



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, January 03, 2023 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, January 03, 2023, 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 Doug Svien
Council Member LeAnn Durfey
Council Member Justin Haschke (arrived at 5:33 PM)
Council Member Lonn Reisman
Council Member Bob Newby
Council Member Ricky Thurman
Council Member David Baskett
Council Member Gerald Cook
Council Member Mark McClinton

COUNCIL ABSENT:

OTHERS ATTENDING:

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

CALL TO ORDER

The Mayor called the Regular City Council meeting to order at 5:30 PM.

PLEDGES OF ALLEGIANCE

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

INVOCATION

David Whiteman with the Stephenville Minister's Alliance voiced the invocation.

CITIZENS GENERAL DISCUSSION

Donna Wesson of 1325 Lydia Street addressed the Council regarding the Senior Center. She is a member of the Center and wanted to express her gratitude for all the hard work and planning put in to relocate the Senior Center. She also invited all Council members to join the bi-monthly dance at the Senior Center on Tuesday nights after Council meetings.

REGULAR AGENDA

1. Consider Approval of Mayor's Appointments to the TIRZ Board of Directors

Mayor Svien tabled this item.

2. Consider Approval of the MOU between the City and the City of Granbury for the Granbury Regional Radio Network Access

Chief of Police Dan Harris presented this item at tonight's Regular Council Meeting. December of 2021 council approved a systems purchase agreement for the procurement of the Public Safety Radio system. This system will be part of the Granbury Regional Radio Network. (GRRN) The City of Granbury will build and maintain the radio core and provide us access via the attached MOU. The cost of the access will vary according to the number of users, services, and types of radios in use. We estimate this will cost no more than \$5,400 per month. For FY 22/23 the amount was budgeted for 9 months at \$5,400 a month. It is currently anticipated that payments will begin in March of 2023.

MOTION by Mark McClinton, second by Gerald Cook, to approve the MOU as presented. MOTION CARRIED unanimously.

3. Consider Approval of the Agreement with Innova Zones for SPD Inventory Management Systems

Chief of Police Dan Harris presented this item at tonight's Regular Council Meeting. The police department issues and manages a great deal of equipment and consumables. As part of the best practices/recognition program departments must be able to audit and inventory equipment and track consumables issued and used by the department and officers. After reviewing products from several vendors, the services by Innova Zones were selected. This program allows electronic management and auditing of uniforms, equipment, capital equipment and ammunition through an electronic interface. This is an unbudgeted expense. However, cost savings in other program areas will be used to cover the amount.

MOTION by Ricky Thurman, second by Mark McClinton, to approve the agreement with Innova Zones for electronic inventory management systems in the amount of \$3,670.00. MOTION CARRIED unanimously.

4. Consider Approval of an MOU with Tarleton State University for Stormwater Drainage Improvements Related to a TSU Convocation Center Project

Public Works Director Nick Williams presented this item at tonight's Regular Council Meeting. A separate MOU was originally executed with a subsequent Amendment No. 1, whereby TSU committed to providing \$1.4 million to provide for campus stormwater improvements in conjunction with the Harbin Drive Improvements Project, that was approved by the city council on August 6, 2019. Amendment No. 1 was approved at the January 4, 2022, regular business meeting. The proposed MOU is related to, but separate from, the previous MOU.

Discussions with city and university staff have produced the proposed MOU. The proposed MOU serves to accommodate the university's request to abandon the stormwater line that was installed using the original project alignment under Tarleton Street and install new, larger diameter, stormwater line under Turner Street. The proposed MOU indicates the university will reimburse the city for the additional

design services cost, not to exceed \$28,000 as well as the cost of the construction improvements at \$534,397.50. An appropriate change order and exhibits are included as part of the MOU.

MOTION by Mark McClinton, second by Gerald Cook, to approve the Memorandum of Understanding (MOU) with Tarleton State University (TSU) to provide for the installation of storm water drainage line under Turner Street as part of the Harbin Drive Improvements Project. MOTION CARRIED unanimously. Councilman Lonn Reisman abstained from voting due to his conflict of interest/ relationship to Tarleton State University.

5. Consider Expenditure of a Grant Award from Firehouse Subs

Stephenville Fire Department Chief Robert Isbell presented this item at tonight's Regular Council Meeting. The Firehouse Subs Public Safety Foundation Inc. Lifesaving Equipment award is to provide lifesaving equipment to first responders. The Stephenville Fire Department was awarded \$29,045.96 for the purchase of new rescue extrication tools. The Fire department will utilize this grant to purchase a new Holmatro rescue tool set. The grant covers the purchase at 100% and no additional funds are needed to put this system in service. The tools are bid directly through Firehouse Subs Foundation and the award is to be used through their vendor.

MOTION by Bob Newby, second by LeAnn Durfey, to approve the expenditure of grant funds from Firehouse Subs on rescue extrication tools in the amount of \$29,045.96. MOTION CARRIED unanimously.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

6. PUBLIC HEARING

Case No.: RZ2022-021

Applicant Ophelia Mosbey, representing Moways Communications, LLC, is requesting a rezone of property located at 0 College Farm Rd, Parcel R77880, being 0.809 acres of CITY ADDITION; BLOCK 91; LOT 1(PT OF) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Industrial (I) to Multifamily Residential District (R-3)

Director of Development Services Steve Killen presented this item at tonight's Regular Council Meeting. The Planning and Zoning Commission convened on October 19, 2022, and by a vote of 4-1-1, recommended the City Council approve the rezoning request. During the process of review for the rezone request, the property was conveyed from the previous owner to Moways Communications. As a result, the legal description was changed, negating the actions of the Commission, prompting the case to be resubmitted for consideration.

The Planning and Zoning Commission convened again on December 21, 2022 and held a Public Hearing to reconsider the case. Two letters of opposition were received. The Commission, by a vote of 4-2, recommended the City Council approve the rezoning request.

