



REGULAR CITY COUNCIL MEETING

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

MINUTES

The City Council of the City of Stephenville, Texas, convened on May 4, 2021, in the City Hall Council Chambers, 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
Mayor Pro Tem Mark McClinton
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:

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 Brandon Huckabee led the Pledges of Allegiance.

INVOCATION

Curt Plaxco, Stephenville Church of the Nazarene, gave the invocation.

CITIZENS GENERAL DISCUSSION

Kenny Weldon, 5550 CR 461, Stephenville, thanked the Council and city staff for the work that went into the bond election. He stated that he was disappointed in the outcome of the election, as well as the voter turnout. He stated that the condition the city is in did not happen overnight, and the problems will not be fixed overnight either. He encouraged council to continue to persist in investing in the safety, security, infrastructure, and quality of life.

REGULAR AGENDA

1. Reading of Proclamation in Memory of Sgt. Steven Watts

Mayor Svien read the following proclamation in memory of Stephenville Police Department Sergeant Steven Watts, who passed away on April 26, 2021 after a brief illness:

PROCLAMATION

WHEREAS, Sgt. Steven Watts was born on September 24, 1967, in Dallas, Texas, to Curtis and Betty Watts; and

WHEREAS, Sgt. Steven Watts began his career serving others when he joined the United States Army in 1989 where he served as a member of the Military Police at West Point and in Korea; and

WHEREAS, Sgt. Steven Watts joined the Stephenville Police Department in 1996 where he proudly wore badge number 428, and was promoted to Sergeant in 2005; and

WHEREAS, Sgt. Steven Watts married the love of his life, Jenny, in 2007, and gained two children whom he loved and adored, Hannah and Nick; and

WHEREAS, Sgt. Steven Watts was called to his heavenly home on April 26, 2021 after battling a short illness; and

WHEREAS, Sgt. Steven Watts will always be remembered for his kindness, patience, and servant leader heart; and

WHEREAS, the City of Stephenville wishes to honor Sgt. Steven Watts for his dedicated and faithful service to the citizens of Stephenville.

NOW, THEREFORE, WE, THE STEPHENVILLE CITY COUNCIL DO HEREBY PROCLAIM APRIL 28 AS SGT. STEVEN WATTS DAY IN THE CITY OF STEPHENVILLE, TEXAS IN HONOR OF HIS LIFE, LEGACY, AND SERVICE TO THE CITIZENS OF STEPHENVILLE, TEXAS.

Police Chief Dan Harris thanked the Mayor, Council, and everyone in Stephenville for their thoughts and prayers on behalf of the Watts family. He encouraged everyone to honor Sgt. Watts' memory by striving to emulate his kindness, patience, and extraordinary service in their everyday lives.

2. **Recognition of Donation by Rotary Club for Improvements at the Collins Street Trailhead**

Moumin Quazi, Rotary Club President, presented the City of Stephenville with a ceremonial check for \$9,000 representing the 3-year total donated over the past three years for park improvements at the Collins Street Trailhead.

3. **Consider Approval of an Pay Increase to fund a Nurse and Pharmacist for the Erath County Vaccination Center**

MOTION By Gerald Cook, second by Brandon Huckabee, to approve a pay increase to fund a nurse and pharmacist for the Erath County Vaccination Center. MOTION CARRIED by the unanimous vote.

TAX INCREMENT REINVESTMENT ZONE

4. **PUBLIC HEARING**

Public Hearing for an Ordinance of the City Council of the City of Stephenville, Texas, Amending Ordinance No.2019-O-20 Concerning Tax Increment Reinvestment Zone Number One, City of Stephenville, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by Expanding the Boundary of Tax Increment Financing Reinvestment Zone Number One, City of Stephenville, Texas

Natalie Moore and David Pettit, David Pettit Economic Development, LLC, briefed the council on the expansion of Tax Increment Reinvestment Zone No. 1 versus the creation of a new Tax Increment Reinvestment Zone.

Mayor Svien opened the public hearing. No one came forward to speak in favor of or opposition to the amendment of Tax Increment Reinvestment Zone No. 1.

5. **Consider Approval of An Ordinance Amending Ordinance No.2019-O-20 Concerning Tax Increment Reinvestment Zone Number One, City of Stephenville, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by Expanding the Boundary of Tax Increment Financing Reinvestment Zone Number One, City of Stephenville, Texas**

MOTION by Mark McClinton, second by Justin Haschke, to approve Ordinance No. 2021-O-15 expanding the boundary of Tax Increment Reinvestment Zone No. 1. MOTION CARRIED by unanimous vote.

6. **Recess to TIRZ Board Meeting**

Mayor Svien recessed the Regular Council Meeting at 6:08 p.m.

7. **Reconvene to Regular City Council Meeting**

Mayor Svien called the meeting back to order at 6:09 p.m.

8. **Consider Approval of an Ordinance Approving an Amended Project and Financing Plan for Tax Increment Reinvestment Zone Number One, City of Stephenville, Texas, Established Pursuant to Chapter 311 of the Texas Tax Code**

MOTION by Mark McClinton, second by Gerald Cook, to approve Ordinance No. 2021-O-16 approving an amended Project and Finance Plant for Tax Increment Reinvestment Zone No. 1. MOTION CARRIED by unanimous vote.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

9. **PUBLIC HEARING**

Case No.: RZ2021-007

Applicant is Requesting a Rezone of the Property located at 1955 W. South Loop, Parcel No. R31852, being Block 2, Lot 1 of the Greenview Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Industrial District (I).

Steve Killen, Director of Development Services, briefed the council on Case No. RZ2021-007. On April 21, 2021, the Planning and Zoning Commission voted 5-1 to deny the rezone request.

Mayor Svien opened the public hearing.

Brandon McDonald, property owner, and Jayson Sample, owner of Artistic Realm, both spoke in favor of the rezone.

Mayor Svien closed the public hearing.

Mayor Svien requested that allowed uses in business-related zones be reviewed by the Planning and Zoning Commission for recommended changes.

10. **Consider Approval of an Ordinance Rezoning the Property located at 1955 W. South Loop, Parcel No. R31852, being Block 2, Lot 1 of the Greenview Addition of the City of Stephenville, Erath County, Texas, from Neighborhood Business District (B-1) to Industrial District (I).**

MOTION by Ricky Thurman, second by Alan Nix, to deny the rezone request. MOTION CARRIED by unanimous vote.

11. **PUBLIC HEARING**

Case No.: SV2021-004

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 *Curb and Gutter Options*, for a Property located at 2895 Northwest Loop, Parcel

No. R76370, being Block 155, Lot 17 (pt of) of City Addition of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the council on Case No. SV2021-004. On April 21, 2021, the Planning and Zoning Commission voted unanimously to make a positive recommendation to council.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the waiver.

Mayor Svien closed the public hearing.

- 12. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 Curb and Gutter Options, for a Property located at 2895 Northwest Loop, Parcel No. R76370, being Block 155, Lot 17 (pt of) of City Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Brady Pendleton, second by Mark McClinton, to approve the waiver request. MOTION CARRIED with Alan Nix and Gerald Cook casting dissenting votes.

13. PUBLIC HEARING

Case No.: SV2021-005

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 – Sidewalks, for a property located at 2895 Northwest Loop, Parcel No. R76370, being Block 155, Lot 17 of the City Addition of the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the council on Case No. SV2021-005. On April 21, 2021, the Planning and Zoning Commission voted 3-2 to make a positive recommendation to council. Clint McKeenan, representative for the applicant, was present to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the waiver.

Mayor Svien closed the public hearing.

- 14. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.11 – Sidewalks, for a property located at 2895 Northwest Loop, Parcel No. R76370, being Block 155, Lot 17 of the City Addition of the City of Stephenville, Erath County, Texas.**

MOTION by Brandon Huckabee to approve the waiver request. MOTION FAILED for lack of a second.

Per Randy Thomas, City Attorney, this action results in a denied request.

15. PUBLIC HEARING

Case Nos.: PD2020-003, PD2020-004 and PD2020-005

Steve Emmons, on behalf of Spectra Student Living, is Requesting a Development Schedule Extension for the Above Referenced Planned Development Pursuant to City of Stephenville Code of Ordinances, Section 154.08 Planned Development District

Steve Killen, Director of Development Services, briefed the council on the cases. On April 21, 2021, the Planning and Zoning Commission voted unanimously to recommend the extension of the development schedule to July 1, 2021. Steve Emmons was present to answer questions.

Mayor Svien opened the public hearing.

No one came forward to speak in favor of or opposition to the request for extension

Mayor Svien closed the public hearing.

16. Consider Approval of a Development Schedule Extension for Planned Development Case Nos.: PD2020-003, PD2020-004, and PD2020-005 pursuant to City of Stephenville Code of Ordinances Section 154.08 Planned Development District.

MOTION by Ricky Thurman, second by Gerald Cook, to approve a development schedule extension for Planned Development Case Nos.: PD2020-003, PD2020-004, and PD2020-005. MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

Monica Harris, Director of Finance

17. Monthly Budget Report for the Period Ending March 31, 2021

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

In reviewing the financial statements ending March 31, 2021, the financial indicators vary with an overall positive outcome.

Property Tax - We received \$94K in property taxes in the month of March, resulting in \$217K or 3.48% increase over funds collected through last March. The \$6.45 million collected fiscal year to date is 97.02% of budget, which is slightly less than the 97.64% anticipated.

Sales Tax - We received \$556K in sales tax in March, resulting in \$589K or 17.83% more than the funds collected through last March. The \$3.89 million collected fiscal year to date is 62.39% of the \$6.24 million budgeted, which is higher than the 50.51% anticipated.

HOT Funds - Lodging establishments have reported \$195K in Hotel Occupancy Taxes through March, as compared to the \$231K through last March. We have received 30K of sports venue tax through March. We spent \$225K in Hotel Occupancy Tax funds through fiscal year to date as compared to \$102K last year due to the Day Tripper contract and gateway planning.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$16.4 million. We received \$16.8 million in revenue fiscal year to date, resulting in \$383K over the target budget due to sales taxes and service charges.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$10.5 million. We expended \$9.9 million fiscal year to date, resulting in \$593K under the target budget.

Revenue (Prior year comparison) - Operating revenue received last year was \$16.5 million as compared to the current year's \$16.8 million, resulting in a \$290K increase due to property tax, sales taxes, and service charges.

Expenditures (Prior year comparison) - Operating expenditures last year were \$9.62 million as compared to the current year's \$9.89 million, resulting in a \$259K increase due to costs associated with COVID-19 prevention, stimulus grant to reduce the impact of COVID-19, damage claims, wages, advertising and gateway planning.

Investments - The total market value of cash and investments on March 31, 2021 was \$44,831,902. This is allocated 3% in demand accounts, 38% in TexStar investment pool, and 59% in TexPool investment pool. We earned \$11,406 in interest for the quarter. The average yield to maturity for all account types for the quarter was 0.05%. The average yield to maturity for investment accounts for the quarter was 0.04%. The average yield to maturity for a 3-month treasury bill for the quarter was .05%.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY

Jeff Sandford, Executive Director

18. Monthly Update

Jeff Sandford, Executive Director, gave an update on the Stephenville Type B Economic Development Authority.

19. Consider Approval of Adjustments to SEDA's FY2020-2021 Budget

MOTION by Mark McClinton, second by Gerald Cook to approve adjustments to SEDA's FY2020-2021 operating budget. MOTION CARRIED by unanimous vote.

CONSENT

20. Approve Minutes for April 6, 2021 - Regular City Council Meeting

21. Approve Minutes for April 19, 2021 - City Council Work Session

22. Approve Minutes for April 21, 2021 - Special City Council Meeting

23. Approve Resolution No. 2021-R-13 Finding that the Rates Proposed by Oncor to be Recovered Through is DCRF Charged to Customers Located within the City Limits Should be Denied

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

COMMENTS BY CITY MANAGER

- **May 11 at 5:30 p.m. - Special City Council Meeting - Canvass May 1, 2021 Election and Swear In New Council Members**
- **May 18 at 5:30 p.m. - Council Committee Meetings**
- **An update on Moo-la Fest was presented by Julie Smith, Tourism and Visitors Bureau Manager.**

COMMENTS BY COUNCIL MEMBERS

Mark McClinton recognized Assistant Fire Chief Chuck Elliott for his hard work on the Erath County Vaccination Center. He stated that when he has had conversations about the center, Assistant Chief Elliot's name comes up over and over again. He also stated that it has been a pleasure and an honor to be allowed to be on the city council. He said it is also humbling to know that the voters have invested their confidence to make decisions on their behalf. Mr. McClinton thanked the citizens of Stephenville for the opportunity to serve them over the years. He wished those that he had worked closely with success in their work and in life. He said that his parting prayer would be that God continue to bless Stephenville and those that live here.

Justin Haschke encouraged everyone to attend Moo-la Fest. He congratulated the Stephenville Evening Lion's club for a record-breaking fundraiser. He thanked Chief Harris for the moving words shared at Sgt. Watts' funeral and said his heart, thoughts, and prayers go out to the Watts family. Mr. Haschke stated that while Council members McClinton and Robinson's time on the city council was over, their efforts were appreciated and would no doubt be felt for a long time to come. He thanked them for their service and the opportunity to serve with them.

Nick Robinson said that his time serving on the city council was fun, he learned a lot, and he enjoyed getting to know staff. He said he appreciates the people who he served with, those who served before him, and those that will serve after him. He said it is a lot of work, a lot of fun, and very rewarding.

Brady Pendleton thanked everyone who helped with the bond initiative. He stated that he was not pleased with the outcome of the election, but that is the way democracy works. He felt that Stephenville had an opportunity

to be better, and that he wants better in Stephenville for his kids. He stated that going forward, it is time to look for opportunities to figure out how to go forward from here.

Ricky Thurman thanked Council members McClinton and Robinson for their time and commitment to the city. Mr. Thurman also expressed his displeasure at the bond election results, but stated that the voters had spoken and it was time to listen. He said the answer was not just “no,” the council now had more direction on priorities and how they missed the mark. He stated that the council needs to engage better, listen better, and understand it was not simply about “no new taxes.” He stated his goal for his next two years is to engage more with the citizens of Stephenville and get a better understanding of what the citizen’s priorities are.

Alan Nix stated that in democracy the voters get the opportunity to say “yay” or “nay”; the voters said nay, so it is now time to go back to the drawing board and come up with a new plan. Mr. Nix recognized the two outgoing council members and said that one of the benefits of serving on council was meeting and making new friends; he said he as truly enjoyed meeting, working with, and becoming friends with Council members McClinton and Robinson. Mr. Nix expressed his appreciation for them and their service.

Gerald Cook told Council members McClinton and Robinson that they will be missed and he has enjoyed working with them. He reminded everyone that there are several openings on citizen boards and commission and applications would be accepted until May 14. Mr. Cook also expressed his disappointment in the results of the bond election. He stated that the bond propositions presented problems that needed funding and the election results did not make those problems go away. He stated that delaying the funding for fixing these problems would most likely cost the citizens of Stephenville more in the future. He closed by saying that the council would continue trying, again and again, to make Stephenville a better place to be.

Brandon Huckabee began by thanking the Ministerial Alliance for their hard work. He said that the real leaders and difference-makers were not the ones who sat on the dais, but those who worked hard every day in the community to make it better. He thanked Council members McClinton and Robinson for their service and said he would miss their expertise and guidance, and their passion and love for the city. Mr. Huckabee reiterated Mr. Cook’s statement that the work is not done and the problems didn’t go away; he promised that he and the council would continue to be creative in finding solutions. He asked citizens to reach out and let council know what they wanted and encouraged them to step up and serve.

Doug Svien recognized Council members McClinton and Robinson for their service and expressed his appreciation for them. He also recognized all of the council members and city staff for their hard work and expertise.

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 551.087 Deliberation Regarding Economic Development Negotiations - Project Blue

25. Section 551.074 Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit:

- 1. City Manager**
- 2. City Attorney**
- 3. City Secretary**

Mayor Svien called the meeting into Executive Session at 7:30 p.m.

Mayor Svien called the meeting into Regular Session at 8:26 p.m.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

No action was taken on items discussed in Executive Session.

ADJOURN

Mayor Svien adjourned the meeting at 8:26 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary