



REGULAR CITY COUNCIL MEETING

City Hall Council Chambers, 298 West Washington Street
Tuesday, December 07, 2021 at 5:30 PM

MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, December 7, 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
- 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 Brady Pendleton led the Pledges of Allegiance.

INVOCATION

Paul McQuerry, Valley Grove Baptist Church, gave the invocation.

PRESENTATIONS AND RECOGNITIONS

1. Donation Presentation by Keep Stephenville Beautiful

Members of Keep Stephenville Beautiful presented the Stephenville Parks and Recreation Department with a donation of \$7,000 to be used for the all-inclusive playground.

Members present were Jill Burke, Metta Collier, Pam Littleton, Stephanie Elliot, Misty Elliott, and Council member Daron Trussell.

CITIZENS GENERAL DISCUSSION

No one came forward to address the council.

REGULAR AGENDA

2. Consider Initiation of the Abandonment of an 8-foot Alleyway Located in Block 8 of the City Addition of the City of Stephenville

Allen Barnes, City Manager, explained to council that this alleyway was not needed for any municipal purposes, therefore staff was requesting the abandonment.

MOTION by Alan Nix, second by Daron Trussell, to approve Resolution No. 2021-R-24, initiating the abandonment of an 8-foot alleyway in Block 8 of the City Addition of the City of Stephenville. MOTION CARRIED by unanimous vote.

3. Consider Award of the Airport Pump Station Expansion Project to Red River Construction Company

MOTION by Alan Nix, second by Brady Pendleton, to approve a contract with Red River Construction Company for the Airport Pump Station Expansion Project in the amount of \$3,797,061.51. MOTION CARRIED by unanimous vote.

PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

4. PUBLIC HEARING

Case No.: SV2021-006

Applicant is Requesting a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks at 331 Choctaw, Parcel No. R34558, being Lot 4 of the Trotter Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 3-3 to approve the waiver, which is forwarded to the Council as a recommendation to deny the request under Chapter 154.20.2.K.3.

Mayor Svien opened the public hearing.

Laura Carey, 221 Choctaw, spoke in opposition to the waivers due to flooding in the neighborhood.

Vince Daddio, developer, and Calvin Maynard, owner, spoke in favor of waivers SV2021-006 through SV2021-010.

Mayor Svien closed the public hearing.

4. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks at 331 Choctaw, Parcel No. R34558, being Lot 4 of the Trotter Addition to the City of Stephenville, Erath County, Texas

MOTION by Ricky Thurman, second by Daron Trussell, to approve SV2021-006. MOTION FAILED by the following votes:

Ayes: Daron Trussell, Ricky Thurman, Brandon Huckabee

Noes: LeAnn Durfey, Justin Haschke, Brady Pendleton, Alan Nix, Gerald Cook

6. PUBLIC HEARING

Case No.: SV2021-007

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks to be constructed at 250 S. Dale, Parcel No. R77244, being Lot 3 of the Trotter Addition to the City of Stephenville, Erath County, Texas.

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 4-2 to recommend denial of the waiver.

Mayor Svien opened the public hearing.

No additional comments were made.

Mayor Svien closed the public hearing.

7. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks to be constructed at 250 S. Dale, Parcel No. R77244, being Lot 3 of the Trotter Addition to the City of Stephenville, Erath County, Texas.

MOTION by Alan Nix, second by Gerald Cook, to deny Case No. SV2021-007. MOTION FAILED.

MOTION by Daron Trussell, second by Brandon Huckabee, to approve Case No. SV2021-007. MOTION CARRIED by the following votes:

Ayes: Daron Trussell, Brady Pendleton, Ricky Thurman, Gerald Cook, Brandon Huckabee

Noes: LeAnn Durfey, Justin Haschke, Alan Nix

8. PUBLIC HEARING

Case No.: SV2021-008

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances Section 155.6.04.M(1) - Curb and Gutter Options to be constructed at 250 S. Dale, Parcel No. R77244, being Lot 3 of the Trotter Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 4-2 to recommend denial of the waiver.

Mayor Svien opened the public hearing.

No additional comments were made.

Mayor Svien closed the public hearing.

9. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances Section 155.6.04.M(1) - Curb and Gutter Options to be constructed at 250 S. Dale, Parcel No. R77244, being Lot 3 of the Trotter Addition to the City of Stephenville, Erath County, Texas

MOTION by Ricky Thurman, second by LeAnn Durfey, to deny Case No. SV2021-008. MOTION CARRIED by unanimous vote.

10. PUBLIC HEARING

Case No.: SV2021-009

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks at 244 S. Dale, Parcel No. R77243, being Lot 2 of the Trotter Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 4-2 to recommend denial of the waiver.

Mayor Svien opened the public hearing.

No additional comments were made.

Mayor Svien closed the public hearing.

- 11. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances Section 155.6.11 – Sidewalks at 244 S. Dale, Parcel No. R77243, being Lot 2 of the Trotter Addition to the City of Stephenville, Erath County, Texas**

MOTION by Brady Pendleton, second by Ricky Thurman, to approve Case No. SV2021-009. MOTION CARRIED with Alan Nix casting a dissenting vote.

- 12. PUBLIC HEARING**

Case No.: SV2021-010

Applicant is requesting a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, to be constructed at 244 S. Dale, Parcel R77243, being Lot 2 of the Trotter Addition to the City of Stephenville, Erath County, Texas

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 4-2 to recommend denial of the waiver.

Mayor Svien opened the public hearing.

No additional comments were made.

Mayor Svien closed the public hearing.

- 13. Consider Approval of a Waiver from the City of Stephenville Code of Ordinances, Section 155.6.04.M.1 – Curb and Gutter Options, to be constructed at 244 S. Dale, Parcel R77243, being Lot 2 of the Trotter Addition to the City of Stephenville, Erath County, Texas**

MOTION by Ricky Thurman, second by Gerald Cook, to deny Case No. SV2021-010. MOTION CARRIED by unanimous vote.

- 14. PUBLIC HEARING**

Case No.: FP2021-001

Applicant is Requesting Approval of a Final Plat for the Following Properties Located at 2241 W Tarleton in the City of Stephenville, Erath County, Texas: Parcel No. R30333, being Lot 8E, Block 139 of City Addition; Parcel No. R30330, being Lot 2, Block 3, of the Kaylie Subdivision; Parcel No. R73194, being Lot 1, Block 3, of the Kaylie Subdivision

This item was removed from the agenda.

- 15. Consider Approval of a Final Plat for the Following Properties Located at 2241 W Tarleton in the City of Stephenville, Erath County, Texas: Parcel No. R30333, being Lot 8E, Block 139 of City Addition; Parcel No. R30330, being Lot 2, Block 3, of the Kaylie Subdivision; Parcel No. R73194, being Lot 1, Block 3, of the Kaylie Subdivision**

This item was removed from the agenda.

- 16. PUBLIC HEARING**

Case No.: RZ2021-018

Applicant is Requesting a Rezone of the Property Located at located at 683 W. Tarleton, Parcel No. R29685, being Block 3, Lots 1B and 2B (parts of), and Lot 12 of the Park Place Addition and Block 69 Lot 4B (part of) of the City Addition of the City of Stephenville, Erath County, Texas, from Retail and Commercial Business District (B-2) to Single Family Residential District (R-1)

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted unanimously to recommend approval of the rezone request.

Mayor Svien opened the public hearing.

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

Mayor Svien closed the public hearing.

- 17. Consider Approval of an Ordinance Rezoning the Property Located at located at 683 W. Tarleton, Parcel No. R29685, being Block 3, Lots 1B and 2B (parts of), and Lot 12 of the Park Place Addition and Block 69 Lot 4B (part of) of the City Addition of the City of Stephenville, Erath County, Texas, from Retail and Commercial Business District (B-2) to Single Family Residential District (R-1)**

MOTION by Brady Pendleton, second by Justin Haschke, to approve Ordinance No. 2021-O-41 rezoning the property located at 683 W. Tarleton from Retail and Commercial Business District (B-2) to Single Family Residential District (R-1). MOTION CARRIED by unanimous vote.

18. PUBLIC HEARING

Case Nos.: PD2021-003, 2021-004 and 2021-005

Applicant is Requesting a Rezone of the Following Properties Located in the City of Stephenville, Erath County, Texas, from Retail and Commercial Business District (B-2) to Planned Development District (PD): 817 W. Washington, Parcel No. 29583, being Block 62, Lots 6A, 7, 14 (part of), and 17 of the City Addition; 855 and 865 W. Washington, Parcel No. R29581, being Block 62, Lots 4, 5 (part of), and 6B) of the City Addition; 873 W. Washington, Parcel No. R29580, being Block 62, Lot 3 of the City Addition

Steve Killen, Director of Development Services, briefed the council on the request. On November 17, 2021, the Planning and Zoning Commission met and voted 5-1 to recommend approval of the rezone.

Mayor Svien opened the public hearing.

Reese Flannigan spoke in favor of the rezone on behalf of Troy Kunkel, owner.

Mayor Svien closed the public hearing.

- 19. Consider Approval of an Ordinance Rezoning the Following Properties Located in the City of Stephenville, Erath County, Texas, from Retail and Commercial Business District (B-2) to Planned Development District (PD): 817 W. Washington, Parcel No. 29583, being Block 62, Lots 6A, 7, 14 (part of), and 17 of the City Addition; 855 and 865 W. Washington, Parcel No. R29581, being Block 62, Lots 4, 5 (part of), and 6B) of the City Addition; 873 W. Washington, Parcel No. R29580, being Block 62, Lot 3 of the City Addition**

MOTION by Brandon Huckabee, second by Justin Haschke, to approve Ordinance No. 2021-O-42 rezoning 817, 855, 865, and 873 W. Washington from Retail and Commercial Business District (B-2) to Planned Development District (PD). MOTION CARRIED by unanimous vote.

