



REGULAR CITY COUNCIL MEETING

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

MINUTES

The City Council of the City of Stephenville, Texas, convened on July 6, 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 Brady Pendleton
- Council Member Ricky Thurman
- Council Member Alan Nix
- Council Member Gerald Cook
- Mayor Pro Tem Brandon Huckabee

COUNCIL ABSENT:

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 Daron Trussell led the Pledge of Allegiance to the United States and Texas flags.

INVOCATION

Jake Freels gave the invocation.

CITIZENS GENERAL DISCUSSION

No one came forward to address the Council.

REGULAR AGENDA

1. **Recognition of Chuck Elliott, VW Stephens, and Vyve Broadband for their Contributions to the Erath County Vaccination Center**
Mayor Svien presented Assistant Fire Chief Chuck Elliot and Vyve Broadband with Certificates of Appreciation for their contribution to the successful operation of the Erath County Vaccination Center.

Mayor Svien presented VW Stephens with a Key to the City in appreciation of the use of a vacant retail space to house the Erath County Vaccination Center.

2. Consider the Initiation of the Abandonment of the 700 block of Fifth Avenue

MOTION by Brady Pendleton, second by Gerald Cook, to approve the initiation of the abandonment of an undeveloped portion of Fifth Avenue. MOTION CARRIED by unanimous vote.

FINANCE COMMITTEE

Justin Haschke, Chair

3. Committee Report - June 15, 2021

Justin Haschke gave the committee report.

4. Consider Approval of the 2019-2020 Comprehensive Annual Financial Report

MOTION by Gerald Cook, second by Brandon Huckabee, to approve the FY2019-2020 Comprehensive Financial Report. MOTION CARRIED by unanimous vote.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

5. PUBLIC HEARING

Case No.: CP2021-001

Applicant is Requesting a Conditional Use Permit pursuant to the City of Stephenville Code of Ordinances, Section 154.05.03.C(1) - *Conditional Uses*, for a Home Occupation as Defined in Section 154.03 - *Definitions*, for the Property Located at 1422 Prairie Wind, being Parcel No. R31592, Lot 5, Block 4 of the Golf Country Estates Addition of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the council on Case No. CP2021-001. On June 16, 2021, the Planning and Zoning Commission voted 6-1 to make a positive recommendation to council. Justin Willis, applicant, was present to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the conditional use permit.

Mayor Svien closed the public hearing.

5. Consider Approval of a Conditional Use Permit pursuant to the City of Stephenville Code of Ordinances, Section 154.05.03.C(1) - *Conditional Uses*, for a Home Occupation as Defined in Section 154.03 - *Definitions*, for the Property Located at 1422 Prairie Wind, being Parcel No. R31592, Lot 5, Block 4 of the Golf Country Estates Addition of the City of Stephenville, Erath County, Texas

MOTION by Alan Nix, second by Ricky Thurman, to approve Case No. CP2021-001. MOTION CARRIED by unanimous vote.

7. PUBLIC HEARING

Case No.: RZ2021-008

Applicant is Requesting a Rezone of the Property Located at 1065 W. Frey, being Parcel No. R32261, Block 5, Lot 2 of the Kight Second Addition of the City of Stephenville, Erath County, Texas, from Single Family Residential District (R-1) to Multi-family Residential District (R-3)

This item was removed from the agenda at the request of the applicant.

8. **Consider Approval of an Ordinance Rezoning the Property Located at 1065 W. Frey, being Parcel No. R32261, Block 5, Lot 2 of the Kight Second Addition of the City of Stephenville, Erath County, Texas, from Single Family Residential District (R-1) to Multi-family Residential District (R-3)**

This item was removed from the agenda at the request of the applicant.

9. **PUBLIC HEARING**

Case No.: RZ2021-009

Applicant is Requesting a Rezone of the Property located at 1083 Frey Street, being Parcel No. R32260, Block 5, Lot 1 of the Kight Second 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 Case No. RZ2021-009. On June 16, 2021, the Planning and Zoning Commission voted 6-1 to make a recommendation to deny the request to council. Dell Burdick, applicant, was present to answer questions.

Mayor Svien opened the public hearing.

Those speaking in favor of the rezone:

Dell Burdick, applicant

Those speaking in opposition to the rezone:

Kelly Sult, 882 N. Clinton

Julie Mata, 887 N. Clinton

Hannah Dowell, 1092 W. Frey

Wayne Tribble, 1010 W. Frey

Mayor Svien closed the public hearing.

10. **Consider Approval of an Ordinance Rezoning the Property located at 1083 Frey Street, being Parcel No. R32260, Block 5, Lot 1 of the Kight Second 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 Brady Pendleton, second by Brandon Huckabee, to approve Case No. RZ2021-009. MOTION FAILED by the following votes:

Ayes: Brady Pendleton, Brandon Huckabee

Noes: LeAnn Durfey, Justin Haschke, Daron Trussell, Ricky Thurman, Alan Nix, Gerald Cook

11. **PUBLIC HEARING**

Case No.: RZ2021-011

Applicant is Requesting a Rezone of the Property Located at 750 Sloan, being Parcel No. R32729, Lot 4, Block 4 of the Park Place Addition of the City of Stephenville, Erath County, Texas from (R-3) Multiple Family Residential District (R-3) to Retail and Commercial Business District (B-2)

Steve Killen, Director of Development Services, briefed the council on Case No. RZ2021-011. On June 16, 2021, the Planning and Zoning Commission voted unanimously to make a positive recommendation to council. Stacy Morrison, on behalf of Habitat for Humanity, was in attendance to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the conditional use permit.

Mayor Svien closed the public hearing.

12. Consider Approval of an Ordinance Rezoning the Property Located at 750 Sloan, being Parcel No. R32729, Lot 4, Block 4 of the Park Place Addition of the City of Stephenville, Erath County, Texas from Multiple Family Residential District (R-3) to Retail and Commercial Business District (B-2)

MOTION by Justin Haschke, second by Ricky Thurman, to approve Ordinance No. 2021-O-21 rezoning the property located at 750 Sloan. MOTION CARRIED by unanimous vote.

DEVELOPMENT SERVICES COMMITTEE

Brandon Huckabee, Chair

13. Committee Report - June 15, 2021

Brandon Huckabee, chair, gave the committee report.

14. Consider Request from Habitat for Humanity for the Waiver of Permit Fees

MOTION by Ricky Thurman, second by Brady Pendleton, to deny the request from Habitat for Humanity for the waiver of permit fees. MOTION CARRIED by unanimous vote.

BRICK STREETS TASK FORCE

Gerald Cook, Chair

15. Brick Street Task Force Report

Gerald Cook, chair, gave a report on the Brick Street Task Force.

16. Consider Approval of an Ordinance Related to the Preservation and Renovation of Historic Brick Streets

MOTION by Gerald Cook, second by LeAnn Durfey, to approve Ordinance No. 2021-O-22, with the following addition:

Section 5.1

- a. Repairs necessitated to Brick Street District streets that are overlaid with asphalt may be repaired with asphalt until such time as the street is reconstructed with brick.
- b. Repairs necessitated to Brick Street District streets that are not brick streets, but are intended to be extensions of the Brick Street District, shall be repaired with asphalt until such time as the street is reconstructed to brick.

MOTION by Alan Nix, second by Ricky Thurman, to table the ordinance until it can be reviewed by the Public Works Committee. MOTION FAILED.

ORIGINAL MOTION CARRIED with Alan Nix casting a dissenting vote.

17. Consider Approval of Amendments the Engineering Standards Manual

MOTION by Gerald Cook, second by Ricky Thurman, to approve amendments to the Engineering Standards Manual. MOTION CARRIED by unanimous vote.

NOMINATIONS COMMITTEE

Gerald Cook, Chair

18. Nominations Committee Report

Gerald Cook, chair, gave the committee report.

19. Consider Approval of Appointments to Citizen Boards and Commissions

MOTION by Gerald Cook, second by Alan Nix, to approve the following appointments:

- Main Street Advisory Board – Kelly Sult
- Senior Center Advisory Board – Place 2 – Donna Wesson
- Planning and Zoning Commission – Alternate 1 – Tom Hines
- Electrical Board – Place 4 – Jerrod Hancock

MOTION CARRIED by unanimous vote.

PERSONNEL COMMITTEE

Ricky Thurman, Chair

20. Committee Report - June 15, 2021

Ricky Thurman, chair, gave the committee report.

FINANCIAL REPORTS

Monica Harris, Director of Finance

21. Monthly Budget Report for the Period Ending May 31, 2021

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

In reviewing the financial statements ending May 31, 2021, the financial indicators are better than anticipated.

Property Tax – We received \$95K in property taxes in the month of May, resulting in \$216K or 3.42% increase over funds collected through last May. The \$6.57 million collected fiscal year to date is 98.83% of budget, which is slightly more than the 98.76% anticipated.

Sales Tax - We received \$707K in sales tax in May, resulting in \$771K or 18.06% more than the funds collected through last May. The \$5 million collected fiscal year to date is 80.79% of the \$6.24 million budgeted, which is higher than the 65.85% anticipated.

HOT Funds - Lodging establishments have reported \$284K in Hotel Occupancy Taxes through May, as compared to the \$242K through last May. We have received \$55K of sports venue tax through May. We spent \$329K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$119K last year due to the Day Tripper contract, gateway planning, and Moo-la fest.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$20.7 million. We received \$21.2 million in revenue fiscal year to date, resulting in \$588K over the target budget due to sales taxes and service charges.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$13.8 million. We expended \$13.3 million fiscal year to date, resulting in \$476K under the target budget.

Revenue (Prior year comparison) - Operating revenue received last year was \$20.4 million as compared to the current year's \$21.2 million, resulting in an \$850K increase due to property tax, sales taxes, and service charges.

Expenditures (Prior year comparison) - Operating expenditures last year were \$12.6 million as compared to the current year's \$13.3 million, resulting in a \$714K 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 REPORT

Jeff Sandford, Executive Director, gave the monthly report.

CONSENT AGENDA

Council member Justin Haschke asked to pull item 23 from the consent agenda.

22. Approval of Minutes - June 1, 2021

MOTION by Ricky Thurman, second by Alan Nix, to approve the June 1, 2021 minutes.

23. Approval of an Audit Contract with BrooksWatson & Co., PLLC for FY 2021-2022

MOTION by Justin Haschke, second by Daron Trussell, to approve the audit contract with BrooksWatson & Co., PLLC for FY2021-2022.

COMMENTS BY CITY MANAGER

Council Committee Meetings - July 20 at 5:30 p.m.

Regular City Council Meeting - August 3 at 5:30 p.m.

Fire Chief Jimmy Chew announced that after more than 50 years of service to the City of Stephenville, he would be retiring, effective July 30, 2021. Chief Chew stated that the date of his announcement was not chosen at random, but was chosen to coincide with the 123rd anniversary of the Stephenville Fire Department, which was founded on July 5, 1898.

COMMENTS BY COUNCIL MEMBERS

The Council thanked Chief Chew for his service to the city and wished him the best in his retirement.

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

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

MOTION by Brandon Huckabee, second by Daron Trussell, to initiate the sale of city-owned real property located at 291 N. Clinton.

ADJOURN

The meeting was adjourned at 7:54 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary