.

NOW, THEREFORE, I, David Baskett, Mayor Pro Tem of the City of Stephenville, do hereby proclaim the week of October 6 through 12, 2024, as Fire Prevention Week in the City of Stephenville and I encourage residents to take responsibility for the safety of their families by ensuring that their smoke alarms are functioning properly and that everyone "Makes them work for you!"

Presentation of Teachers' Day Proclamation

Mayor Pro Tem read the following proclamation for Teachers' Day celebrating teachers in Erath County and the City of Stephenville:

CITY OF STEPHENVILLE TEACHERS' DAY PROCLAMATION

WHEREAS, the City of Stephenville's future strength depends on providing a high-quality education to all students; and

WHEREAS, teacher quality matters more to student achievement than any other school-related factor; and

WHEREAS, teachers spend countless hours preparing lesson plans and supporting students; and

WHEREAS, our Stephenville teachers deserve our continued support, respect, and admiration; and

WHEREAS, we proudly lead in demonstrating to our community to recognize and support our teachers in educating the children of this community; and

WHEREAS, #TeachersCan is a statewide movement supported by more than 150 partnering businesses and organizations committed to elevating the teaching profession and honoring the critical role teachers play in the success of Texas; and

NOW, THEREFORE, BE IT RESOLVED that the Stephenville City Council joins #TeachersCan and its partnering entities across Texas in celebrating the inaugural Texas Teachers' Day and proclaims October 5, 2024, to be Stephenville Teachers' Day; and BE IT FURTHER RESOLVED that the Stephenville City Council encourages members of our community to personally express appreciation to our teachers and display a light blue ribbon outside your homes or businesses the week of October 5 as a symbol of support for our educators.

Presentation of the TAAF Male Athlete of the Year Award to Kamryn Arnick by Neely Carter with Stephenville Runner's Club

Neely Carter, on behalf of the Stephenville Runner's Club, presented Kamryn Arnick the TAAF Male Athlete of the Year Award in recognition of his athleticism and hard work.

CITIZENS GENERAL DISCUSSION

All citizens present to speak were speaking on Agenda Item No. 7, so Mayor Pro Tem held them for that time.

REGULAR AGENDA

1. Consider Approval of Professional Planning Services for an Airport Layout Plan (ALP)

Director of Administrative Services Darrell Brown presented Council the proposed Professional Planning Services agreement for the Airport Layout Plan.

On August 29, 2024, the City of Stephenville opened the single bid received for the above referenced project. KSA has experience with similar projects and has done other work for the Stephenville Clark Regional Airport in the past. The consultant selection committee placed KSA as number 1 on their ranking list in accordance with TXDOT Aviation guidelines.

Staff recommends that the City should enter negotiations with KSA for Professional Planning Services for an Airport Layout Plan (ALP) update with Narrative.

Once a consultant is selected and the contract is negotiated, TXDOT Aviation will develop a reimbursement grant process.

MOTION by Brandon Greenhaw, second by Lonn Reisman, to approve staff to enter negotiations with KSA for Professional Planning Services for an Airport Layout Plan (ALP) update as presented. MOTION CARRIED unanimously.

2. Consider Approval of Mod Motel Fence Request

Mayor Pro Tem David Baskett presented this item to Council.

On August 28, 2024, Mr. Kirk Bonner contacted staff requesting consideration to install a privacy fence in the City Right-of-Way along Airport Road. Staff denied the request. Mr. Bonner is requesting this item be reviewed by City Council. The stated reasons for the fence were, 1). Security and, 2). Aesthetics.

Mr. Kirk Bonner addressed the Council regarding this matter.

City Manager Jason King spoke regarding Public Right of Ways.

MOTION by Alan Nix, second by Brandon Greenhaw to deny the request to build a fence in the Public Right-of-Way along Airport Road as presented. MOTION CARRIED with a 6:1 vote with Gerald Cook opposing the denial.

3. Consider Approval of the Budgeted Water Meter and Vault for the Creekside Apartment Complex

Public Works Director Nick Williams presented this item to the Council.

The August 6, 2024 council meeting approved the abandonment of water infrastructure at the Creekside Apartments and supported the purchase of a master water meter and vault for the complex. Delivery is estimated at 24 weeks. The apartments at the Creekside complex were constructed in 2016 and contain approximately 442 individually metered units as well as nine fire hydrants and approximately 4,500 feet of 2-inch, 6-inch, and 8-inch water lines.

Staff recommends the purchase of a water meter and vault for the approved water infrastructure abandonment at the Creekside Apartment Complex located at 1000 Lingleville Highway.

Aqua-Metric is the sole source distributor for the Sensus meter system components utilized by the city. The meter/vault cost was determined from an Aqua-Metric quote for \$59,108.55 and Aqua-Metric has agreed to honor that quote. The cost of installation is estimated at \$50,000 and costs will be solicited.