TOURISM AND VISITORS BUREAU COMMITTEE

LeAnn Durfey, Chair

- 20. Tourism and Visitors Bureau Committee Report**

LeAnn Durfey, chair, gave the committee report.

- 21. Consider Approval of a Request for Hotel Occupancy Tax Funds for the Buckle & Bugs Festival**

MOTION by LeAnn Durfey, second by Daron Trussell, to approve the request for Hotel Occupancy Tax Funds for the Buckle & Bugs Festival in the amount of \$25,000. MOTION CARRIED by unanimous vote.

PUBLIC WORKS COMMITTEE

Alan Nix, Chair

- 22. Committee Report - November 16, 2021**

Alan Nix, chair, gave the committee report.

23. Consider Approval of a Professional Services Agreement for the FY 2021-2022 Sanitary Sewer Basin 1 Evaluation Survey

Motion by Alan Nix, second by Gerald Cook, to approve a Professional Services Agreement with Pipeline Analysis, LLC to perform an evaluation of Sanitary Sewer Basin 1. MOTION CARRIED by unanimous vote.

PUBLIC HEALTH AND SAFETY COMMITTEE

Brady Pendleton, Chair

24. Committee Report - November 16, 2021

Brady Pendleton, chair, gave the committee report.

NOMINATIONS COMMITTEE

Gerald Cook, Chair

25. Nominations Committee Report

Gerald Cook, chair, gave the committee report.

26. Consider Approval of an Ordinance Amending the City of Stephenville Code of Ordinances, Chapter 32, Article I, Section 32.01 Airport Advisory Board – Membership

Mr. Cook explained that it was the desire of the Nominations Committee to amend the membership requirements for the Airport Advisory Board to allow for four of the seven members to reside outside the corporate limits of the City; members would still be required to reside in Erath County.

MOTION by Gerald Cook, second by Alan Nix, to approve Ordinance No. 2021-O-43 as presented. MOTION CARRIED by unanimous vote.

27. Consider Approval of Appointments to Citizen Boards and Commissions

MOTIN by Gerald Cook, second by Alan Nix, to make the following appointments to Citizen Boards and Commissions:

Planning & Zoning Commission

- Place 2 Justin Allison
- Place 4 Mary Beach McGuire
- Place 6 Brian Lesley
- Alt. 1 Tom Hines
- Alt. 2 Cory Jenkins

Board of Adjustment

- Place 2 Ben Tackett
- Place 4 Moumin Quazi
- Place 5 Kelijon Nance

Stephenville Type B Economic Development Authority (SEDA) Board of Directors

- Place 2 Malcolm Cross
- Place 4 Lori Beaty
- Place 6 Chris Gifford

Tourism and Visitors Bureau Advisory Board

- Place 2 Phil Greer
- Place 4 Austin Hubbard
- Place 6 Michael Brown

Parks & Recreation Advisory Board

Place 2 Lindsey Laurent
Place 4 Jill McAngus
Place 6 Josh Raymond

Senior Citizen Advisory Board

Place 2 Elizabeth Johnson
Place 4 Jan Smith
Place 6 Dana Worrell

Library Advisory Board

Place 2 Darla Fent
Place 4 Katy Eichenberg
Place 5 Katherine Quinnell
Place 6 Katherine Smith

Main Street Advisory Board

Place 2 Jeffrey Hamilton
Place 4 Kelly Sult
Place 6 Rita Cook

Airport Advisory Board

Place 2 Brandon Greenhaw
Place 4 Austin Brown
Place 6 Hardy Hampton

Professional Trade Boards

All sitting members of the trade boards are reappointed with the exception of Seth Moore and Mike Walker. Jarrod Hancock is appointed to Place 4 on the Electrical Board.

MOTION CARRIED by unanimous vote.

FINANCE COMMITTEE

Justin Haschke, Chair

28. Committee Report - November 16, 2021

Justin Haschke, chair, gave the committee report.

29. Consider Approval of the System Purchase Agreement/Pricing Summary between the City of Stephenville and L3Harris Technologies, Inc.

MOTION by Justin Haschke, second by Ricky Thurman, to approve Resolution No. 2021-O-25 entering into a financing agreement with Government Capital Corporation for the purchase of a public safety communication system and related equipment. MOTION CARRIED by unanimous vote.

FINANCIAL REPORTS

30. Monthly Budget Report for the Period Ending October 31, 2021

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

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

Property Tax - We received \$453K in property taxes in the month of October, resulting in \$113K or 33.55% increase over funds collected last October. The amount collected is 6.68% of budget, which is 2.17% more than anticipated.

