



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, June 04, 2024 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, June 04, 2024, 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
Council Member Dean Parr
Council Member Maddie Smith
Council Member David Baskettt
Council Member Brandon Greenhaw
Council Member Alan Nix

COUNCIL ABSENT: Council Member Gerald Cook

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

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

INVOCATION

Invocation voiced by Jarrod Brown with Grace Fellowship Church.

PRESENTATIONS AND RECOGNITIONS

Proclamation Recognizing Dr. O.H. "Bud" Frazier

The following proclamation was read and presented to Dr. Frazier.

WHEREAS, Dr. O. H. “Bud” Frazier was born in Stephenville, Texas and attended Tarleton State University before earning his bachelor’s degree from the University of Texas and medical degree from Baylor College of Medicine; and

WHEREAS, his surgical training was interrupted by the Vietnam War, where he served as a U.S. Army flight surgeon from 1968 to 1970, trading the halls of Baylor for an assault helicopter company. For his bravery and exceptional service, he received the Combat Flight Medal, the Vietnamese Navy Medal, and the Vietnamese Distinguished Service Medal; and

WHEREAS, for five decades, Dr. Frazier has been dedicated to improving the treatment of severe heart failure and advancing heart transplantation and artificial devices that substitute or assist with the pumping action of the human heart; and

WHEREAS, throughout the 1970s and 1980s, Dr. Frazier conducted experimental work toward developing an implantable LVAD. In 2011, he implanted the first successful continuous-flow total artificial heart by using two second-generation HeartMate II LVADs to replace a patient’s failing heart; and

WHEREAS, Dr. Frazier has performed over 1,200 heart transplants and implanted more than 900 left ventricular assist devices, more than any other surgeon in the world. As a result of his work, Dr. Frazier is one of the world’s top transplantation and mechanical circulatory support surgeons; and

WHEREAS, Dr. Frazier served on the NIH National Heart Lung and Blood Institute Advisory Committee and chaired the original committee that initiated the first federal allocation system to distribute hearts for transplantation; and

WHEREAS, Dr. Frazier is a true living legend and is celebrated for his contributions to the field of mechanical circulatory support and pioneering treatments for patients suffering from heart failure; and

WHEREAS, Dr. Frazier’s impact on patients and the specialty is immeasurable, and his dedication to improving patient outcomes and advancing medical technology exemplifies the spirit of American Society for Artificial Internal Organs (ASAIO); and

WHEREAS, the City of Stephenville congratulates Dr. O.H. Frazier on receiving the inaugural Pushpa and Kewal Krishan Gupta Lifetime Achievement Award in Development of Therapies for Cardiovascular and Pulmonary Diseases from the ASAIO;

NOW, THEREFORE, I, Doug Svien, Mayor of the City of Stephenville, do hereby issue this Proclamation recognizing the work and lifetime achievements of DR. O.H. “BUD” FRAZIER.

Proclamation Recognizing Men's Health Month

The following proclamation was read and presented to Dr. Dana Worrell with Texas Health Resources.

WHEREAS, Good Health is one of life’s greatest blessings. Unfortunately, many men take their health for granted. We want to encourage men to maintain and improve their health by taking simple, manageable steps, such as getting regular checkups, being active, eating a healthy diet, and refraining from smoking; and

WHEREAS, Legislation creating June as National Men’s Health month was signed into law in 1994, and this annual observance provides us with the opportunity to renew our efforts toward addressing this issue. Among the significant risk men face are high blood pressure, high cholesterol, diabetes, stress, and several types of cancer, including prostate, lung, and colon cancer; and

WHEREAS, as we prepare for Father’s Day, I encourage all Texas Men to recognize the importance of seeking preventive, timely and appropriate medical care. Let all of us - both men and women – remain mindful of the important role preventive medical and mental health care can have in our lives and the lives of our loved ones. Together we can make a difference.