Ophelia and Elmer Mosbey addressed the Council regarding the request. Ophelia shared their plans for the property development. Elmer Mosbey shared their love for Stephenville and the community and are excited to be involved in the growth.

Mayor opened the Public Hearing at 5:47 PM.

Debra Davenel of 620 College Farm Road addressed the Council to express concerns regarding the rezoning due to the condition and size of the roadway and parking on the lot.

Ophelia Mosbey addressed the comments by Ms. Mitchell. She stated they are working with the Fire Department and Geo Tech to address any parking concerns.

Mayor closed the Public Hearing at 5:50 PM.

6. Consider Approval of Ordinance Rezoning Property Located at 0 College Farm Rd, Parcel R77880, being 0.809 acres of CITY ADDITION; BLOCK 91; LOT 1(Pt OF) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Industrial (I) to Multifamily Residential District (R-3)

MOTION by Justin Haschke, second by David Baskett, to approve Ordinance No. 2023-O-01 rezoning property located at 0 College Farm Rd, Parcel R77880, being 0.809 acres of CITY ADDITION; BLOCK 91; LOT 1(Pt OF) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Industrial (I) to Multifamily Residential District (R-3). MOTION CARRIED 7:1.

AYES: LeAnn Durfey, Justin Haschke, Lonn Reisman, Bob Newby, Ricky Thurman, David Baskett, Gerald Cook

NOES: Mark McClinton

8. PUBLIC HEARING

Case Nos.: RZ2022-026 and PP2022-002

Applicant Casey Raitz, representing RF Land Holdings, LLC, is requesting a rezone with simultaneous approval of the Preliminary Plat for property located at 0 E Collins Street, Parcel R29629, being 5.29 acres of CITY ADDITION, BLOCK 65, LOT 1 (Pt. OF) of the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Single Family Residential District (R-1)

Director of Development Services Steve Killen presented this item at tonight's Regular Council Meeting. Recent rezoning cases in the vicinity have been approved resulting in residential construction along Miller Street. The property has two 15" sanitary sewer lines traversing the property that will require easements remain dedicated to the city. Vertical construction within these easements will be prohibited. The Planning and Zoning Commission convened on December 21, 2022 and held a Public Hearing. The Commission voted unanimously (6-0) to approve the rezone request. The Commission also granted conditional approval of the replat as presented by staff. Should the City Council deny the rezoning request, the plat shall also be denied pursuant to Sec. 155.4.03 of the zoning code.

Mayor opened the Public Hearing at 5:56 PM.

No one addressed the Council regarding the case and Mayor closed the Public Hearing at 5:57 PM.

9. Consider Approval of Ordinance Rezoning Property Located at 0 E Collins Street, Parcel R29629, being 5.29 acres of CITY ADDITION, BLOCK 65, LOT 1 (Pt. OF) of the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Single Family Residential District (R-1)

MOTION by Ricky Thurman, second by Mark McClinton and LeAnn Durfey, to approve Ordinance No. 2023-O-002 rezoning property located at 0 E Collins Street, Parcel R29629, being 5.29 acres of CITY ADDITION, BLOCK 65, LOT 1 (Pt. OF) of the City of Stephenville, Erath County, Texas from Neighborhood Business District (B-1) to Single Family Residential District (R-1). MOTION CARRIED unanimously.

10. Consider Initiation of the Abandonment of a 20-foot Alleyway Located in Block 8 of the Cage Addition of the City of Stephenville Authorized by Section 95.51 of the Code of Ordinances

Director of Development Services Steve Killen presented this item at tonight's Regular Council Meeting. Steve explained Recently, several parcels were rezoned to R-3, Multifamily District by the property owner. One property owner owns each parcel surrounding the alley with exception to 380 Elm, Parcel R28924.

A 12" sanitary sewer line traverses the alley at 1273 Ivy, Parcel R28921. If approved, the property owner will be required to honor the existing easement.

Chapter 95 of the City of Stephenville Code of Ordinances allows for the abandonment of streets and alleys by petition or council initiative. If the City Council opts to pursue the abandonment, the matter will be forwarded to the Planning and Zoning Commission for a public hearing. The Commission will then make a recommendation to City Council regarding the abandonment.

MOTION by Mark McClinton, second by Gerald Cook, to approve Resolution No. 2023-R-01, initiating the abandonment of a 20-foot alleyway in Block 8 of the Cage Addition of the City of Stephenville. MOTION CARRIED unanimously.

11. Consider Approval of Revision to Chapter 154.05.8.D(C)(12) of the Zoning Ordinance relating to the Deviation from Required Standards

Director of Development Services Steve Killen presented this item at tonight's Regular Council Meeting. City Ordinance 2021-0-28 was adopted in September 2021. Since that time, paragraph 12 of the adopted ordinance has been further reviewed and discussed with Legal Counsel. Repealing Paragraph 12 will require any deviations from the R-2.5 zoning requirements to be reviewed by the Board of Adjustments. The City Council Development Services Committee convened November 15, 2022, to consider a proposed revision to Section 154.05.8.D(C)(12) of the Zoning Ordinance. The Committee, by a unanimous vote of 4/0, assigned the Planning and Zoning Commission to hold a public hearing to consider the proposed revisions as presented and make a recommendation to the City Council for adoption. The Planning and Zoning Commission convened on December 21, 2022 and held a Public Hearing. No public comments were received. The Commission voted unanimously (6-0) to recommend the City Council revise the ordinance as presented.

MOTION by Gerald Cook, second by Mark McClinton, to approve Ordinance No. 2023-O-03, revising Chapter 154.05.8D(c)(12) of the Zoning Ordinance relating to the deviation from required standards. MOTION CARRIED unanimously.

