



## REGULAR CITY COUNCIL MEETING

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City Hall Council Chambers, 298 West Washington Street  
Tuesday, October 11, 2022 at 4:30 PM

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### MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, October 11, 2022, 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  
Council Member Bob Newby  
Council Member Ricky Thurman  
Council Member Gerald Cook (left the meeting at 5:55 PM)  
Council Member Mark McClinton

#### **COUNCIL ABSENT:**

Council Member David Baskettt

#### **OTHERS ATTENDING:**

Jason M. King, Interim City Manager  
Randy Thomas, City Attorney  
Terri Johnson, City Secretary

#### **CALL TO ORDER**

Mayor Svien called the meeting to order at 4:30 PM.

#### **PLEDGES OF ALLEGIANCE**

Council Member Newby led the pledges to the United States flag and to the Texas flag.

#### **INVOCATION**

Council Member Mark McClinton voiced the invocation.

#### **PRESENTATIONS AND RECOGNITIONS**

##### **Introduce New City Secretary**

The Mayor introduced Mrs. Sarah Lockenour as the newly hired City Secretary. Sarah introduced herself to the audience and stated that she was looking forward to beginning her employment on Monday, October 17, 2022.

Mayor Svien moved Item 1 up on the agenda.

#### **REGULAR AGENDA**

**1. Discussion and Possible Consideration of Parking Issues at The Edge, Student Housing for Tarleton State University**

Mr. James Milles, 4535 Tin Top Road, Weatherford, Texas addressed the Council regarding the lack of sufficient residential parking at The Edge, student housing for Tarleton State University. He explained that The Edge had only 206 parking spaces for 317 beds, which did not meet the City’s parking requirements in this zoning district.

Mayor Svien stated that the City was aware of the parking situation and were currently working with Tarleton State University to remedy the issue.

The Mayor recessed the Regular meeting at 4:34 PM and convened the Executive Session at 4:38 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

**26. Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Pearl**

**27. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in John W Bradley, Daniel Bell, Edward Bond, James Conger, M.S. Crow, W.D. Richardson, M.J. Leech, Hancock C. Smith, and Ira Foster Surveys**

Mayor Svien adjourned the Executive Session at 5:19 PM and reconvened the Regular meeting at 5:21 PM.

**ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY**

**27. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in John W Bradley, Daniel Bell, Edward Bond, James Conger, M.S. Crow, W.D. Richardson, M.J. Leech, Hancock C. Smith, and Ira Foster Surveys**

MOTION by LeAnn Durfey, second by Mark McClinton, to approve the City Manager to go into negotiations with the Cowboy Capital Pro Rodeo Association to enter into a lease agreement for a rodeo arena as discussed in Executive Session. MOTION CARRIED unanimously.

**PRESENTATIONS AND RECOGNITIONS**

**Receive Update on Mount Olive Cemetery Project**

The Mayor introduced Dr. Sherri Benn, Vice President, Division of Diversity, Equity, Inclusion & International Programs at Tarleton State University who gave a brief history of the Mount Olive Cemetery project. She introduced Dr. Debra Liles, Associate Professor, Department of History, Geography and GIS and W.K. Gordon Endowed Chair in Texas History. Dr. Liles explained her students’ involvement in the project at the Mount Olive Cemetery. The team’s research will be published, with proceeds donated to the Mount Olive Cemetery Association for continued upkeep. It was reported that 90 unmarked graves had been discovered and each would receive a donated burial plaque.

Mrs. Thetis Edwards from the Mt. Olive Cemetery Committee also spoke to the Council.

Mayor Svien announced that the City’s Tourism and Visitors Bureau will be providing directional and entry signs for the cemetery. He expressed appreciation for all of the work being done to share the history and collect the stories of the people and their community represented in the cemetery.

**CITIZENS GENERAL DISCUSSION**

There were no citizens comments.

**REGULAR AGENDA**

**2. Consider Approval of Resolution Denying Oncor Electric’s Requested Rate Change**

City Manager Jason King reported that the Council had passed a resolution in June, 2022 to suspend Oncor Electric's requested rate change and now it was recommended that the City Council pass a resolution to deny the requested rate change for Oncor Electric.

MOTION by Ricky Thurman, second by Gerald Cook to adopt Resolution No. 2022-R-19 denying the rate increase requested by Oncor Electric. MOTION CARRIED with a unanimous vote.

**3. Consider Approval of Contract with Delisi Communications for Consulting Services**

The City Manager reported that Delisi Communications was a lobbying firm, and although the City isn't looking to lobby the Texas Legislature, this firm would be instrumental in assisting the City with major projects, including funding because of their relationships in Austin.

Following discussion by the Mayor and City Council on this proposal, which is included in the current budget, it was agreed that this contract be forwarded to the Public Works Committee for their input on projects that should be spelled out specifically.

