



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, June 06, 2023 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, June 06, 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 Lon Reisman (arrived at 5:44 PM)
Council Member Bob Newby
Council Member Maddie Smith
Council Member David Baskett
Council Member Brandon Greenhaw

COUNCIL ABSENT:

Council Member Justin Haschke
Council Member Mark McClinton

OTHERS ATTENDING:

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

CALL TO ORDER

Mayor Svien called the Regular City Council Meeting to order at 5:30 PM.

PLEDGES OF ALLEGIANCE

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

INVOCATION

Ed Dittfurth from Cornerstone Church voiced the invocation.

PRESENTATIONS AND RECOGNITIONS

Presentation of Donation from Stephenville Rotary

Kristi Adams, Rotary President, and Moumin Quazi, Rotary President Elect, presented Council with a donation of \$3000 matching grant for Stephenville Rotary Service Project with Stephenville City Parks.

Proclamation for Texas Treasure Award for Jake & Dorothy's Café

Terry Colley, current Main Street Advisory Board member and former Deputy Executive Director for the Texas Historical Commission, presented Kerry Jane Roach of Jake and Dorothy's the Texas Treasure Award.

Mayor Svien read the following proclamation:

Proclamation of Recognition

THE TEXAS TREASURE AWARD

WHEREAS; The Texas Treasure Award pays tribute to our state's well-established businesses and their exceptional historical contributions to communities across Texas; and

WHEREAS; When Jake and Dorothy Roach opened their café in June 1948, Harry Truman was president, and the latest inventions were the polaroid camera and the transistor radio. 1948 also brought in Porsche and NASCAR; and

WHEREAS; Here in Stephenville, we believe Jake Roach created the most noteworthy invention in 1948 which was the waffle fry; and

WHEREAS; Jake & Dorothy's Café has been featured on *The Daytripper*, *Texas Country Reporter*, *Authentic Texas*, named among *Texas Monthly's 40 Best Small Town Cafes*, and *Dave Campbell's "Best Gameday Grub in Texas"* in 2022, and;

WHEREAS; Even after 75 years, Jake and Dorothy's Café still serves up consistent, delicious food made from scratch; and

WHEREAS; Jake & Dorothy's Café is family owned and operated by Jake and Dorothy's own daughter, Kerry Jane Roach, and;

WHEREAS; In honor of 75 years of chicken fried greatness, I name June 12th Jake & Dorothy's Day

NOW, THEREFORE, I, Doug Svien, Mayor of the City of Stephenville, do hereby issue this Proclamation of Recognition to Jake and Dorothy's Cafe in recognition of

THE TEXAS TREASURE AWARD

CITIZENS GENERAL DISCUSSION

Merry Jayne Flatbush of Johnny and June Mercantile at 198 S. Belknap addressed the Council regarding the film friendly ordinance, the Retail Strategies plan, parking concerns, and other issues related to the downtown area.

REGULAR AGENDA

1. Consider Approval of Changing the Date of the July Regular City Council Meeting

City Manager Jason King presented this item to Council. The Regular City Council Meeting for July, according to the Charter, falls on July 4th so Mr. King recommends moving the meeting to the following Tuesday, July 11.

MOTION by David Baskett, second by Leann Durfey, to move the Regular City Council Meeting from July 4, 2023, to July 11, 2023. MOTION CARRIED unanimously.

2. Consider Approval of Proposed Charter Amendments for the November 2023 Special Election

Lonn Reisman presented this item at tonight's meeting. The Charter Review Committee recommended the following:

- 1- Amend Article III, Sections 1, 5, 7 and 9 and Article VIII, Section 8 of the City Charter of the City of Stephenville to reduce the number of City Council Members from eight to six change the number required for a quorum from six (6) to four (4); and authorize the existing Stephenville City Council to adopt rules of transition.

MOTION by David Baskett, second by Maddie Smith, to amend Article III, Sections 1,5,7 and 9 and Article VIII, Section 8 of the City Charter of the City of Stephenville reducing the City Council Members from eight to six and change the number required for a quorum from six to four; and to place on the November 2023 ballot. MOTION CARRIED unanimously.

- 2- Amend Article III, Sections 5 and 10 of the City Charter of the City of Stephenville to increase the number of terms candidates seeking public office can hold by changing the existing term of office for all City of Stephenville Council Members from two (2), two-year terms to three (3), two-year terms or two, three-year terms for a maximum total time in office of six (6) years.