MOTION by Alan Nix, second by Gerald Cook, to approve the purchase of the meter and vault as presented from Aqua-Metric in the amount of \$59,108.55. MOTION CARRIED unanimously.

4. Consider Approval of Budgeted Updated City Logo on the 377 Elevated Storage Tank

Public Works Director Nick Williams presented this item to the Council.

The adopted FY24-25 budget approved the replacement of the prior city logo with the updated logo. Maguire Iron repainted the 377 Elevated Storage Tank in 2023 as part of a tank rehabilitation project. The project went well and staff was pleased with the final result.

Staff recommends approval of the proposal with Maguire Iron to perform the budgeted City of Stephenville logo update on the 377 Elevated Storage Tank as approved in the adopted FY24-25 budget.

A cooperative purchasing agency bid through the Texas Interlocal Purchasing System (TIPS) was received from Maguire Iron for \$48,000.00.

The FY24-25 adopted budget includes \$48,000 for the update of the new logo at two locations on the 377 Elevated Storage Tank. The proposed contract for services provides this service for exactly \$48,000 and proposes to have the work complete within 180 days. The Purchasing Manager has confirmed the city is able to purchase this equipment through the TIPS Cooperative purchasing agency and adheres to all purchasing requirements. (Account #TX-993069)

The following alternatives are provided for consideration: 1. Do not approve the purchase as presented, or 2. Recommend an alternate bidding methodology.

ADVANTAGES: 1. Approval allows the work to be scheduled 2. The truck is under budget.

DISADVANTAGES: 1. No disadvantages have been identified.

MOTION by Maddie Smith, second by LeAnn Durfey, to approve the replacement of the prior city logo with the updated logo on the 377 Elevated Storage Tank by Maguire Iron for \$48,000.00. MOTION CARRIED unanimously.

5. Consider Approval of the Budgeted Pump/Motor/Baseplate Unit for the Lillian Pump Station

Public Works Director Nick Williams presented this item to the Council.

The adopted FY24-25 budget approved the purchase of a pump, motor, baseplate unit at the Lillian Pump Station. This unit would be the third and final pump for the Lillian Pump Station as originally designed.

Staff recommends approval of the proposal from Odessa Pumps & Equipment, Inc. for a budgeted pump, motor, baseplate unit at the Lillian Pump Station.

Staff received a Buy Board cooperative purchasing proposal from Odessa Pumps & Equipment, Inc. to provide a matching pump/motor/baseplate for the Lillian Pump Station for \$47,100.00 with a 16-week lead time

The FY24-25 adopted budget includes \$49,525 for the capital item. The total purchase cost of the pumping equipment is \$47,100.00 leaving a positive balance of \$2,425.00. The Purchasing Manager has confirmed the city is able to purchase this equipment through the Cooperative purchasing agency and the practice adheres to all purchasing requirements.

The following alternatives are provided for consideration: 1. Do not recommend approval the proposals as presented;

ADVANTAGES: 1. The purchase was specifically allocated in the approved FY 24-25 budget. 2. The proposal is under budget.

DISADVANTAGES: No disadvantages are identified.

MOTION by Alan Nix, second by LeAnn Durfey, to approve the purchase of the pump/motor/baseplate unit for the Lillian Pump Station for \$47,100.00 from Odessa Pumps & Equipment, Inc. as presented. MOTION CARRIED unanimously.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

6. Case No.: RZ2024-004

Applicant Landon Darwin, Representing Rock Creek Property No.1, LLC, is Requesting a Rezone of Property Located at 0 W. Cedar St, being Parcel R78345 of the H.C. Hudson Survey, A-342, of the City of Stephenville, Erath County, Texas from Single Family (R-1) and Retail and Commercial (B-2) to Multifamily Residential District (R-3)

Mayor Pro Tem David Baskett announced the representative for Rock Creek Property No. 1, LLC has pulled this project for consideration. If the project gets resubmitted, it will have to route back through appropriate channels for approval from the beginning as if it were a new project. Any variances granted are considered null and void.

7. PUBLIC HEARING

Case No.: RZ2024-004

Mayor Pro Tem David Baskett announced that because the project was pulled there would not be a Public Hearing at this time. If anyone present wished to speak, he would open the Public Hearing, but no one wished to.

8. Consider Approval of Ordinance Rezoning Property Located at 0 W. Cedar St, being Parcel R78345 of the H.C. Hudson Survey, A-342, of the City of Stephenville, Erath County, Texas from Single Family (R-1) and Retail and Commercial (B-2) to Multifamily Residential District (R-3)

This item was pulled from the agenda by Mayor Pro Tem David Baskett due to the representative of Rock Creek Property No. 1, LLC pulling the rezone request.

9. Case No.: RZ2024-011

Applicant Matt Copeland, Representing Barefoot Equity Partners, LLC, is Requesting a Rezone for Property Located at 961 Clinton St, being Parcel R32222, S4400 KIGHT SECOND ADDITION, BLOCK 1 & 2, LOT 1B & 11B; CITY ADDITION, BLOCK 99, LOT 1D; of the City of Stephenville, Erath County, Texas from Single Family Residential (R-1) to Integrated Housing District (R-2.5)

Director of Development Services Steve Killen presented this item to the Council.

The applicant is requesting a rezone to construct a triplex unit R-2.5 zoning includes two-to-four family dwellings as a permitted use with lot dimension requirements being 75'x100'. This parcel meets the minimum lot dimensions for the intended use.

The Planning and Zoning Commission convened on September 18, 2024, and, by a unanimous vote of 7-0, recommended the City Council approve the rezone request.

10. PUBLIC HEARING

Case No.: RZ2024-011

Mayor Pro Tem David Baskett opened the Public Hearing at 6:15 PM.

No one spoke in favor or opposition of Case No. RZ2024-011.

Mayor Pro Tem David Baskett closed the Public Hearing at 6:16 PM.

11. Consider Approval of Ordinance Rezoning Property Located at 961 Clinton St, being Parcel R32222, S4400 KIGHT SECOND ADDITION, BLOCK 1 & 2, LOT 1B & 11B; CITY ADDITION, BLOCK 99, LOT 1D; of the City of Stephenville, Erath County, Texas from Single Family Residential (R-1) to Integrated Housing District (R-2.5)

MOTION by Gerald Cook, second by LeAnn Durfey, to approve Ordinance No. 2024-O-28 rezoning property located at 961 Clinton St. as presented. MOTION CARRIED unanimously, with Maddie Smith abstaining due to conflict of interest.

12. Case No.: RZ2024-012

Applicant David Brumfield, Representing GREYHOUSE RENTALS LLC, is Requesting a Rezone for Property Located at 727 Frey, being Parcel: R78766 of the S2300 BUTLER ADDITION;, BLOCK 2;, LOT 9A; of the City of Stephenville, Erath County, Texas from Single Family Residential (R-1) to One and Two-Family Residential (R-2)

Director of Development Services Steve Killen presented this item to the Council.

The applicant is requesting the rezone to do an addition to the existing home and convert the use of the existing home to a duplex. R-2 zoning includes single-family and two-family dwellings as permitted uses. Duplex style housing will require 75x100 lot dimensions. This lot shows to have approximately 60' of frontage on Frey St. If this rezone is approved, a variance request for a reduced

lot width would have to be approved by the Board of Adjustment before the building could be utilized for the intended purpose.

The Planning and Zoning Commission convened on September 18, 2024 and, by a unanimous vote of 7-0, recommended the City Council approve the rezone request.

13. PUBLIC HEARING

Case No.: RZ2024-012

Mayor Pro Tem David Baskett opened the Public Hearing at 6:18 PM.

No one spoke in favor or opposition of Case No. RZ2024-012.

Mayor Pro Tem David Baskett closed the Public Hearing at 6:18:35 PM.

14. Consider Approval of Ordinance Rezoning Property Located at 727 Frey, being Parcel: R78766 of the S2300 BUTLER ADDITION; BLOCK 2; LOT 9A; of the City of Stephenville, Erath County, Texas from Single Family Residential (R-1) to One and Two-Family Residential (R-2)

MOTION by Lonn Reisman, second by LeAnn Durfey, to approve Ordinance No. 2024-O-29 rezoning the property located at 727 Frey as presented. MOTION CARRIED unanimously.

DEVELOPMENT SERVICES COMMITTEE

Gerald Cook, Chair

15. Development Services Committee Report

Development Services Committee Chair Gerald Cook presented the report from September 17, 2024.

Agenda Item No. 1: Discussion of Historic Downtown District and Regulations of Exterior, Street Facing Facades of Buildings within the District

Chairman Cook briefed the Committee regarding recent efforts of community members interested in establishing a Historic District Ordinance that would require the issuance of a certificate of appropriateness before any work is performed for exterior facades of buildings within the District. Staff has been working closely with these community members to draft an ordinance that meets these desires. Historic District ordinances are common across the Nation and widely vary in the degree of regulation. Local Government Code Chapter 211 provides the authority for the adoption of such ordinances.

Steve Killen was asked to address the Committee and provided the following overview:

1. Establishment of the District by the P&Z Commission.
2. Creation of a Historic District Commission.
3. Require any work to be performed to any exterior façade of any building within the District to be reviewed by the Committee.
4. Work may not be performed unless a Certificate of Appropriateness is granted by the Committee.
5. Establishes guidelines for the Committee to reference regarding materials, paint color, light fixtures, etc.
6. Establishes an appeal process should a Certificate of Appropriateness be denied.