TOURISM AND VISITORS BUREAU COMMITTEE

LeAnn Durfey, Chair

12. Consider Approval of Sponsorship for Buckles and Bugs 2023 Event

January 3, 2023, at the Tourism and Visitors Bureau Committee Meeting, the Committee had a zoom call with event planner, Charlie Diggs to discuss the sponsorship from the City. MOTION by Gerald Cook, second by Bob Newby, to make a positive recommendation to the Council for the \$25,000 sponsorship for the March 4, 2023, Buckles and Bugs event. MOTION CARRIED unanimously.

Chair of the Tourism and Visitors Bureau Committee LeAnn Durfey presented this item at tonight's Regular Council Meeting.

MOTION by LeAnn Durfey, second by Bob Newby, to approve the \$25,000 sponsorship of the Buckles and Bugs event to be held on March 4, 2023. MOTION CARRIED unanimously.

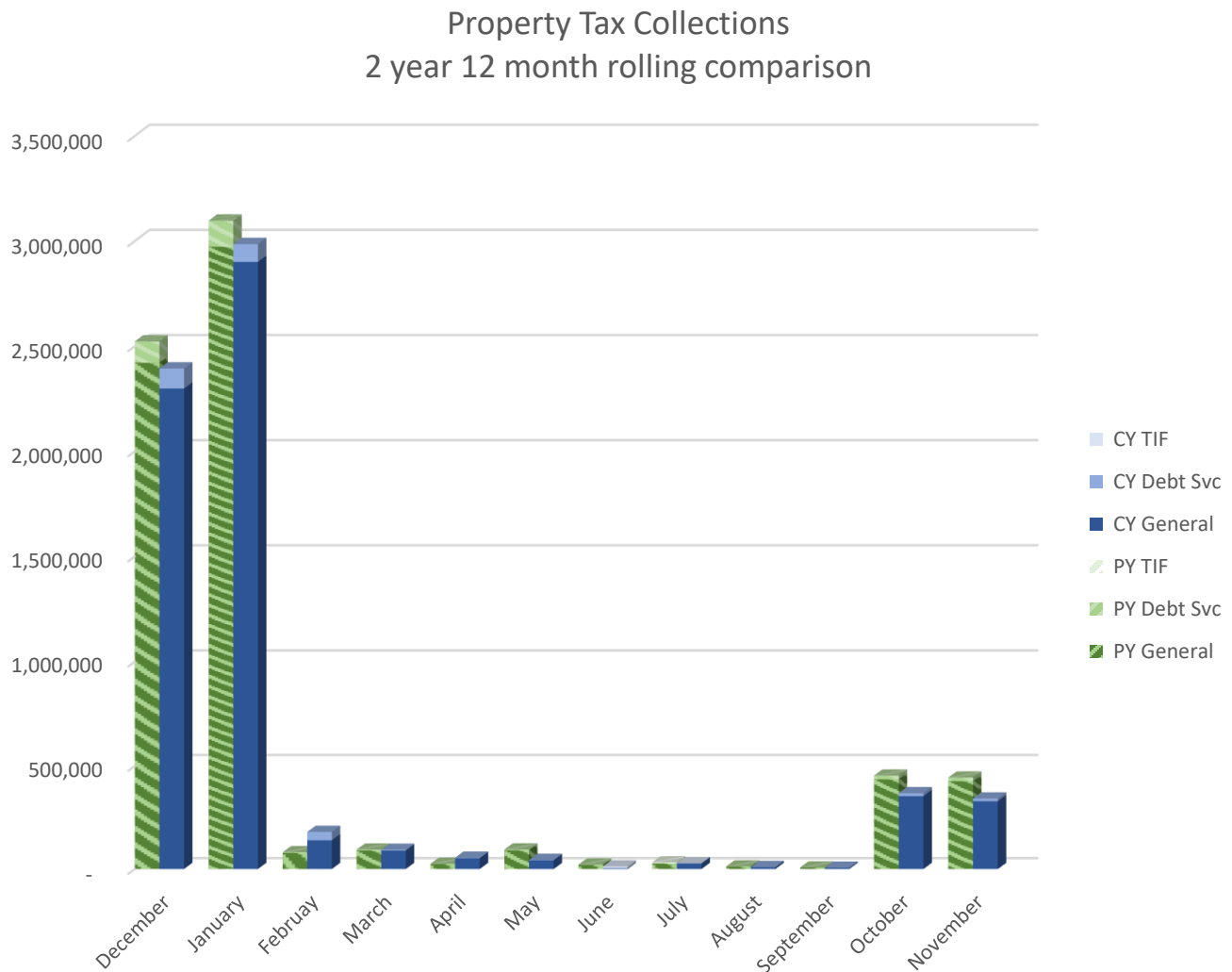
FINANCIAL REPORTS

