



## REGULAR CITY COUNCIL MEETING

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City Hall Council Chambers, 298 West Washington Street  
Tuesday, January 05, 2021 at 5:30 PM

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### MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, January 05, 2021 at 5:30 PM, in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business 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 Justin Haschke  
Council Member Nick Robinson  
Council Member Brady Pendleton  
Council Member Ricky Thurman  
Council Member Alan Nix  
Council Member Gerald Cook  
Council Member Brandon Huckabee

**COUNCIL ABSENT:** Mayor Pro Tem Mark McClinton

**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.

### REGULAR AGENDA

**1. Recognition of Kason Prince for his Fundraising Efforts on Behalf of Backpack Buddies**

Mayor Svien presented Kason Prince with a Certificate of Appreciation and a Key to the City for his admirable fundraising efforts on behalf of Backpack Buddies.

Kason is 11 years old and is a sixth-grader at Huckabee ISD. Kason made his first donation to Backpack Buddies on March 31, 2017 and has raised \$36,309.63 with t-shirt and bake sales.

His mother, JJ Hampton said that his desire to help came about when they were having a discussion about children not having food over the weekends. Kason said he knew he always had plenty to eat and couldn't imagine not having food. Hampton said, "We were talking about the charity and he wanted to give back, so he donated all the money he had in his pocket and then was on a mission from there."

**2. PUBLIC HEARING**

**The City of Stephenville Intends to Submit an Application to the Texas Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant for the Downtown Revitalization/Main Street Program and the Community Development Fund**

Mayor Svien opened the public hearing. Arnold Raming, 2319 W. Mimosa, spoke in favor of the City’s application for the TxCDBG and Downtown Revitalization / Main Street Program Grants. Mayor Svien closed the public hearing.

**2. Consider Approval of a Resolution Designating Public Management, Inc as the Grant Administrator for a Texas Community Development Block Grant Program - Community Development Fund (CDBG)**

MOTION by Justin Haschke, second by Alan Nix, to approve Resolution No. 2021-R-01 designating Public Management, Inc as the grant administrator for a Texas Community Development Block Grant Program – Community Development Fund (CDBG). MOTION CARRIED by unanimous vote.

**3. Approval of a Resolution Designating Public Management, Inc. as the Grant Administrator for a Texas Community Development Block Grant - Downtown Revitalization / Main Street Program - Community Development Fund (CDBG - DRP / MS)**

MOTION by Justin Haschke, second by Gerald Cook, to approve Resolution No. 2021-R-02 designating Public Management, Inc. as the grant administrator for a Texas Community Development Block Grant – Downtown Revitalization / Main Street Program – Community Development Fund (CDBG – DRP / MS). MOTION CARRIED by unanimous vote.

**PLANNING AND ZONING COMMISSION**

**Steve Killen, Director of Development Services**

**5. PUBLIC HEARING**

**Case No.: RZ2020-012**

**Applicant is Requesting a Rezone of the Property Located at 1601 Swan, Being Lots 7 and 8, Block 7, of the South Side Addition to the City Of Stephenville, Erath County, Texas, From Industrial District (I) To Multiple Family Residential District (R-3).**

Steve Killen, Director of Development Services, briefed the council on the case. On December 16, 2020, the Planning and Zoning Commission unanimously voted to forward a positive recommendation to Council.

Mayor Svien opened the public hearing. No one came forward to speak in favor of or opposition to the rezone. Mayor Svien closed the public hearing.

**6. Consider Approval of an Ordinance Rezoning the Property Located at 1601 Swan, Being Lots 7 and 8, Block 7, of the South Side Addition to the City Of Stephenville, Erath County, Texas, From Industrial District (I) To Multiple Family Residential District (R-3).**

MOTION by Brady Pendleton, second by Ricky Thurman, to approve Ordinance No. 2021-O-01, rezoning the property located at 1601 Swan. MOTION CARRIED by unanimous vote.