MOTION by David Baskett, second by Lonn Reisman, to table this item and send back to the Charter Review Committee. MOTION CARRIED unanimously.

3. Consider Award of Lockhart Road Improvements Project

Director of Public Works Nick Williams presented this item at tonight's Regular City Council Meeting.

An Advance Funding Agreement (AFA) between the city and TxDOT was executed January 25, 2021, in accordance with TxDOT's Federal Railway Highway Crossing Program. Construction costs will be allocated based on 90% Federal funding, 10% State funding and 0% city funding until the Federal/State funding reaches the maximum obligated amount of \$330,000. The city is responsible for 100% of construction costs in excess of \$330,000. Bids for the Lockhart Road Improvements Project were opened on April 25, 2023. Four (4) bids were received as shown in the table below. TxDOT approval was received on May 12, 2023, as required by the AFA. A letter from the engineer of record with Freese and Nichols (FNI) is attached recommending award of contract to the low bidder, H4 Construction, Inc., in the amount of \$345,579.

The project generally includes realignment of Lockhart Road at the Fort Worth and Western Railroad (FWWR) crossing, including culvert replacement. In anticipation of the project, FWWR coordinated with the city and FNI to install concrete crossing panels in accordance with the proposed realignment. Signalized crossing arms are to be installed by FWWR following completion of the roadway improvements.

Staff recommends award of the Lockhart Road Improvements Project to H4 Construction, Inc. of Stephenville, TX in the amount of \$345,579, contingent upon approval by TxDOT as outlined in the Advanced Funding Agreement (AFA).

Project funding was appropriated in the adopted FY22-23 budget for annual pavement maintenance. The city's allocation for construction cost per the AFA is approximately \$15,579. The city will fund the project and be reimbursed up to \$330,000 for construction costs.

MOTION by David Baskett, second by LeAnn Durfey, to award the Lockhart Road Improvements Project to H4 Construction, Inc. as presented. MOTION CARRIED unanimously.

4. Consider Award of 536 Well Field - Well Sites Project

Director of Public Works Nick Williams presented this item at tonight's Regular City Council Meeting. On May 11, 2023, a single bid was received for the 536 Well Field - Well Sites Project from Associated Well Services, Inc. The Well Sites Project is the final construction phase of the 536 wells. A transmission pipeline project and a water well drilling project were recently completed. Completion of the Well Sites Project will allow the production of raw water to begin flowing to the Airport Pump station for treatment and distribution. The Airport Pump Station improvements, currently under construction, add a pump station and 1 MG ground storage tank, are scheduled for completion this fall.

The 536 Well Field - Well Sites Project is the final phase of projects for the development of five (5) water supply production wells. The project provides for the installation of the pumps, motors, piping, and electrical connections to activate the five (5) water supply production wells.

Staff recommends award of the 536 Well Field - Well Sites Project to Associated Well Services, Inc. of Stephenville, TX in the amount of \$1,277,000 for installation of the mechanical and electrical components to operate the 536 Well Field wells.

Associated Well Services, Inc. of Stephenville, TX submitted an initial bid of \$1,634,843.00. To maximize value, staff, Provenance Engineering, and Associated Well Services met in a fully collaborative effort to provide value-engineered solutions and negotiate the total project amount to \$1,277,000. A Contract Modification document, attached to this report, details the project scope adjustments to meet available funds of just over \$1.48 million.

MOTION by David Baskett, second by LeAnn Durfey, to award the 536 Well Field – Well Sites Project to Associated Well Services, Inc. as presented. MOTION CARRIED unanimously.

FINANCIAL REPORTS

Monica Harris, Director of Finance

5. Monthly Budget Report for the Period Ending April 30, 2023

In reviewing the financial statements ending April 30, 2023, the financial indicators are overall as or better than anticipated.

Property Tax Collections - We received \$36K in property taxes in the month of April, resulting in a \$430K increase over funds collected last fiscal year to date. The amount collected is 96% of the budget, which is \$113K less than anticipated.

Sales and Use Tax - We received \$703K in sales tax in April, resulting in \$825K or 17% more than the funds collected last fiscal year to date. The amount collected is 62% of the \$9 million budget, which is \$489K higher than anticipated.

Revenue (by Fund) - Of the \$32.7 million revenue received to date, 54% is in the General Fund, 22% is in the Water/Wastewater Fund, 8 % is in the Capital Projects Fund, and 6% is in the Landfill Fund.