Monica Harris, Director of Finance

13. Monthly Budget Report for the Period Ending November 30, 2022

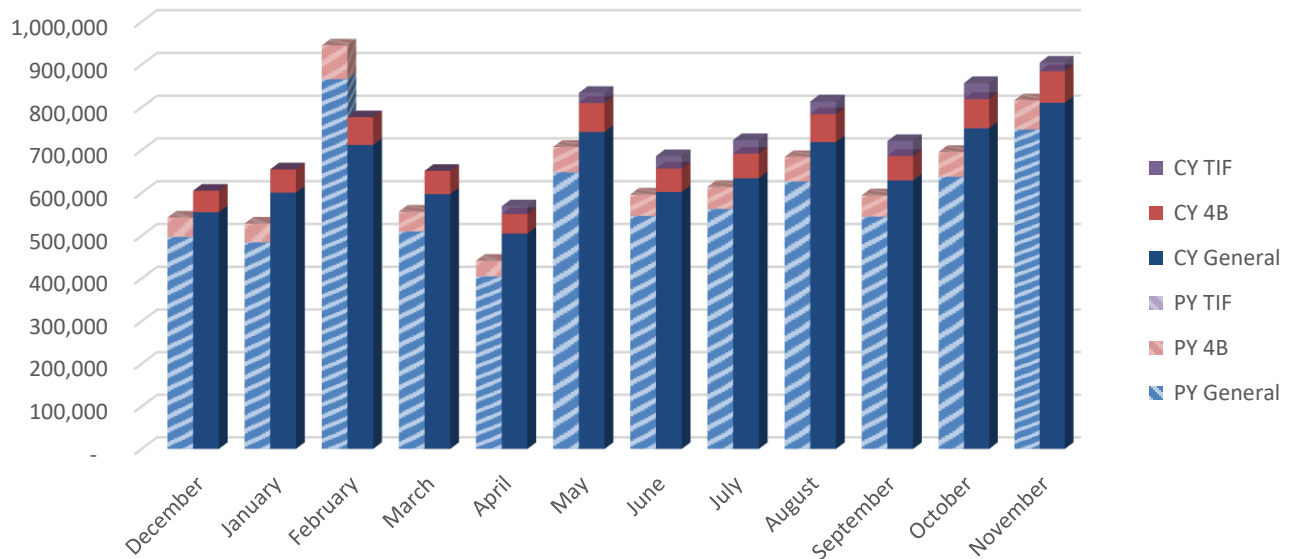
Finance Director Monica Harris presented the following:

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



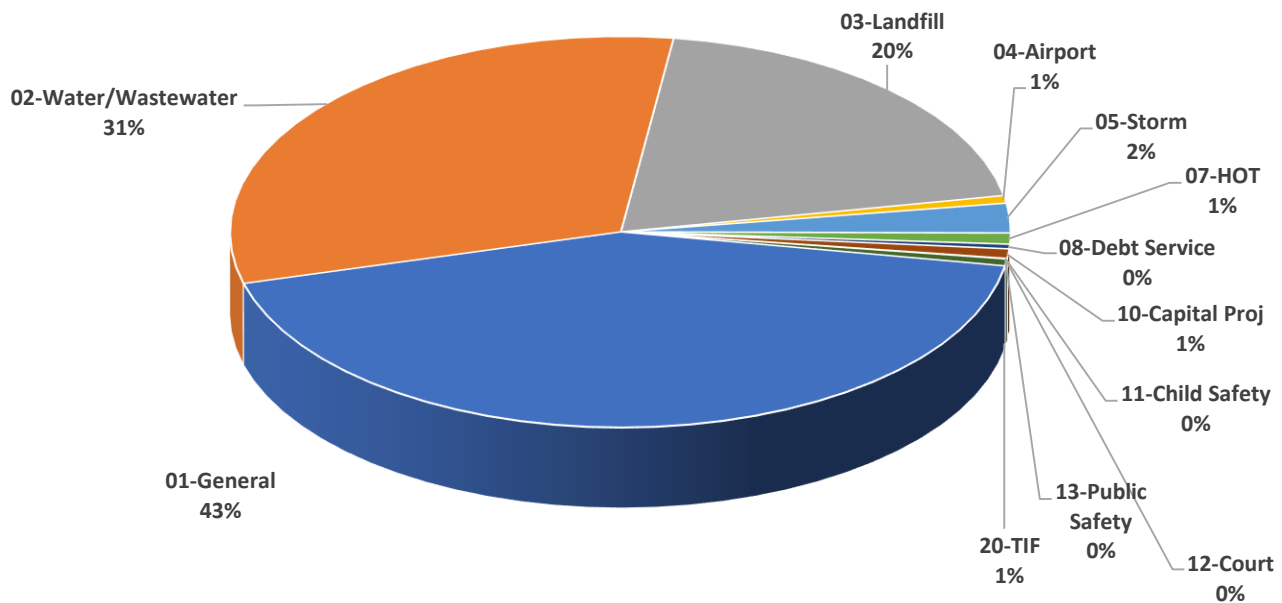
We received \$342K in property taxes in the month of November, resulting in \$187K decrease over funds collected last fiscal year to date. The amount collected is almost 10% of budget, which is \$15K less than anticipated.

Sales and Use Tax 2 year 12 month rolling comparison



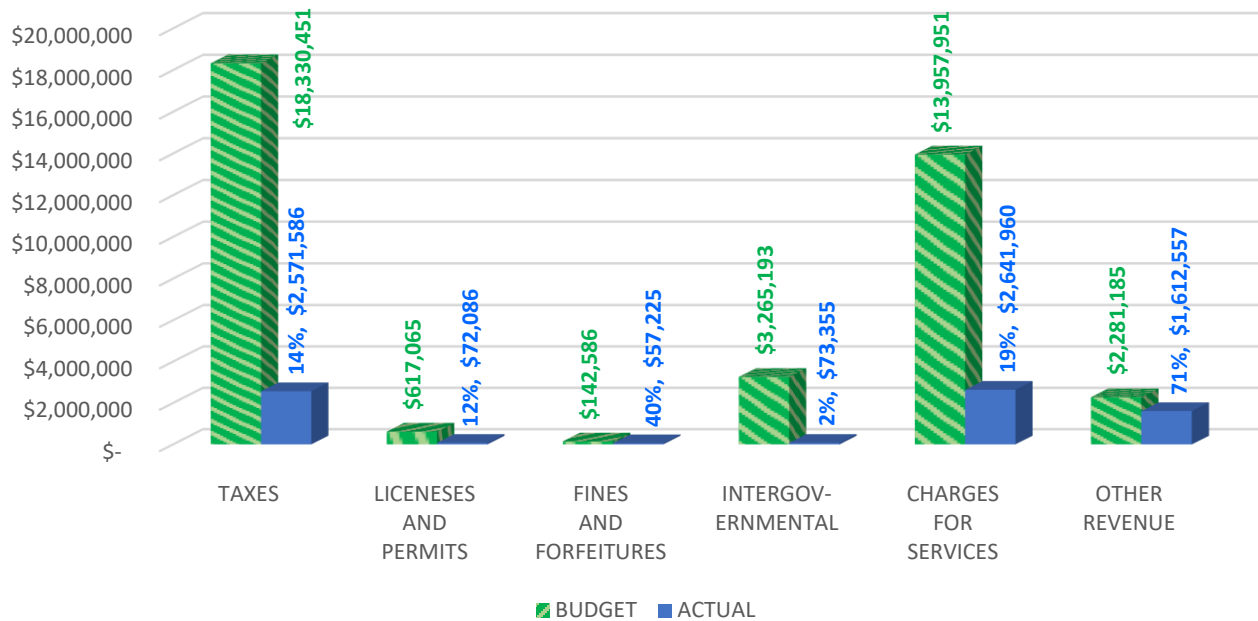
We received \$904K in sales tax in November, resulting in \$249K or 16% more than the funds collected last fiscal year to date. The amount collected is 19% of the \$9 million budget, which is \$150K higher than anticipated.