**4. Consider Approval of Agreement Negotiated by Staff for a Reduction of Civil Penalties Contingent Upon the Removal of a Dangerous Structure at 1206 Cage Street**

This item was pulled from the agenda.

**5. Consider Approval of Financing Proposal for Landfill Compactor**

Public Works Director Nick Williams gave a brief background on the need for a larger compactor for the City's landfill. A quote from Hold CAT in Cleburne, Texas had been received in the amount of \$1,189,831.07. Staff recommends approval of the financing proposal with Government Capital for a seven-year term at a 4.597% fixed rate as approved in the adopted FY22-23 budget.

MOTION by Mark McClinton, second by Gerald Cook, to approve the financing proposal with Government Capital for a seven-year term at a 4.597% fixed rate for a 836K CAT Landfill Compactor in the amount of \$1,189,831.07. MOTION CARRIED unanimously.

**6. Consider Approval of Purchase of Budgeted Utility Vacuum Truck**

The Public Works Director reported that the utility vacuum truck was a core piece of equipment and was used at least four days/week with one day of maintenance. Staff received a BuyBoard quote from Lonestar Municipal Equipment of Fort Worth, Texas for the purchase of a GapVax vacuum truck in the amount of \$535,555. The FY22-23 adopted budget includes \$550,000 for a new vacuum truck.

MOTION by Mark McClinton, second by LeAnn Durfey for the purchase of the budgeted utility vacuum truck from Lonestar Municipal Equipment of Fort Worth, Texas in the amount of \$535,555. MOTION CARRIED with a unanimous vote.

Council Member Cook left the meeting at 5:55 PM and was not in attendance for the voting on this and all following agenda items.

**PLANNING AND ZONING COMMISSION**

Steve Killen, Director of Development Services

**7. Case No.: RZ2022-020**

**Applicant Beau Mayo is requesting a rezone of property located at 125 Reta, Parcel R22409, being BLOCK 148; LOTS 18 & 21 (SUB 8) of the CITY ADDITION to the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Multifamily Residential District (R-3).**

Development Services Director Steve Killen gave a brief background on this zoning change request. He reported that the Planning & Zoning Commission met on September 21, 2022 and unanimously

recommended the City Council approve the request. The rezone is requested for a future multi-family project.

Mayor Svien opened the Public Hearing at 5:57 PM. No one spoke on behalf of the request and the Mayor closed the Public Hearing at 5:57 PM.

**8. Consider Approval of Ordinance Rezoning Property Located at 125 Reta, Parcel R22409, being Block 148, Lots 18 & 21 (SUB 8) of the City Addition to the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Multifamily Residential District (R-3)**

MOTION by Ricky Thurman, seconded by Mark McClinton to approve Ordinance No. 2022-O-30 rezoning property located at 125 Reta, Parcel R22409, being Block 148, Lots 18 & 21 (SUB 8) of the City Addition to the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Multifamily Residential District (R-3). MOTION CARRIED with a unanimous vote.

**9. PUBLIC HEARING**

**Case No.: PD2022-008**

**Applicant Caitlin King, representing Long Street Hotel, LLC, is requesting a rezone of property located at 221 E. College, Parcel R29244, being block BLOCK 15, LOT 1, 3(Pt OF), 4 & PT OF ALLEY of the CITY ADDITION to City of Stephenville, Erath County, Texas from Downtown District (DT) to Planned Development (PD).**

Mr. Killen, Development Services Director, told the City Council that the Planning and Zoning Commission met on September 21, 2022 and voted unanimously to recommend the City Council approve the rezoning request and development plan.

The Mayor opened the Public Hearing at 6:02 PM. No one spoke on this request and Mayor Svien closed the Public Hearing at 6:02 PM.

**10. Consider Approval of Ordinance Rezoning Property Located at 221 E College, Parcel R29244, being Block 15, Lot 1, 3 (Pt of), 4, & Pt of Alley of the City Addition to the City of Stephenville, Erath County, Texas from Downtown District (DT) to Planned Development (PD)**

MOTION by Justin Haschke, seconded by LeAnn Durfey, to approve the development plan and adopt Ordinance No. 2022-O-31 rezoning property located at 221 E College, Parcel R29244, being Block 15, Lot 1, 3 (Pt of), 4, & Pt of Alley of the City Addition to the City of Stephenville, Erath County, Texas from Downtown District (DT) to Planned Development (PD). MOTION carried unanimously.

**DEVELOPMENT SERVICES COMMITTEE**

Gerald Cook, Chair

**11. Development Services Committee Report**

This report was pulled from the agenda.

**FINANCE COMMITTEE**

Justin Haschke, Chair

**12. Finance Committee Report**

Finance Chair Justin Haschke reported that the Finance Committee met on September 20, 2022 to consider FY 21-22 Budget Amendments and to review the annual audit engagement proposal provided by Brooks Watson & Co.