NOW, THEREFORE, I, Doug Svien, Mayor of the City of Stephenville, do hereby proclaim June as MEN’S HEALTH AWARENESS MONTH throughout the City of Stephenville and encourage all our citizens to support the cause of raising awareness of Men’s Health.

Oath of Office for New Stephenville Police Officer

City Secretary Sarah Lockenour administered the Oath of Office to the new Stephenville Police Officer Natasha Smith.

CITIZENS GENERAL DISCUSSION

No one addressed the Council at this time.

Mayor Svien recessed the Regular City Council Meeting at 5:47 PM and convened the Executive Session at 5:49 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

24. 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**

25. Section 551.071 Consultation with Attorney - to Consult Over a Pending or Contemplated Litigation

Mayor Svien adjourned the Executive Session at 6:12 PM and reconvened the Regular City Council Meeting at 6:14 PM.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

REGULAR AGENDA

1. Consider Approval of Appointments to Council Committees

The Mayor presented the following appointments to Council Committees:

	Finance	Parks/Leisure	Personnel	Development	Public Health & Safety	Nominations	Public Works	Tourism & Visitors
Durfey				1	1	1		1
Cook	1			1			1	1
Reisman		1			1	1		1
Parr	1		1		1		1	
Smith		1	1	1		1		
Baskett	1	1			1		1	
Greenhaw	1		1	1				1
Nix		1	1			1	1	

MOTION by Alann Nix, second by Brandon Greenhaw, to approve the Committee appointments as presented. MOTION CARRIED unanimously.

2. Consider Appointment of Voting Member for TEX-21

MOTION BY Maddie Smith, second by Alan Nix, to appoint Doug Svien as the voting member for TEX-21. MOTION CARRIED unanimously.

3. Consider Approval of Budget Amendments for Fiscal Year Ending September 30, 2024

Finance Director Monica Harris presented the budget amendments for Fiscal Year Ending September 30, 2024.

MOTION by David Baskett, second by LeAnn Durfey, to approve Ordinance 2024-O-13 for Budget Amendments for Fiscal Year Ending September 30, 2024, as presented. MOTION CARRIED unanimously.

4. Consider Award of Annual Street Maintenance Project

Director of Public Works Nick Williams presented this item to Council.

On May 21, 2024, the City of Stephenville opened bids for the above referenced project. Two bids were received. The low bid of \$391,245.00 was received from Inter-Mountain Slurry Seal of Lewisville, Texas and the second bid of \$399,376.00 was received from Jay Mills Contracting of Stephenville, Texas.

The project includes the application of emulsified asphalt, cover coat aggregate, and a micro-surfacing seal to Frey Street from Ollie Avenue to Roland Street. The project also includes a section of Cage Street from Lillian to Sixth Avenue and Sixth Avenue from Cage Street to Groesbeck Street.

Project funding was appropriated in the adopted FY23-24 budget. The Finance Department has confirmed ample funds exist to perform the full project scope with over \$600,000 in funds remaining for annual pavement maintenance. A copy of the bid tab is shown below. The difference between the two bids is \$8,131.00 or 2.08%. The purchasing manual contains a local vendor preference clause that would allow the project to be awarded the local vendor if the bid difference is less than five percent. An excerpt from the Purchasing Manual is enclosed below. "A municipality with a population of 200,000 or less and a county with a population of 400,000 or less may award the bid to the lowest bidder or the bidder whose principal place of business is in the local government and whose bid is within five (5) per cent of the lowest bid price received from a bidder who is not a resident of the local government and if the governing body of the local government determines in writing that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award."

Staff recommends award of the annual pavement maintenance project to Jay Mills Contracting, Inc. in the amount of \$399,376.00 under the Local Vendor Preference provision of the adopted Purchasing Manual.

MOTION by Alan Nix, second by David Baskett, to award the Annual Street Maintenance Project to Jay Mills Contracting, Inc. in the amount of \$399,376.00. MOTION CARRIED unanimously.

5. Consider Approval of Purchase of Budgeted Utility Vacuum Truck

Director of Public Works Nick Williams presented this item to Council.