Revenue by Fund



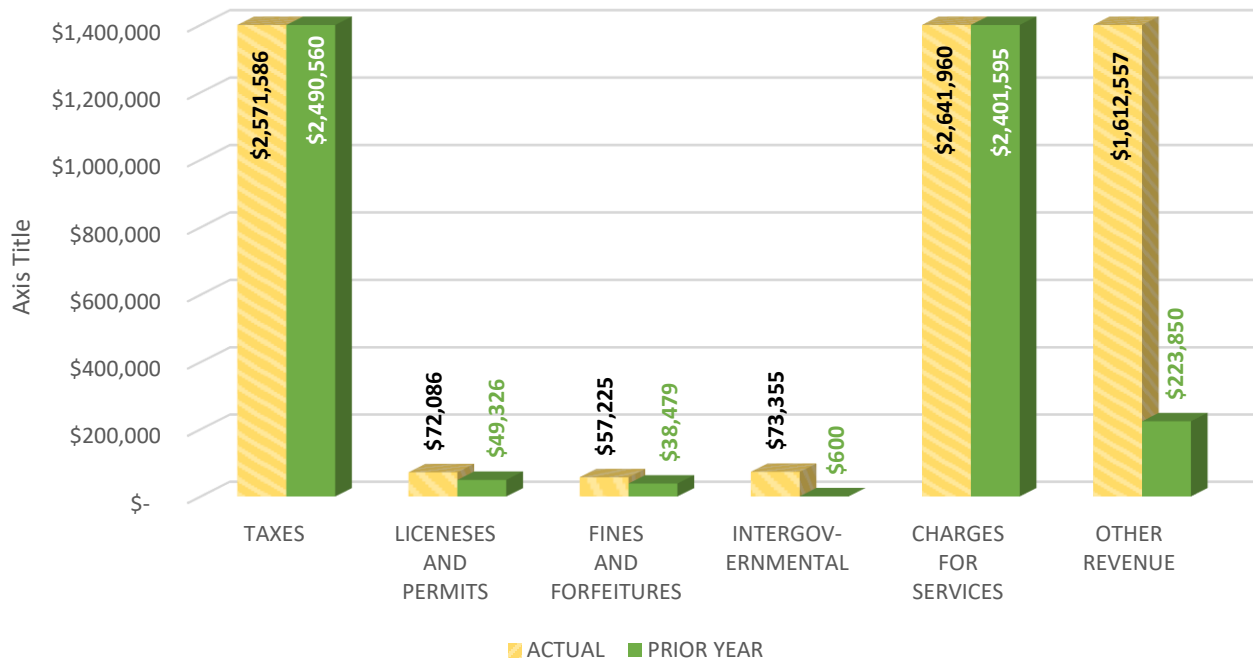
Most of the revenue received to date is in the General Fund at 43%, Water/Wastewater Fund at 31%, and Landfill at 20%.

Revenue - Budget vs Actual



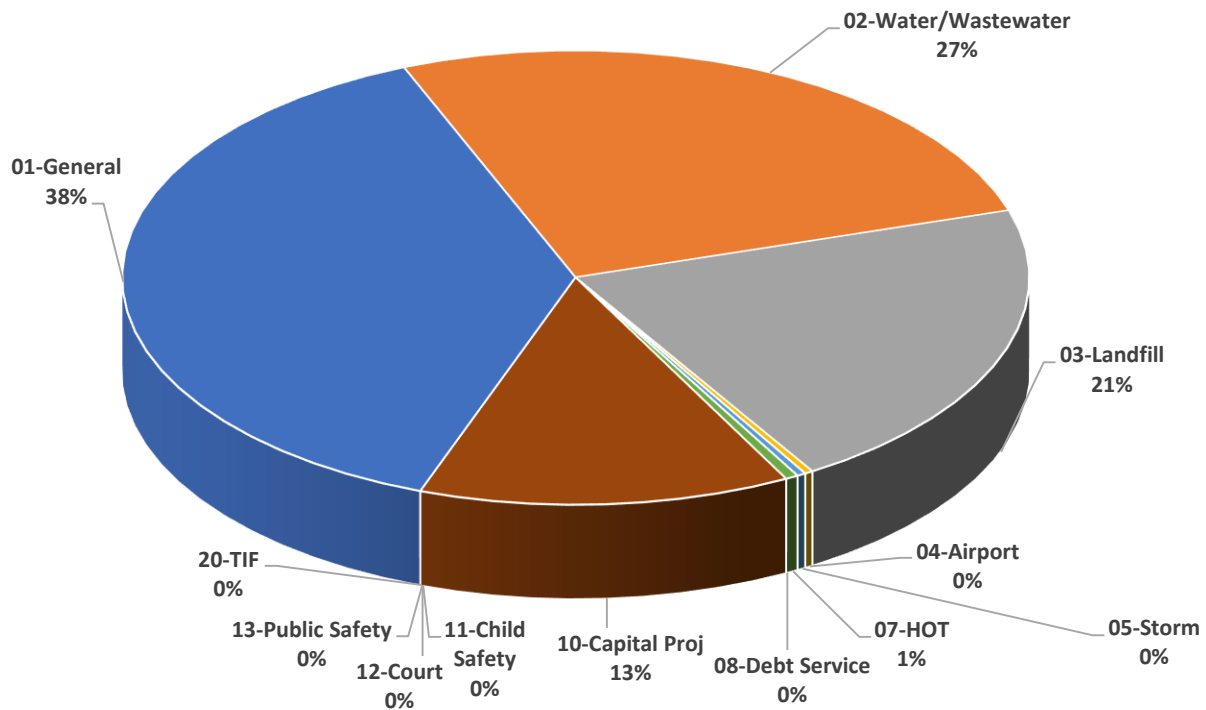
We have received 18% of the total budgeted revenues, which is almost \$1.5 million more than anticipated due to taxes, charges for services, debt proceeds, and interest income.