**7. PUBLIC HEARING**

**Case No.: RZ2020-013**

**Applicant is Requesting a Rezone of the Property Located at 1600 W Swan, Being Part of Lot 5, Block 14 of the South Side Addition of the City Of Stephenville, Erath County, Texas, From Industrial District (I) To Multiple Family Residential District (R-3).**

Steve Killen, Director of Development Services, briefed the council on the case. On December 16, 2020, the Planning and Zoning Commission unanimously voted to forward a positive recommendation to Council.

Mayor Svien opened the public hearing. No one came forward to speak in favor of or opposition to the rezone. Mayor Svien closed the public hearing.

**8. Consider Approval of an Ordinance Rezoning the Property Located at 1600 W Swan, Being Part of Lot 5, Block 14 of the South Side Addition of the City Of Stephenville, Erath County, Texas, From Industrial District (I) To Multiple Family Residential District (R-3).**

MOTION by Ricky Thurman, second by Gerald Cook, to approve Ordinance No. 2021-O-02, rezoning the property located at 1600 W. Swan. MOTION CARRIED by unanimous vote.

**9. PUBLIC HEARING**

**Case No.: RZ2020-014**

**Applicant is Requesting a Rezone of the Property Located at 1125 South Alexander Road, Being 1.380 acres of A0196, John B. Dupuy Survey 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 the case. On December 16, 2020, the Planning and Zoning Commission unanimously voted to forward a negative recommendation to Council.

Mayor Svien opened the public hearing. Brian Lesley, 1141 Green Creek Circle spoke in opposition to the rezone. Mayor Svien acknowledged an email from Russ McDanel that opposed the rezone. No one spoke in favor of the rezone. Mayor Svien closed the public hearing.

**10. Consider Approval of an Ordinance Rezoning the Property Located at 1125 South Alexander Road, Being 1.380 acres of A0196, John B. Dupuy Survey of the City Of Stephenville, Erath County, Texas, from Single Family Residential District (R-1) to Multiple Family Residential District (R-3).**

MOTION by Brandon Huckabee, second by Nick Robinson, to uphold the recommendation of the Planning and Zoning Commission and deny the rezone. MOTION CARRIED by unanimous vote.

**11. PUBLIC HEARING**

**Case No.: RZ2020-015**

**Applicant is Requesting a Rezone of the Property Located at 2612 Lingleville Road, Being Lot 1, Block 1 of the Latour Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) To Retail and Commercial Business District (B-2).**

Steve Killen, Director of Development Services, briefed the council on the case. On December 16, 2020, the Planning and Zoning Commission unanimously voted to forward a positive recommendation to Council.

Mayor Svien opened the public hearing. No one came forward to speak in favor of or opposition to the rezone. Mayor Svien closed the public hearing.

**12. Consider Approval of an Ordinance Rezoning the Property Located at 2612 Lingleville Road, Being Lot 1, Block 1 of the Latour Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) To Retail and Commercial Business District (B-2).**

MOTION by Nick Robinson, second by Ricky Thurman, to approve Ordinance No. 2021-O-03 rezoning the property located at 2612 W. Washington. MOTION CARRIED by unanimous vote.

## **PARKS AND LEISURE SERVICES COMMITTEE**

**Nick Robinson, Chair**

### **13. Parks and Leisure Services Committee Report - December 15, 2020**

Nick Robinson, chair, gave the committee report.

### **14. Consider Approval of Expenditure to Replace Rec Hall Windows**

MOTION by Nick Robinson, second by Alan Nix, to approve the expenditure for the replacement of windows in the Rec Hall.

## **PERSONNEL COMMITTEE**

**Ricky Thurman, Chair**

### **15. Personnel Committee Report - January 5, 2021**

Ricky Thurman, chair, gave the committee report.

### **16. Consider Approval of a Resolution Authorizing COVID-19 Related Sick Leave**

MOTION by Ricky Thurman, second by Nick Robinson, to extend the COVID-19 Sick Leave granted by the Families First Coronavirus Response Act until March 31, 2021. Mr. Thurman specified that this was only to be an extension of the time, not an expansion of the program or additional leave time.

