



## REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street  
Monday, October 04, 2021 at 5:30 PM

### MINUTES

**COUNCIL PRESENT:** Mayor Doug Svien  
Council Member LeAnn Durfey  
Council Member Justin Haschke  
Council Member Daron Trussell  
Council Member Brady Pendleton  
Council Member Ricky Thurman  
Council Member Alan Nix  
Council Member Gerald Cook  
Mayor Pro Tem Brandon Huckabee

**COUNCIL ABSENT:**

**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.

#### PLEDGES OF ALLEGIANCE

Council member LeAnn Durfey led the Pledges of Allegiance to the United States and Texas flags.

#### INVOCATION

Dr. Jim Kirby led the invocation

#### CITIZENS GENERAL DISCUSSION

No one came forward to address the council.

#### REGULAR AGENDA

- 1. Presentation of Donation from Saint-Gobain Abrasives for Inclusive Playground Equipment**  
This item was removed from the agenda; representatives from Saint-Gobain Abrasives were unavailable for presentation.
- 2. Recognition of Stephenville Parks and Recreation Staff for TAAF Awards**  
Kelli Votycka, Director of Parks and Leisure Services, recognized the Stephenville Parks and Recreation staff for the receipt of two prestigious awards from the Texas Amateur Athletic Federation.

The Stephenville Parks and Recreation Department received the TAAF Gold Member City Award. This award is given to cities in recognition of their significant participation, support, and involvement with TAAF.

Cherisa “CV” Black received the TAAF President’s Excellence Award:

“In recognition of your dedication and outstanding service to the Texas Amateur Athletic Federation. When Region 4 unexpectedly was left without a Regional Director the call went out to find a replacement. As one of the biggest regions in the state, it was not a small task to get someone to take on this responsibility for Region 4. CV didn’t hesitate to accept when asked, and has done an incredible job since taking over the title of Regional Director. CV is a bright young star for TAAF, and her impact on the organization will be felt for years to come. Thank you CV for your positive attitude and willingness to be a leader! Presented by David Swain, TAAF President”

**3. Consider Approval of an Ordinance Amending the FY 2021-2022 Fee Schedule**

MOTION by Justin Haschke, second by Gerald Cook, to approve Ordinance No. 2021-O-31 amending the FY2021-2022 fee schedule. MOTION CARRIED by unanimous vote.

**4. Consider Approval of Bid Award for Harbin Drive Improvements**

MOTION by Alan Nix, second by Brandon Huckabee, to award the Harbin Drive Improvement Project to Jay Mills Contracting, Inc., including Bid Alternate #1 for concrete pavement. MOTION CARRIED by unanimous vote.

**PLANNING AND ZONING COMMISSION**

**Steve Killen, Director of Development Services**

**5. PUBLIC HEARING**

**Amending the Zoning Ordinance of the City of Stephenville to Include Sale of Alcohol as a Permitted Use in Certain Zoning Districts**

Steve Killen, Director of Development Services, briefed the council on the proposed changes to the Zoning Ordinance. Currently, alcohol sales are generally associated with restaurant, grocery, or convenience store operations, but the Zoning Ordinance does not address instances where alcohol sales are the primary retail product. On September 15, 2021, the Planning and Zoning Commission met to consider the proposed revisions to permitted uses in the Zoning Ordinance; a failed motion resulted in no further action from the Commission.

Mayor Svien opened the public hearing.

Jim Kirby spoke in opposition to the proposed inclusion of alcohol sales as a permitted use type. No one spoke in favor of the proposed changes.

Mayor Svien closed the public hearing.

**6. Consider Approval of an Ordinance Amending the Zoning Ordinance of the City of Stephenville to Include Sale of Alcohol as a Permitted Use in Certain Zoning Districts**

MOTION by Brandon Huckabee, second by Ricky Thurman, to approve Ordinance No. 2021-O-32 allowing alcohol sales as an allowable use in zoning districts B-2 (Retail and Commercial Business District), B-3 (Central Business District), and DT (Downtown District). MOTION CARRIED with Alan Nix casting a dissenting vote.

**7. PUBLIC HEARING**

**Case No.: RZ2021-014**

**Applicant is Requesting a Rezone of a Portion of the Property Located at 645 McCart, Being Parcel No. R33258, Block 10, Lot 7, Shapard & Collins 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 council on Case No. RZ2021-014. The Planning and Zoning Commission met on September 15, 2021 and voted 6-1 to make a positive recommendation to council.

- 8. Consider Approval of an Ordinance Rezoning a Portion of the Property Located at 645 McCart, Being Parcel No. R33258, Block 10, Lot 7, Shapard & Collins Addition of the City of Stephenville, Erath County, Texas from Industrial District (I) to Multiple Family Residential District (R-3)**

MOTION by Brandon Huckabee, second by Gerald Cook, to approve Ordinance No. 2021-O-33 rezoning a portion of the property located at 645 McCart. MOTION CARRIED by unanimous vote.

#### **TOURISM AND VISITORS BUREAU COMMITTEE**

**LeAnn Durfey, Chair**

- 9. Committee Report - September 23, 2021**

LeAnn Durfey, chair, gave the committee report.

- 10. Consider Approval of a Paid Marketing Partnership with *The Daytripper***

This item was removed from the agenda.

#### **PUBLIC WORKS COMMITTEE**

**Alan Nix, Chair**

- 11. Committee Report - September 23, 2021**

Alan Nix, chair, gave the committee report.

- 12. Consider Approval of a Professional Services Agreement with Provenance Engineering for the Preparation of an Emergency Response Plan and Emergency Preparedness Plan**

MOTION by Alan Nix, second by Daron Trussell, to approve a Professional Services Agreement with Provenance Engineering for the preparation of Emergency Response and Emergency Preparedness Plan. MOTION CARRIED by unanimous vote.

- 13. Consider Approval of the Annual Operations Agreement Amendment with Jacobs/CH2M OMI for Wastewater Treatment Plant Operations**

MOTION by Alan Nix, second by Brandon Huckabee, to approve the annual operations agreement with Jacobs/CH2M OMI. MOTION CARRIED by unanimous vote.

- 14. Consider Approval of an Ordinance Amending the City of Stephenville Code of Ordinances by the Adoption of Chapter 53 *Solid Waste***

MOTION by Alan Nix to approve an ordinance amending Chapter 53 *Solid Waste*. MOTION DIES for lack of a second.

- 15. Consider Approval of an Engagement Letter with Lloyd Gosselink for Legal Representation Services for a Landfill Permit Amendment**

MOTION by Alan Nix, second by Daron Trussell, to approve an engagement letter with Lloyd Gosselink for legal representation services for a landfill permit amendment. MOTION CARRIED by unanimous vote.

## PERSONNEL COMMITTEE

Ricky Thurman, Chair

### 16. Personnel Committee Report

Ricky Thurman, chair, gave the committee report.

### 17. Consider Approval of an Ordinance Amending the City of Stephenville Policy and Procedure Manual by the Addition of Chapter 4.13 *Mental Health Leave Policy*

MOTION by Ricky Thurman, second by LeAnn Durfey, to approve Ordinance No. 2021-O-34 amending the City of Stephenville Policy and Procedure Manual to include Chapter 4.13 *Mental Health Leave Policy*. MOTION CARRIED by unanimous vote.

## FINANCE COMMITTEE

Justin Haschke, Chair

### 18. Committee Report - September 23, 2021

Justin Haschke, chair, gave the committee report.

### 19. Consider Approval of an Ordinance Approving 4th Quarter Budget Adjustments for FY 2020-2021

MOTION by Justin Haschke, second by Brandon Huckabee, to approve Ordinance No. 2021-O-35 approving fourth quarter budget adjustments. MOTION CARRIED by unanimous vote.

## FINANCIAL REPORTS

Monica Harris, Director of Finance

### 20. Monthly Budget Report for the period Ending August 31, 2021

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

In reviewing the financial statements ending August 31, 2021, the financial indicators are as or better than anticipated.

**Property Tax** – We received \$12K in property taxes in the month of August, resulting in \$146K or 2.24% increase over funds collected through last August. The \$6.64 million collected fiscal year to date is 99.83% of budget, which is as anticipated.

**Sales Tax** – We received \$683K in sales tax in August, resulting in \$1.1 million or 19.57% more than the funds collected through last August. The \$6.9 million collected fiscal year to date is 111.12% of the \$6.24 million budgeted, which is higher than the 91.7% anticipated.

**HOT Funds** - Lodging establishments have reported \$432K in Hotel Occupancy Taxes through August, as compared to the \$323K through last August. We have received \$98K of sports venue tax through August. We spent \$413K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$198K last year due to the Day Tripper contract, gateway planning, and Moo-la fest.

**Revenue (Budgetary comparison)** – The target budget for operating revenue is \$26.2 million. We received \$27.1 million in revenue fiscal year to date, resulting in \$888K over the target budget due to sales taxes and service charges.

**Expenditures (Budgetary comparison)** – The target budget for operating expenditures is \$19.1 million. We expended \$18 million fiscal year to date, resulting in \$1.1 million under the target budget.

**Revenue (Prior year comparison)** - Operating revenue received last year was \$25.4 million as compared to the current year's \$27.1 million, resulting in a \$1.7 million increase due to property tax, sales taxes, and service charges.

**Expenditures (Prior year comparison)** – Operating expenditures last year were \$17.1 million as compared to the current year's \$18 million, resulting in an \$819K increase due to costs associated with COVID-19 prevention, damage claims, wages, recreation supplies, professional fees, advertising, Moo-la fest and gateway planning.

## **STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY**

**Jeff Sandford, Executive Director**

This item was removed from the agenda.

## **CONSENT AGENDA**

- 21. Approval of Minutes - Regular City Council Meeting - September 9, 2021**
- 22. Approval of Minutes - Special City Council Meeting - September 14, 2021**
- 23. Approval of Minutes - Special City Council Meeting - September 23, 2021**
- 24. Approval of Minutes - Council Work Session - September 28, 2021**
- 25. Approval of Membership in the Texas Municipal League**
- 26. Approval of Municipal Court Bailiff Contract**
- 27. Authorization to Sell a Laboratory Ultra-Low Freezer with Data Logger**
- 28. Authorization to Dispose of IT Assets**

MOTION by Ricky Thurman, second by Alan Nix, to approve the consent agenda as presented. MOTION CARRIED by unanimous vote.

## **COMMENTS BY CITY MANAGER**

- Committee Meetings – Tuesday, October 19
- Regular City Council Meeting – Tuesday, November 2
- Safe Trick R Treat – Thursday, October 28

## **COMMENTS BY COUNCIL MEMBERS**

LeAnn Durfey wanted to recognize the positive impact that the Cowboy Capital Pro Rodeo had on Stephenville and its participants. She stated that she and others she talked to enjoyed the experience.

Justin Haschke encouraged residents to be involved in the community. He stated that he felt the council was making a lot of decisions and were striving to do what they feel is the in the best interest of the community.

Daron Trussell reminded everyone that TSU Homecoming was coming up and that there would be many visitors staying in Stephenville.

Ricky Thurman congratulated the Yellow Jacket Band on receiving the Top 4A Band at the Mineral Wells Marching Invitational.

Brandon Huckabee congratulated SPARD staff for their awards and their work toward becoming a first-class organization. He stated that the council must stay vigilant in growing and improving.

Doug Svien thanked Johnny Davis, Project Manager for the Stephenville Wastewater Treatment Plant, for doing an outstanding job for the City of Stephenville

**ADJOURN**

The meeting was adjourned at 6:27 p.m.

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Doug Svien, Mayor

ATTEST:

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Staci L. King, City Secretary