Revenue - Prior Year Comparison



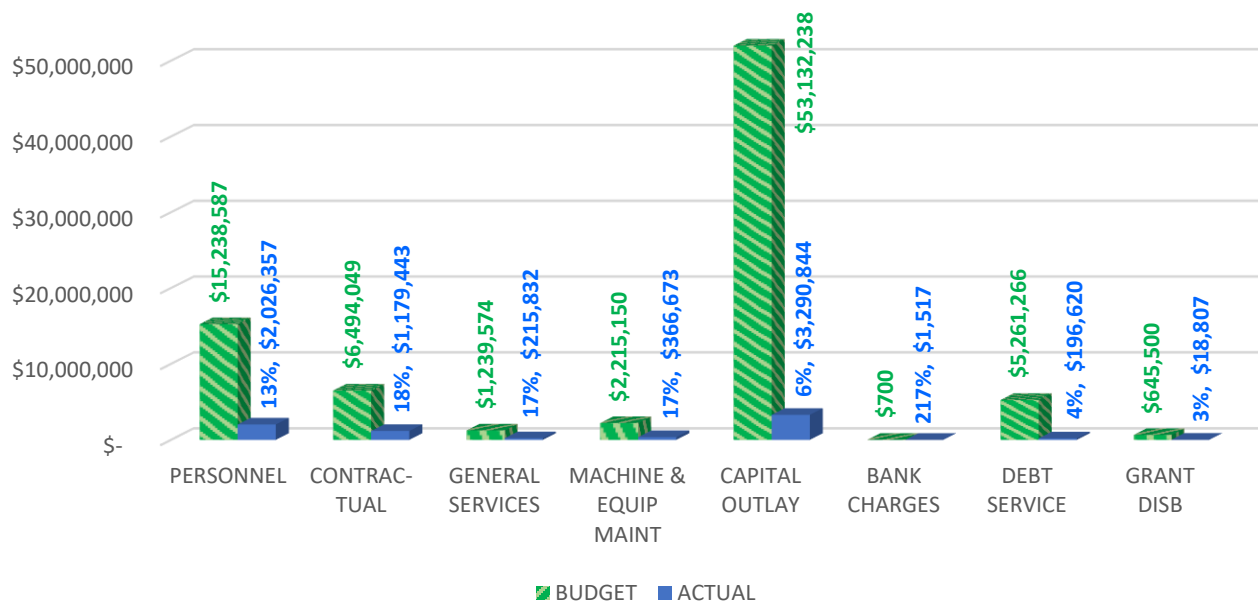
We received \$1.8 million more in revenue than last year largely due to charges for services, debt proceeds, and interest income.

Expenditures by Fund



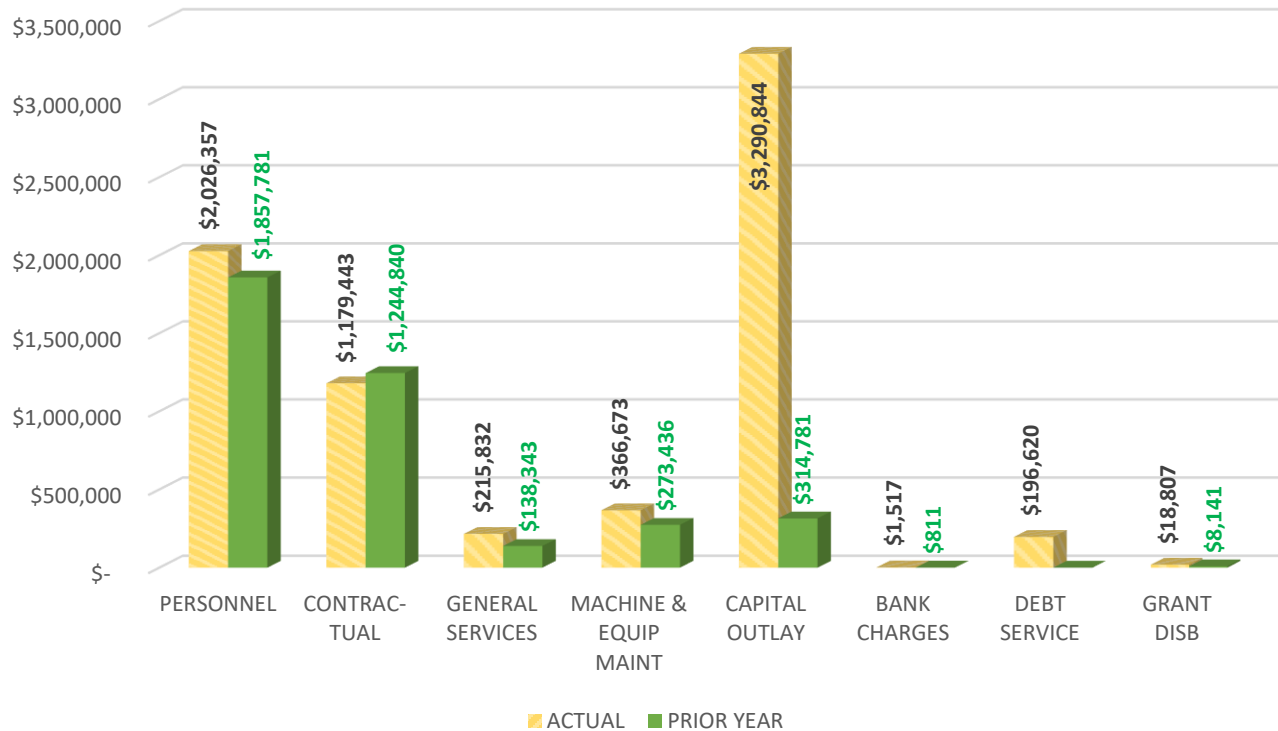
Most of the expenditures are in the General Fund at 38%, Water/Wastewater at 27%, and Landfill at 21%.