MOTION CARRIED by unanimous vote.

## **PUBLIC WORKS COMMITTEE**

**Alan Nix, Chair**

### **17. Public Works Committee Report - December 15, 2020**

Alan Nix, chair, gave the committee report.

### **18. Consider Approval of the Reactivation of the Construction Supervisor and Construction Technician Positions**

MOTION by Alan Nix, second by Nick Robinson, to approve the reactivation of the construction supervisor and construction technician positions. MOTION CARRIED by unanimous vote.

## **NOMINATIONS COMMITTEE**

**Gerald Cook, Chair**

### **19. Nominations Committee Report - December 15, 2020**

Gerald Cook, chair, gave the committee report. Mr. Cook noted that Rita Cook had withdrawn her application for the Planning and Zoning Commission.

The committee made the following recommendations:

#### **AIRPORT ADVISORY BOARD**

Place 1 – Tracy Gifford

Place 3 – Shannon Truesdell

Place 5 – Colby Sims

Place 7 – Chris Williams

#### **BOARD OF ADJUSTMENT**

Place 1 – Darrell Brown

Place 3 – David Baskett

Place 5 – Jeanette Cochran

Alternate 1 – Adam Cash

**BUILDING BOARD**

Place 1 – Toby O’NBrueal  
Place 3 – Danny Phillips  
Place 5 – Brent Virgin

**ERATH COUNTY APPRAISAL DISTRICT BOARD**

David Tomlinson

**LIBRARY ADVISORY BOARD**

Place 1 – Jennie Shafer  
Place 5 – JoAnn Phillips

**MECHANICAL BOARD**

Place 3 – James Walker  
Place 5 – Steven Deviney

**PARKS AND RECREATION ADVISORY BOARD**

Place 1 – Shanon Hunt  
Place 3 – Contessa Harrison  
Place 5 – Daron Trussell  
Place 7 – Dennis Jones

**PLANNING AND ZONING COMMISSION**

Place 1 – Bruce Delater  
Place 3 – Lisa LaTouche  
Place 7 – Todd McEvoy

**SENIOR CITIZEN ADVISORY BOARD**

Place 1 – Sheryl Wells  
Place 3 – Judith Meador  
Place 5 – Joanna Lay  
Place 7 – Marlene Dupas

**STEPHENVILLE TYPE B ECONOMIC DEVELOPMENT AUTHORITY**

Place 1 – Wendell Hollingsworth  
Place 3 – Casey Hogan  
Place 4 – Lori Beatty  
Place 5 – Marion Cole  
Place 7 – Matt Underwood

**TOURISM AND VISITORS BUREAU ADVISORY BOARD**

Place 1 – Chelsea Brown  
Place 3 (Retail) – Belle Dowell  
Place 5 (TSU) – Charles Howard  
Place 7 (Hotel) – Tina Marchbanks

**20. Consider Approval of Appointments to Citizen Boards and Commissions**

MOTION by Gerald Cook, second by Alan Nix, to approve the appointments as presented. MOTION CARRIED by unanimous vote.

## FINANCE COMMITTEE

Mark McClinton, Chair

### 21. Finance Committee Report - December 29, 2020

Monica Harris, Director of Finance, gave the committee report in Mr. McClinton's absence.

### 22. Consider Approval of a Request for Waiver of Hotel Occupancy Tax Penalty and Interest from Hampton Inn

MOTION by Justin Haschke, second by Brandon Huckabee, to waive the Hotel Occupancy Tax penalty for Hampton Inn. MOTION CARRIED by unanimous vote.

### 23. Consider Approval of Deferred Compensation Plan Update and Adoption Agreement

MOTION by Justin Haschke, second by Brandon Huckabee, to approve the Deferred Compensation Plan update and adoption agreement. MOTION CARRIED by unanimous vote.

### 24. Consider Approval of an Agreement for Benefits Consultant Services

MOTION by Ricky Thurman, second by Gerald cook to approve an agreement with Wellspring Insurance Agency, Inc. for Benefits Consultant Services. MOTION CARRIED by unanimous vote.

## STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY

Jeff Sandford, Executive Director

This item was removed from the agenda.

## FINANCIAL REPORTS

Monica Harris, Director of Finance

### 25. Monthly Budget Report for the period Ending November 30, 2020

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

**Property Tax** – We received \$318K in property taxes in the month of November, resulting in \$87K or 15.16% increase over funds collected through last November. The \$657K collected through November is 9.89% of budget, which is lower than the 11.25% anticipated.

**Sales Tax** - We received \$694K in sales tax in November, resulting in \$87K or 14.26% more than the funds collected last November. The \$1.3 million collected through November is 21.24% of the \$6.23 million budgeted, which is about 3.5% more than anticipated.

**HOT Funds** – Lodging establishments have report \$36,523.27 in Hotel Occupancy Taxes through November. We spent \$99K in Hotel Occupancy Tax funds through November as compared to \$33K last year due to the Day Tripper contract.

**Revenue (Budgetary comparison)** – The target budget for operating revenue is \$4.13 million. We received \$4.18 million in revenue through November, resulting in \$47K over the target budget. This is a result of sales taxes and service charges.

**Expenditures (Budgetary comparison)** – The target budget for operating expenditures is \$3.76 million. We expended \$3.63 million in through November resulting in \$135K under the target budget.

**Revenue (Prior year comparison)** – Operating revenue received last year was \$4.21 million as compared to the current year's \$4.18 million, resulting in a \$30K decrease. Increases in property tax, sales taxes, and building permits offset most of the reductions in service charges, interest on investments, and other income.

**Expenditures (Prior year comparison)** – Operating expenditures last year were \$3.9 million as compared to the current year's \$3.6 million, resulting in a \$276K decrease. General Fund expenditures decreased \$301K.

#### **CONSENT**

- 26. Approval of Minutes - Regular City Council Meeting - December 1, 2020**
- 27. Approval of Minutes - December 17, 2020 - Council Work Session**
- 28. Approve Amendment No. 9 with Freese and Nichols, Inc for Development Review Services**
- 29. Approve Ordinance No. 2021-0-04 Amending Chapter 50 Sewer and Water Service to Comply with Pretreatment Streamline Rules as Required by the Texas Commission on Environmental Quality**
- 30. Approve Annual Incode 10 Software Maintenance Expenditure**
- 31. Approve Contract with D&M Tank, LLC for the 377 Ground Storage Tank Rehabilitation Project**

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

#### **COMMENTS BY CITY MANAGER**

**\*First day to file for a place on the May 2021 General Election ballot - Wednesday, January 13, 2021**

**\*Council Committee Meetings - Tuesday, January 19 at 5:30 p.m.**

#### **COMMENTS BY COUNCIL MEMBERS**

Brandon Huckabee thanked everyone that applied to serve on a board or commission. He thanked Tom Henry, Interim Director of Parks and Leisure Services, for his work over the past months and welcomed new director Kelli Votypka to the City of Stephenville. He also expressed his appreciation to Kason Prince for his ability to see someone that needed help and working to make a difference.

Ricky Thurman wished everyone a happy new year and expressed his excitement over the project announcements that happened recently. He said he looks forward to more new and exciting developments in 2021.

Gerald Cook also expressed his excitement over the new retail and industrial development happening in Stephenville. He stated that, in the difficult time we are in, it is great to have positive news to look forward to.

Alan Nix thanked the community for their kindness and caring during his wife's and his recent illness, and attributed that mindset to why Stephenville continues to grow and develop.

Justin Haschke welcomed Kelli Votypka to Stephenville.

#### **ADJOURN**

The meeting was adjourned at 6:20 p.m.

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Doug Svien, Mayor

ATTEST:

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Staci L. King, City Secretary