Sales Tax - We received \$695K in sales tax in October, resulting in \$66K or 10.52% more than the funds collected last October. The amount collected is 9.49% of the \$7.3 million budgeted, which is about 1% higher than anticipated.

Revenue (Budgetary comparison) - The target budget for operating revenue is \$2.04 million. We received \$2.5 million in revenue fiscal year to date, resulting in \$470K over the target budget due to property taxes, sales taxes, service charges, and sale of equipment.

Expenditures (Budgetary comparison) - The target budget for operating expenditures is \$2.2 million. We expended \$1.7 million fiscal year to date, resulting in \$546K under the target budget.

Revenue (Prior year comparison) - Operating revenue received last year was \$2 million as compared to the current year's \$2.5 million, resulting in a \$512K increase due to property tax, sales taxes, franchise taxes, service charges, and sale of equipment.

Expenditures (Prior year comparison) - Operating expenditures last year were \$2 million as compared to the current year's \$1.7 million, resulting in a \$343K decrease, of which \$260K relates to repair of the public safety building in the prior year.

STEPHENVILLE ECONOMIC DEVELOPMENT AUTHORITY REPORT

Jeff Sandford, Executive Director

This item was removed from the agenda.

CONSENT AGENDA

- 31. Approval of Minutes - Regular City Council Meeting - November 2, 2021**
- 32. Approval of Minutes - Special City Council Meeting - November 9, 2021**
- 33. Approval of Minutes - Special City Council Meeting - November 16, 2021**
- 34. Approval of Interlocal Agreement for Cooperative Purchasing Program**
- 35. Approval of Emergency Management Plan Update**
- 36. Approval of Resolution No. 2021-R-26 Accepting the GLO Groesbeck Drainage Improvements Project**

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

COMMENTS BY CITY MANAGER

- City offices will be closed Friday, December 10 from 11-1 for the city-wide employee Christmas lunch and awards ceremony.
- City offices will be closed Thursday and Friday, December 23-24 for the Christmas Holiday.
- City offices will be closed Friday, December 31 for New Year's Eve.
- Regular City Council Meeting – Tuesday, January 4, 2022

COMMENTS BY COUNCIL MEMBERS

LeAnn Durfey thanked everyone that worked to get the downtown area into the Christmas spirit with decorations and events.

Justin Haschke thanked Julie Lowrance and Julie Smith for their work on the Christmas parade, as well as the efforts of everyone involved in making downtown look festive. He thanked Erath County United Way for putting

on “Light up the Night” in the City Park and encouraged everyone to attend. He also congratulated the Stephenville Yellow Jackets for being back in the State playoffs.

Daron Trussell said that he was excited about all of the activity in the downtown area and looked forward to seeing more. He reminded everyone that Tarleton graduation ceremonies would be held during the weekend, which always brings many people to Stephenville.

Brady Pendleton wished everyone a merry Christmas.

Alan Nix stated that Stephenville is growing and he wanted to thank city staff for their hard work to bring everything together. He also thanked council for their work on making Stephenville better for future generations. He wished everyone a merry Christmas.

Gerald Cook stated that downtown looks good, and more decorations would be added soon. He said that he enjoyed seeing groups walking through downtown taking pictures. He thanked Erath County United Way for their Christmas event in the park. He thanked his fellow council members for their openness to growing Stephenville and wished everyone a merry Christmas.

Brandon Huckabee said he enjoyed the hustle and bustle in downtown during the Christmas activities. He praised the community for their willingness to give to others. He wished everyone a merry Christmas.

Doug Svien thanked the Fire Department for giving MooLa her own can to cheer on the Yellow Jackets. He thanked the council for their hard work on making Stephenville better.

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

- 37. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in the John B. Dupuy Survey**
- 38. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in the City Addition**
- 39. Section 551.072 Deliberation Regarding Real Property - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in the City Addition**
- 40. Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Hay**
- 41. Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Blue**

Mayor Svien called the meeting into executive session at 6:55 p.m.

ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY

Mayor Svien called the meeting into regular session at 7:43 p.m.

Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Hay

MOTION by Justin Haschke, second by LeAnn Durfey, to approve the economic development incentives for Project Hay as discussed in executive session. MOTION CARRIED by unanimous vote.

Section 551.087 Deliberation Regarding Economic Development Negotiations - Project Blue

MOTION by Brandon Huckabee, second by Gerald Cook, to approve the development agreement with The Stable, LLC, with the following amendment: the words “at least substantial” are to be stricken from Section 4 (c). MOTION CARRIED by unanimous vote.

ADJOURN

The meeting was adjourned at 7:44 p.m.

Doug Svien, Mayor

ATTEST:

Staci L. King, City Secretary