Expenditures - Budget vs Actual



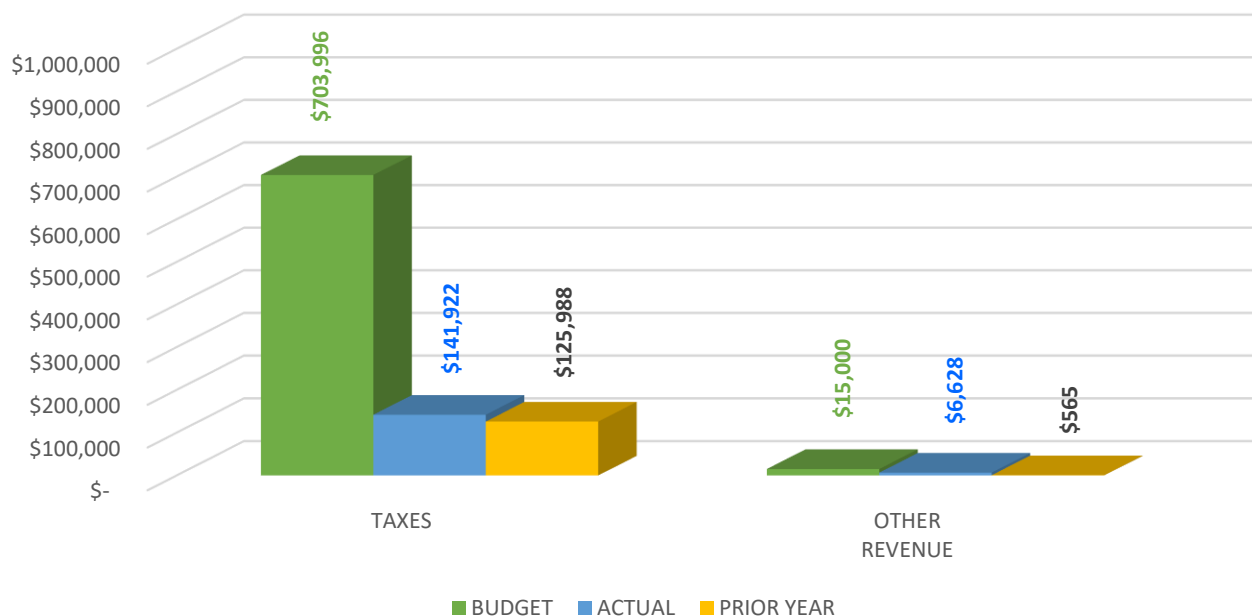
We have expended 9% of the total budgeted expenditures, which is \$6 million less than anticipated due to personnel and capital projects.