**13. Consider Approval of Annual Audit Contract for Fiscal Year Ending September 30, 2022**

MOTION by Justin Haschke, seconded by Mark McClinton to approve the annual audit contract with Brooks Watson & Co. for fiscal year ending September 30, 2022. MOTION carried with a unanimous vote.

**14. Consider Adoption of Ordinance Approving Budget Adjustments for Fiscal Year Ending September 30, 2022**

MOTION by Justin Haschke, seconded by Mark McClinton, to adopt Ordinance No. 2022-O-32 approving budget adjustments for fiscal year ending September 30, 2022. MOTION CARRIED with a unanimous vote.

**FINANCIAL REPORTS**

Monica Harris, Director of Finance

**15. Monthly Budget Report for the period Ending August 31, 2022**

Finance Director Monica Harris gave the following report:

In reviewing the financial statements ending August 31, 2022, the financial indicators are overall as or better than anticipated.

**Property Tax**

We received \$9K in property taxes in the month of August, resulting in \$59K or .90% increase over funds collected last fiscal year to date. The amount collected is 98.74% of budget, which is \$76K less than anticipated.

**Sales Tax**

We received \$813K in sales tax in August, resulting in \$889K or 12.82% more than the funds collected last fiscal year to date. The amount collected is 106.77% of the \$7.3 million budgeted, which is 17.27% or \$1.26 million higher than anticipated.

**Revenue (Budgetary comparison)**

The target budget for operating revenue is \$27 million. We received \$31.5 million in operating revenue fiscal year to date, resulting in \$4.5 million over the target budget due to sales taxes, franchise tax, hotel occupancy tax, sports venue tax, service charges, insurance proceeds, sale of assets, and donations.

**Expenditures (Budgetary comparison)**

The target budget for operating expenditures is \$20.3 million. We expended \$19.9 million in operating expenditures fiscal year to date, resulting in \$375K under the target budget.

**Revenue (Prior year comparison)**

Operating revenue received last year was \$27.1 million as compared to the current year's \$31.5 million, resulting in a \$4.4 million increase due to property tax, sales taxes, mixed drinks tax, franchise taxes, hotel occupancy taxes, sports venue taxes, service charges, building permits, interest, insurance proceeds, sale of assets, and donations.

**Expenditures (Prior year comparison)**

Operating expenditures last year were \$18 million as compared to the current year's \$19.9 million, resulting in a \$1.9 million increase due to personnel, outside professional services, utilities, fuel, and maintenance.

She reported that current infrastructure projects totaled over \$63 million.

## **STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT**

Jeff Sandford, Executive Director

There was no report from SEDA.

### **CONSENT AGENDA**

- 16. Consider Approval of Minutes - September 6, 2022 City Council Work Session**
- 17. Consider Approval of Minutes - September 6, 2022 Regular City Council Meeting**
- 18. Consider Approval of Minutes - September 20, 2022 Special City Council Meeting**
- 19. Consider Approval of Minutes - September 27, 2022 Special City Council Meeting**
- 20. Consider Approval of Minutes - October 3, 2022 Special City Council Meeting**
- 21. Consider Extending the Professional Service Agreement with Hardin & Associates Consulting to Conduct Customer Service Inspections (CSI) as Required by the State of Texas**
- 22. Consider Award of On-Call Construction Items Contract**
- 23. Consider Approval of Tyler Content Manager and Employee Onboarding (Cloud Service)**
- 24. Consider Approval of Purchase of Tyler Time and Attendance (Cloud Service)**
- 25. Consider Approval of Purchase of Tyler ERP Pro 10 and Municipal Justice (Incode 10 and Incode Court) Cloud Software**

MOTION by Mark McClinton, seconded by Bob Newby, to approve the Consent Agenda items. MOTION CARRIED unanimously.

### **COMMENTS BY CITY MANAGER**

City Manager Jason King thanked Main Street Director Julie Smith and the Main Street Advisory Board for all of their work on the successful visit by the First Lady of Texas, Cecilia Abbott.

### **COMMENTS BY COUNCIL MEMBERS**

Justin Haschke thanked LeAnn Durfey, Mayor Svien, and City Manager Jason King for their work on the lease for the new Cowboy Capital Pro Rodeo Arena.

Bob Newby also expressed appreciation for the work on the lease for the new arena.

Ricky Thurman thanked Main Street Director Julie Smith for the First Lady of Texas' visit. He welcomed newly hired City Secretary Sarah Lockenour and thanked Interim City Secretary Terri Johnson for her assistance these past few months.

Mark McClinton expressed his pleasure with the new arena and the future Wyatt.

### **ADJOURN**

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Ricky Thurman, Mayor Pro Tem

ATTEST:

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Sarah Lockenour, City Secretary