7. Provides a penalty clause for any work performed without a Certificate of Appropriateness or in violation thereof.

After deliberation, the Committee, by a vote of 2-1, opted to assign the Ordinance and Guidelines to the Planning and Zoning Commission for a Public Hearing and subsequent recommendation to the full City Council.

Agenda Item No. 2: Proposed Ordinance Revisions Relating to the Limitation on the Number of Unrelated Persons that may Occupy a Residential Structure

Chairman Cook introduced the item and asked for staff to address the Committee. Steve Killen provided background summarizing research performed related to the topic. Jason King, City Manager, also provided comments to the effect that many properties are known to have more than three unrelated occupants, and the housing generally has ample space for such occupancy. The proposed increase from three to four persons would bring more properties into compliance with this requirement. Staff proposed this revision be applied to the following Zoning Districts:

- RE Residential Estate District (43,560 ft²)
- R-HA Single-Family Residential District (21,780 ft²)
- R-1 Single-Family Residential District (7,500 ft²)
- R-1.5 Single-Family Residential District (6,000 ft²)
- R-2 One- and Two-Family Residential District
- R-2.5 Integrated Housing District
- R-3 Multiple Family Residential District
- MH Manufactured Housing District
- B-3 Central Business District
- DT Downtown District
- AG Agricultural District

After deliberation, the Committee, by a vote of 3-0, opted to assign the Ordinance to the Planning and Zoning Commission for a Public Hearing and subsequent recommendation to the full City Council.

FINANCIAL REPORTS

Monica Harris, Director of Finance

16. Monthly Budget Report for the Period Ending August 31, 2024

Director of Finance Monica Harris presented the monthly budget report as follows:

In reviewing the financial statements ending August 31, 2024, the financial indicators are overall as or better than anticipated.

Property Tax Collections: We received \$25K in property taxes in the month of August, resulting in a \$289K increase over the funds collected last fiscal year to date. The amount collected is 101% of the \$7.3 million budget, which is \$114K more than anticipated.

Sales and Use Tax: We received \$807K in sales tax in August, resulting in \$213K or 2.5% more than the funds collected last fiscal year to date. The amount collected is 94% of the \$9.4 million budget, which is \$456K higher than anticipated.

Revenue (by fund): Of the \$42 million revenue received to date, 54% was received in the General Fund, 27% was received in the Water/Wastewater Fund, 7% was received in the Capital Projects Fund and 4% was received in the Landfill Fund.

Revenue (budget vs. actual): We received 98% of the total budgeted revenues through August, which is \$2.2 million more than anticipated due to taxes, intergovernmental, and interest income.

Revenue (prior year comparison): We received \$823k less revenue through August than last fiscal year to date due to debt proceeds received in the prior year.

Expenditures (by fund): Of the \$51 million spent to date, 47% was expended in the Water/Wastewater Fund, 40% was expended in the General Fund, 4% was expended in the Capital Projects Fund, 2% was expended in the Debt Service Fund, 2% was expended in the Storm Fund, 2% was expended in the Airport Fund, and 2% was expended in the Landfill Fund.

Expenditures (budget vs. actual): We have expended 66% of the total budgeted expenditures through August, which is \$20 million less than anticipated due to personnel, contractual, capital outlay, and transfers.

Expenditures (prior year comparison): We spent \$4.4 million less in expenditures through August than last fiscal year to date due to capital outlay.

SEDA Revenue Comparison: SEDA has received an overall 100% of budgeted revenue through August, which is \$25K more than last fiscal year to date and \$83K more than anticipated due to taxes and interest income.

SEDA Revenue Comparison: SEDA has spent an overall 34% of budgeted expenditures through August, which is \$209K less than last fiscal year to date due to grant disbursements and \$980K less than anticipated due to capital outlay and grant disbursements.

CONSENT AGENDA

- 17. Consider Approval of Minutes - September 3, 2024**
- 18. Consider Approval of Minutes - September 4, 2024**
- 19. Consider Approval of Minutes - September 17, 2024**
- 20. Consider Approval of Public Safety Regional Radio System Maintenance Agreement**
- 21. Consider Approval of Annual Contract for Sewer Root Control**
- 22. Consider Approval of Annual Contract for Street Renovation Materials**

23. Consider Approval of Renewal of Annual Contract for Generator Maintenance

MOTION by Maddie Smith, second by Brandon Greenhaw, to approve Consent Agenda items as presented. MOTION CARRIED unanimously.

COMMENTS BY CITY MANAGER

COMMENTS BY COUNCIL MEMBERS

ADJOURN

Mayor Pro Tem David Baskett adjourned the Regular City Council meeting at 6:37 PM.

Note: The Stephenville City Council may convene into Executive Session on any matter related to any of the above agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.

Doug Svien, Mayor

ATTEST:

Sarah Lockenour, City Secretary

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.