Expenditures - Prior Year Comparison



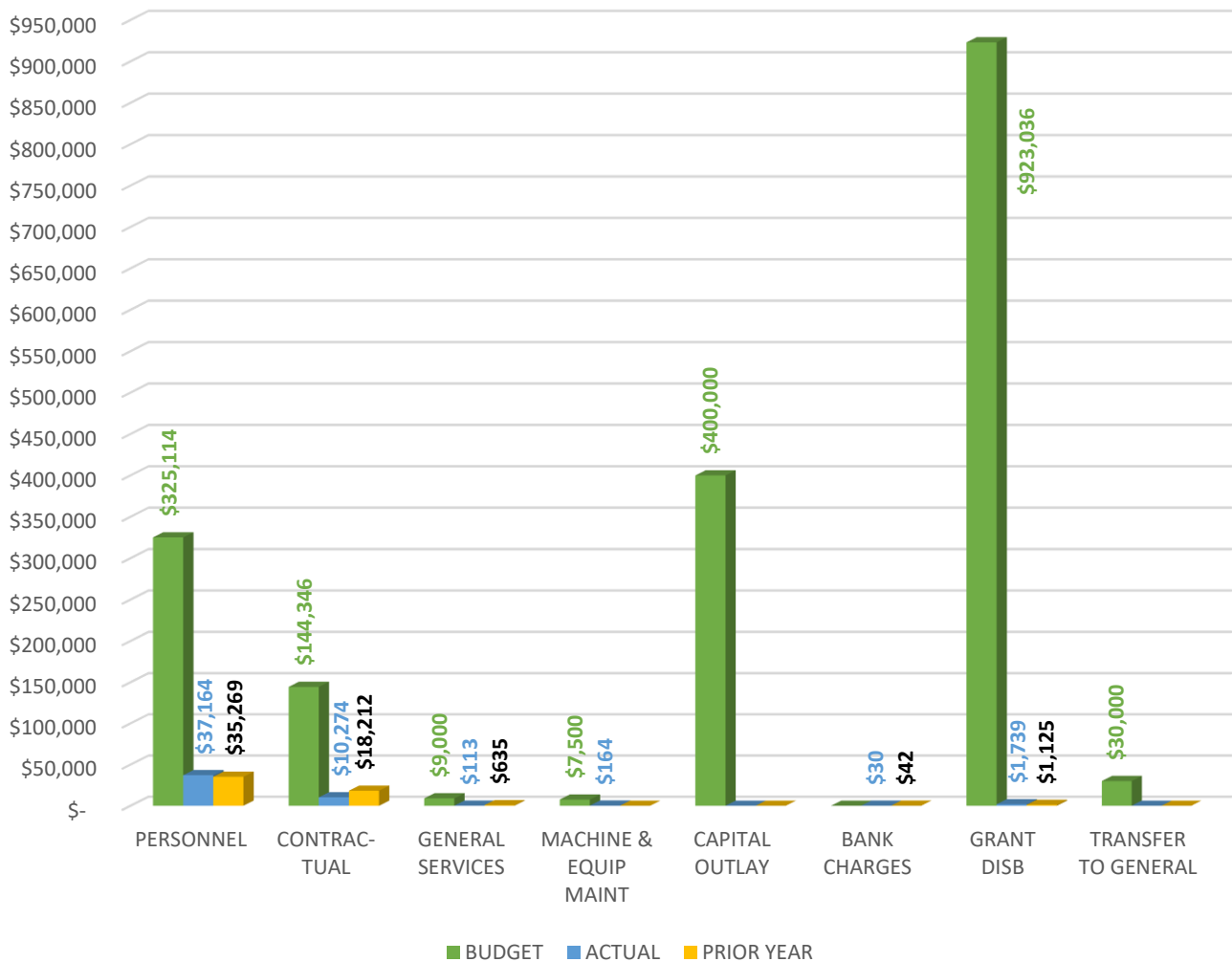
We spent \$3.5 million more in expenditures than last year, the bulk of which is capital outlay.

SEDA Revenue Comparison



SEDA has received an overall 21% of budgeted revenue through November, which is almost \$22,000 more than last year.

SEDA Expenditure Comparison



SEDA has spent an overall 3% of budgeted expenditures, which is \$5,700 less than last year.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director

SEDA Executive Director Jeff Sandford addressed the Council. He wished everyone a Happy New Year and gave a recap on holiday spending trends.

Mr. Sandford commented that SEDA can provide the Council data for the Buckles and Bugs event.

Mr. Sandford announced the groundbreaking celebration for the Stable at 9 AM on January 4. Vidal Garcia with the Las Aguilas Development Group addressed Council as well. Mr. Garcia believes this development will pave the way for new and more exciting developments in Stephenville. He expressed his excitement about the development and invited all to attend the celebration. He shared the objective for this development has been to bring unique dining experiences to Stephenville and that is what they are doing.

Jeff Sandford expressed his thanks to the Council and to Mr. Garcia for the progress of the Stable development. The celebration on January 3 will effectively open the new extension of Wolfe Nursery Road. Exciting times in Stephenville.

Mayor Doug Svien announced that the original Wolfe for Wolfe Nursery Road will be place on the new extension. He expressed appreciation for LeAnn Durfey's assistance on that project.

CONSENT AGENDA

14. Consider Approval of Minutes - December 6, 2022 - Regular Meeting

15. Consider Approval a Change Order to the System Purchase Agreement Between the City and L3 Harris

16. Consider Approval of the Contract Renewal for Del Carmen Consulting, LLC.

MOTION by Mark McClinton, second by David Basket, to approve all Consent Agenda items. MOTION CARRIED unanimously.

COMMENTS BY CITY MANAGER

City Manager Jason King announced the upcoming City Hall closure on Monday, January 16, 2023, to observe Martin Luther King, Jr. Day. Mr. King announced the next City Council meeting will be Tuesday, January 17, 2023, for the Council Committee meeting.

Mr. King briefed citizens on the meeting he and the Mayor recently attended with Delisi Communications regarding TXDOT Aviation and the runway extension project. There are some challenges the city is currently facing with receiving federal funding but solutions being sought.

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey wished everyone a Happy New Year and shared appreciation for how busy the downtown area was during the Holiday season. Thank you to everyone who was part of a beautiful Christmas downtown.

Justin Haschke echoed LeAnn's comments and thanks Mainstreet and Downtown folks for their efforts. He encouraged everyone to attend and support the Erath County Junior Livestock Show that is this week.

Lonn Reisman shared his appreciation for all of the economic development in Stephenville that allowed for local Christmas shopping.

Bob Newby wished everyone a Happy New Year!

Ricky Thurman congratulated all of the County officials that were sworn in today.

David Basket congratulated all of the County officials that were sworn in today. It is a great thing to witness! Encouraged all to attend the Erath County Junior Livestock Show this week.

Gerald Cook encouraged everyone to appreciate what we have in Stephenville. There are lots of positive things happening in the city.

Mayor Doug Svien announced the Dr. MLK Jr Town & Gown Community Breakfast event at Tarleton State University on January 16, 2023. Shared appreciation to Mr. Darrel Brown for his efforts on that event. Mayor Svien commented on the economic development. The potential for growth in Stephenville is enormous. Mayor Svien also shared information about the Texas government's 'rainy day fund'.

Mayor recessed the Regular Council Meeting at 6:32 PM and convened the Executive Session at 6:36 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

17. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in **City Addition**

Mayor adjourned the Executive Session at 6:52 PM and reconvened the Regular Council Meeting at 6:54 PM.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

ADJOURN

Mayor Svien adjourned the Regular Council Meeting at 6:54 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