The city utilizes a vacuum truck as a core piece of equipment to routinely maintain, clean, and unstop sewer and stormwater lines. The truck also provides the ability to safely hydro-excavate water and sewer lines and for potholing or performing repairs adjacent to sensitive or dangerous buried utilities such as fiber optic, electric, or gaslines. On October 11, 2022, approval was received to purchase a Utility Vacuum Truck from Lonestar Municipal Equipment. The truck delivery has been delayed multiple times and the vendor estimates the truck may not be delivered until, two years later now, in late September of 2024.

Staff received a quote received from Houston Freightliner for the purchase of a vacuum truck constructed by Industrial Disposal Supply (IDS) in the amount of \$549,988. The utility department tested and operated the IDS truck on city streets, storm lines, and sewer lines and has requested the IDS truck be purchased for this critical piece of equipment. The IDS truck is currently being constructed and has an anticipated delivery date of the first week of August 2024. Additionally, the utility staff has stated a preference for the IDS's analog components allowing, not only the regular operator, but oncall staff, to operate the truck with minimal training.

The FY22-23 adopted budget included \$550,000 for the vacuum truck. These funds were encumbered and are still available. The total purchase cost of the machine is under budget at \$549,988. The Purchasing Manager has confirmed the city is able to purchase this equipment through the HGACBuy cooperative purchasing agency and adheres to all purchasing requirements. Lonestar Municipal Equipment Company has been contacted and indicated there is no problem withdrawing the purchase order as there is a backlog of production orders.

Staff recommends approval to purchase a Utility Vacuum Truck from Houston Freightliner with funds approved in the adopted FY22-23 budget.

MOTION by David Baskett, second by LeAnn Durfey, to approve the purchase of the budgeted utility vacuum truck from Houston Freightliner as presented. MOTION CARRIED unanimously.

6. Consider Award of RFP for Senior Center

Director of Parks and Leisure Services Daron Trussell presented this item to the Council.

Proposals from Bosque Construction and Century Construction were submitted in response to the Request for Proposal for the Stephenville Senior Center project.

After thorough evaluation and consideration of all proposals submitted, staff recommend Bosque Construction, as they are a local smaller firm, may be a better fit for this project due to the budget, size, and scope. Both firms presented compelling proposals, making the decision challenging. However, Bosque Construction emerged as the preferred choice due to their commitment to providing a Guaranteed Maximum Price (GMP), with a detailed breakdown of construction costs for this project that is within the approximate 1.5 million project construction budget.

Bosque Construction's proposed timeline of 10 months for the Stephenville Senior Center project, compared to Century Construction's timeline of 12 months, was another contributing factor in the selection decision. This shorter construction duration aligns with the City's goals for timely project completion.

MOTION by Lon Reisman, second by LeAnn Durfey, to award the RFP for the Stephenville Senior Center project to Bosque Construction as presented. MOTION CARRIED unanimously.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

7. CASE NO.:RZ2024-005

Applicant Bret Flory, Representing Caliber Collision and NPH Ventures, LLC, is Requesting a Rezone of Property Located at 902 Wolfe Nursery Rd., being Parcel R72994 Block 1, Lot 3 of the Phase III Doss

Addition of the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Industrial District (I)

Director of Development Services Steve Killen presented this item to the Council.

The property is currently zoned B-2, retail and commercial. The Future Land Use is designated as Planned Development. Although B-2 allows multiple uses for automobile repair and storage, auto body shops are limited to the Industrial District. Multiple body shops currently operate within the B-2 district as legal, non-conforming uses.

The Planning and Zoning Commission convened May 15, 2024, for a public hearing and by unanimous vote, recommended the City Council approve the rezone request.

Mike Lyssy, 1255 W. 15th street, Plano, representing the architect for Caliber Collision addressed Council regarding the rezone.

8. PUBLIC HEARING

CASE NO.: RZ2024-005

Mayor Svien opened the Public Hearing at 6:43 pm.

Donna Wesson, 1325 Lydia, Stephenville, spoke in opposition to the rezone presented.

Rolland Feemster, 3069 US 67, Stephenville, representing Discount Wheel and Tire, spoke in opposition to the rezone.

Mayor Svien closed and reopened the Public Hearing at 6:50 pm.

Mike Lyssy addressed the Council again in favor of the rezone and to address concerns brought by Ms. Wesson and Mr. Feemster.

Mayor Svien closed the Public Hearing at 6:53 pm.

9. Consider Approval of an Ordinance Rezoning the Property Located at 902 Wolfe Nursery Rd., being Parcel R72994 Block 1, Lot 3 of the Phase III Doss Addition of the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Industrial District (I)

MOTION by Alan Nix, second by Dean Parr, to deny the rezone request for 902 Wolfe Nursery Rd. as presented. MOTION CARRIED unanimously.

10. CASE NO.:RZ2024-006

Owner Travis Truss is Requesting a Rezone of Property Located at 3084 W. Washington, being Parcel R23847 of the Pearson Henry A0613 Survey, House and Commercial Bldg., of the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Industrial District (I)

Director of Development Services Steve Killen presented this item to the Council.

The property is currently zoned B-2, retail and commercial. The Future Land Use is designated as Commercial. Although B-2 allows multiple uses for automobile repair and storage, auto storage facilities are limited to the Industrial District.

The Planning and Zoning Commission convened on May 15, 2024, for a public hearing and by unanimous vote, recommended the City Council approve the rezone request.

11. PUBLIC HEARING

CASE NO.: RZ2024-006

Mayor Svien opened the Public Hearing at 7:00 pm.

No one addressed the Council.

Mayor Svien closed the Public Hearing at 7:00 pm.

12. Consider Approval of an Ordinance Rezoning the Property Located at 3084 W. Washington, being Parcel R23847 of the Pearson Henry A0613 Survey, House and Commercial Bldg., of the City of Stephenville, Erath County, Texas from Retail and Commercial District (B-2) to Industrial District (I)

MOTION by David Baskett, second by Alan Nix, to approve Ordinance No. 2024-O-14 rezoning property located at 3084 W. Washington from Retail and Commercial District (B-2) to Industrial District (I) as presented. MOTION CARRIED unanimously.

13. CASE NO.:RZ2024-007

Applicant Paxton Wooley, Representing JPW Consulting Company, is Requesting a Rezone of Property Located at 1020 Paddock, Parcel R28770, being BLOCK 2, Lot 12 of the Butler Addition to the City of Stephenville, Erath County, Texas from Single-Family Residential (R-1) to One- and Two-Family Residential District (R-2)

Director of Development Services Steve Killen presented this item to the Council.

The property has current zoning of Single Family. Future Land Use is designated as Single Family. The requested rezoning is to allow the construction of one single family home on the front half of the property and one duplex on the rear half of the property (replat required).

The Planning and Zoning Commission convened on May 15, 2024, for a public hearing and by unanimous vote, recommended the City Council approve the rezone request.

14. PUBLIC HEARING

CASE NO.:RZ2024-007

Mayor Svien opened the Public Hearing at 7:04 pm.

No one addressed the Council.

Mayor Svien closed the Public Hearing at 7:04 pm.

15. Consider Approval of an Ordinance Rezoning the Property Located at 1020 Paddock, Parcel R28770, being BLOCK 2, Lot 12 of the Butler Addition to the City of Stephenville, Erath County, Texas from Single-Family Residential (R-1) to One- and Two-Family Residential District (R-2)

MOTION by Lonn Reisman, second by Alan Nix, to approve Ordinance No. 2024-O-15 rezoning property located at 1020 Paddock from Single-Family Residential (R-1) to One- and Two-Family Residential District (R-2) as presented. MOTION CARRIED unanimously.

FINANCIAL REPORTS

Monica Harris, Director of Finance

16. Monthly Budget Report for the Period Ending April 30th, 2024

Director of Finance Monica Harris presented the monthly budget report as follows:

In reviewing the financial statements ending April 30, 2024, the financial indicators are overall as or better than anticipated.

Property Tax Collections: We received \$50K in property taxes in the month of April, resulting in a \$270K increase over the funds collected last fiscal year to date. The amount collected is almost 100% of the \$7.3 million budget, which is \$78K more than anticipated.

Sales and Use Tax: We received \$705K in sales tax in April, resulting in \$155K or 3% more than the funds collected last fiscal year to date. The amount collected is 61% of the \$9.4 million budget, which is \$512K higher than anticipated.

Revenue (by fund): Of the \$31.3 million revenue received to date, 59% was received in the General Fund, 23% was received in the Water/Wastewater Fund, 8% was received in the Capital Projects Fund and 3% was received in the Landfill Fund.

Revenue (budget vs. actual): We received 70% of the total budgeted revenues through April, which is \$3.1 million more than anticipated due to taxes, building permits, intergovernmental, charges for services, and interest income.

Revenue (prior year comparison): We received \$1.3 million less revenue through April than last fiscal year to date due to debt proceeds received in the prior year.

Expenditures (by fund): Of the \$30.5 million spent to date, 44% was expended in the Water/Wastewater Fund, 42% was expended in the General Fund, 5% was expended in the Capital Projects Fund, 3% was expended in the Debt Service Fund, 3% was expended in the Storm Fund and 2% was expended in the Landfill Fund.

Expenditures (budget vs. actual): We have expended 37% of the total budgeted expenditures through April, which is \$16.6 million less than anticipated due to personnel, contractual, maintenance, grant disbursements, capital outlay, and transfers.

Expenditures (prior year comparison): We spent \$5.1 million less in expenditures through April than last fiscal year to date due to capital outlay, grant disbursements, and transfers.

SEDA Revenue Comparison: SEDA has received an overall 65% of budgeted revenue through April, which is \$18K more than last fiscal year to date and \$77K more than anticipated due to taxes and interest income.

SEDA Expenditure Comparison: SEDA has spent an overall 21% of budgeted expenditures through April, which is \$68K less than last fiscal year to date due to grant disbursements and \$650K less than anticipated due to contractual, capital outlay, and grant disbursements.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director

SEDA did not give a report at this time.

CONSENT AGENDA

- 17. Consider Approval of Minutes - May 7, 2024**
- 18. Consider Approval of Minutes - May 14, 2024**
- 19. Consider Approval of Minutes - May 28, 2024**
- 20. Consider Approval of Second Annual Payment on Contract with Microsoft**
- 21. Consider Approval of Disposition of City Property - Sale of 2015 Landfill Compactor**
- 22. Consider Approval of the Annual Expenditures for AXON All-Inclusive Camera, Evidence Storage and Management and Automated License Plate Reader Service (ALPR)**

23. Consider Approval of Arbitrage Rebate Compliance Services Agreement with Hilltop Securities Asset Management, LLC

MOTION by David Baskett, second by Maddie Smith, to approve Consent Agenda items as presented.
MOTION CARRIED unanimously.

COMMENTS BY CITY MANAGER

- Moola Fest was very successful. Thanks to all staff.
- This Friday, Ricky Staggs will be in the Park.
- Committee meetings will be held June 18.
- Budget Workshops will be scheduled soon.

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey

- Thanks to all staff to for a great Moola Fest.
- Congratulations to Stephenville Baseball on a great season.

Lonn Reisman

- Thank you to staff for a great Moola Fest.

Maddie Smith

- Thanks to Parks and Leisure team for the Moms & Mayhem event in May
- Splashville opens Thursday!

David Baskett

- Echo thanks to staff for a great Moola event and Moms & Mayhem event.
- Congratulations to the new officer.
- Shout out to the Streets Department for their work after the storm.

Brandon Greenhaw

- Great job on Moola fest.

Alan Nix

- Thanks to all staff as we move forward.

ADJOURN

The Mayor adjourned the Regular City Council meeting at 7:13 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