Revenue (Budget vs. Actual) - We have received 73% of the total budgeted revenues, which is over \$3.9 million more than anticipated due to taxes, Intergovernmental, charges for services, investment income, donations, and debt proceeds.

Revenue (Prior Year Comparison) - We received \$22.8 million less in revenue than last year due to debt proceeds; however, we have received \$1.5 million more in taxes, \$728K more in intergovernmental, and \$408K more in charges for services over last year to date.

Expenditures (by Fund) - Of the \$34 million spent to date, 40% is in the Water/Wastewater Fund, 40% is in the General Fund, 6% in the Capital Projects Fund, and 6% in the Landfill Fund.

Expenditures (Budget vs. Actual) - We have expended 35% of the total budgeted expenditures, which is over \$20 million less than anticipated due to personnel, contractual and capital outlay.

Expenditures (Prior Year Comparison) - We spent \$7 million more in expenditures than last year, the bulk of which is capital outlay.

SEDA Revenue Comparison - SEDA has received an overall 65% of budgeted revenue through April, which is \$38,000 more than last year and \$71,000 more than anticipated.

SEDA Expenditure Comparison - SEDA has spent an overall 23% of budgeted expenditures, which is \$143,000 more than last year due to grant disbursements but \$653K less than anticipated due to capital outlay and grant disbursements.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director

SEDA Executive Director Jeff Sandford addressed the Council at tonight's Regular City Council Meeting. Mr. Sandford shared a historical recap of June 6, gave an update on the ICSC Conference he and the Mayor attended, and shared updates on development happenings in Stephenville.

CONSENT AGENDA

- 6. Consider Approval of Minutes - May 2, 2023 - Regular Meeting**
- 7. Consider Approval of Minutes - May 16, 2023 - Special Meeting**
- 8. Consider Approval of an Expenditure for Axon Camera Contract Year 2**

MOTION by David Baskett, second by Bob Newby, to approve Consent Agenda items. MOTION CARRIED unanimously.

COMMENTS BY CITY MANAGER

City Manager Jason King shared last weekend was Moola Fest and was a great event. Thank you to all that helped with the event. City Manager stated do have several more of the Texas Summer Concert Series coming up in the City Park – June 15 Rodney Crowell; June 29 Mac McAnally; July 4 Lee Roy Parness and Larry Joe Taylor; July 13 Don McLean with American Pie; July 27 Bellamy Brothers.

He stated July 4th City Hall will be closed but we will be downtown celebrating. Mr. King congratulated Kerry Roach on her Texas Treasure Award and encouraged all to go celebrate the Jake and Dorothy's Café Anniversary.

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey

- Thanked everyone who worked on Moola Fest.
- Encouraged all to go down to Jake and Dorothy's for \$1.00 burger night

Lonn Reisman

- Thankful for the rain and cooler weather

Maddie Smith

- Thanked the Stephenville Fire Department Station 1 for her ride along experience

David Baskett

- Thanked everyone for the Moola Fest event
- Congratulated Coach Swenson and the Stephenville Yellow Jacket baseball team on their playoff run

Brandon Greenhaw

- Thanked everyone for all the hard work put into Moola Fest
- Enjoyed his first meeting on City Council

Mayor Svien

- Thanked everyone for their hard work on the parks, they look great.

Mayor Svien recessed the Regular City Council Meeting at 6:26 PM and convened the Executive Session at 6:31 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

- 9. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in **ROBERT MATTHEWS SURVEY**
- 10. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in **S2600 CITY ADDITION**

Mayor Svien adjourned the Executive Session at 6:54 PM and reconvened the Regular City Council Meeting at 6:55 PM.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

- 10. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in **S2600 CITY ADDITION**

MOTION by Brandon Greenhaw, second by LeAnn Durfey, to enter into an agreement with SimpleFiber as discussed in Executive Session. MOTION CARRIED unanimously.

- 9. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in **ROBERT MATTHEWS SURVEY**

MOTION by Maddie Smith, second by LeAnn Durfey to allow Jason to negotiate with the sellers as discussed in Executive Session. MOTION CARRIED unanimously.

MOTION by Maddie Smith, second by David Baskett, to execute the engineering agreements as discussed in Executive Session. MOTION CARRIED unanimously.

ADJOURN

Mayor Svien adjourned the Regular City Council Meeting at 6:56 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