



COUNCIL COMMITTEE MEETING

City Hall Council Chambers, 298 W Washington
Tuesday, April 18, 2023 at 5:30 PM

AGENDA

CALL TO ORDER

TOURISM AND VISITORS BUREAU COMMITTEE

LeAnn Durfey, chair; Daron Trussell, Bob Newby, Gerald Cook

1. Consider Approval of the Reinstatement of the Western Heritage Advisory Board

PARKS AND LEISURE SERVICES COMMITTEE

David Baskett, chair; Justin Haschke, Bob Newby, Gerald Cook, Lon Reisman

2. Consider Approval of Stephenville Parks and Recreation Master Plan

DEVELOPMENT SERVICES COMMITTEE

Gerald Cook, chair; Justin Haschke, David Baskett, Mark McClinton

3. Discussion of Comprehensive Plan Advisory Committee

PUBLIC HEALTH AND SAFETY COMMITTEE

Bob Newby, chair; LeAnn Durfey, Lon Reisman, Ricky Thurman

4. Consider Approval of Utilization and Expenditure of Federal Asset Forfeiture Funding to Create the SPD Motorcycle Unit

NOMINATIONS COMMITTEE

Lon Reisman, chair; LeAnn Durfey, David Baskett, Bob Newby

5. Consider Approval of Council Rules of Procedure Updates

PUBLIC WORKS COMMITTEE

Mark McClinton, chair; LeAnn Durfey, Ricky Thurman, David Baskett

6. Discuss Pavement Maintenance Projects for FY22-23

ADJOURN

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.

In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact City Hall at 254-918-1287 within 48 hours prior to the meeting to request such assistance.



STAFF REPORT

SUBJECT: Western Heritage Board

DEPARTMENT: Main Street

STAFF CONTACT: Julie Smith

RECOMMENDATION:

The Main Street Advisory Board met March 23, 2023, and voted to recommend the Western Heritage Board be reinstated.

BACKGROUND:

The Western Heritage Board was created through Ordinance No. 2001-O-20 on October 2, 2001. The board was amended on December 6, 2005, through Ordinance No. 2005-O-32. After serving the community for eleven years, on December 6, 2016, members of Council voted unanimously to repeal the Western Heritage Committee through Ordinance No. 2016-O-15.

The Main Street Advisory Board recommends that the Western Heritage Committee be reinstated so the important work this group has started can continue downtown. As home to the Cowboy Walk of Fame, Cowboy Capital of the World Pro Rodeo, and the nationally ranked Tarleton State University Rodeo Team, it is a big part of the Stephenville identity. Our community's rich heritage is intertwined with the evolution of this sport, and our local rodeo athletes continue to make history each year as they compete on the national stage.

ALTERNATIVES

Not reinstate the Western Heritage Board and continue on as we currently are.



STAFF REPORT

SUBJECT: Comprehensive Plan Committee
MEETING: Development Services
DEPARTMENT: Development Services Committee – April 18, 2023
STAFF CONTACT: Steve Killen

RECOMMENDATION:

To determine a proposed method to appoint an advisory committee that will participate in the Comprehensive and Thoroughfare Plan updates.

BACKGROUND:

The City Council recently secured consulting services from Lionheart Place, LLC., to update the Comprehensive and Thoroughfare Plans. Part of the project entails the establishment of project goals and metrics from previous plans and input from an advisory committee appointed by City Council.

Lionheart recommends the advisory committee be comprised of 8-12 people that represent different levels of expertise and varied perspectives. Lionheart Place recommends the advisory committee include representatives from the following:

- Business Community
- Development Community
- Social Services / Non-profit community
- School District
- University
- County
- Large landowners
- Neighborhood Representatives
- Visitor / Tourism
- Chamber
- Realtor community

The project timeline for completion is May 2024. It is recommended that the advisory committee be in place no later than the end of May 2023. The anticipated date of the first advisory committee meeting is targeted for early to mid-June.



STAFF REPORT

SUBJECT: SPD Motorcycle Unit Creation

DEPARTMENT: Police

STAFF CONTACT: Dan M. Harris, Jr.

RECOMMENDATION:

Approve the utilization and expenditure of federal asset forfeiture funding to create the SPD Motorcycle Unit.

BACKGROUND:

Traffic Safety is one of the top priorities of the Stephenville Police Department (SPD). SPD is focused on reducing motor vehicle crashes. Not only will this new unit save lives, reduce injuries and reduce property damage but this unit will also allow for additional proactive policing to help reduce crime. High Visibility Engagement (HVE) yields valuable results, making Stephenville safer. According to the Texas Department of Transportation, for every seven traffic stops, traffic collisions are reduced by one. SPD currently has \$46,934.60 in federal asset forfeiture funding that can be utilized and approval is being requested to create the SPD Motorcycle Unit. Working with the Southlake, Texas Department of Public Safety, Longhorn Harley Davidson Police Dealership and several equipment vendors, the total cost will be approximately \$40,000.00. This amount reflects substantial savings in comparison to normally creating a new motorcycle unit.

FISCAL IMPACT SUMMARY:

N/A

ALTERNATIVES

Do not create the SPD Motorcycle Unit.



PRICE QUOTE

P.O. BOX 700 • EVERGREEN, COLORADO 80437-0700
PHONE (303) 674-6663 • FAX (303) 674-8540
Visit us at: www.superseer.com • E-Mail: sales@superseer.com

Date: 4/6/2023

Attn: Stephenville Police Department
Sgt. Robert Moore.
356 N Belknap St
Stephenville, TX 76401

Terms: Net 30 Days
Delivery:
FOB: EVERGREEN
Freight: PRE-PAID & ADDED
TO INVOICE
Valid: 90 DAYS

Phone: (254) 918-1209
Email: rmoore@stephenvilletx.gov

QTY	MODEL #	DESCRIPTION	UNIT PRICE	TOTAL
		Setcom Liberator Wireless System for Harris XL-200 Portable Radios		
2	KE-24IM	Setcom Helmet Kit – Dual Speaker with Flexboom Noise Cancelling Microphone – New Snap-On Headset	\$300.00	\$600.00
2	SWE-1G8	Setcom Liberator Wireless SuperMic- Waterproof – For Harris Series Portable Radios – Hi/Lo Toggle Switch	\$1,040.00	\$2,080.00
		Estimated Freight		\$32.80
		TOTAL		\$2,712.80



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 PHONE (303) 674-6663 • FAX (303) 674-8540
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Date: 4/5/2023

Attn: Stephenville Police Department
 Sgt. Robert Moore.
 356 N Belknap St
 Stephenville, TX 76401

Terms: Net 30 Days
Delivery:
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2	SWE-1G8	Setcom Liberator Wireless SuperMic- Waterproof – For Harris Series Portable Radios – Hi/Lo Toggle Switch	\$1,040.00	\$2,080.00
2	MWH-31	Liberator Wireless Motorcycle Cable Kit – Motorcycle Handlebar Push-To-Talk Switch for Harley-Davidson – Waterproof – Momentary PTT Switch	\$440.00	\$880.00
		Estimated Freight		\$36.80

0 x 11.00 in



PRICE QUOTE

P.O. BOX 700 • EVERGREEN, COLORADO 80437-0700
 PHONE (303) 674-6663 • FAX (303) 674-8540
 Visit us at: www.superseer.com • E-Mail: sales@superseer.com

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Attn: Stephenville Police Department
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 356 N Belknap St
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Terms: Net 30 Days
Delivery:
FOB: EVERGREEN
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 TO INVOICE
Valid: 90 DAYS

QTY	MODEL #	DESCRIPTION	UNIT PRICE	TOTAL
2	S1651-4CF1	Seer Modular Helmet – LS2 Advant X Carbon Fiber Helmet – White with Carbon Fiber Pattern Low Trim, Sun Shield Inner Lens – Adjustable Clear Outer Lens –Micro Metric Quick Release– Air Channeling System – Removable, Washable Interior w/ Anti-Bacterial, Anti-Microbial Fabric – PinLock Anti-Fog Lens Included Please Specify Size When Placing Order Available Fall 2023	\$640.00	\$1,280.00
		Or		
2	S1650-461	Seer Modular Helmet – LS2 Valiant II Helmet – White and Black High Trim Sun Shield Inner Lens –Adjustable Clear Outer Lens –Micro Metric Quick Release– Air ChannelingSystem – Removable, Washable Interior w/ Anti-Bacterial, Anti-Microbial Fabric – Pin Lock Anti-Fog Lens Included Please Specify Size When Placing Order	\$495.00	\$990.00
		Or		
2	S1651-461	Seer Modular Helmet – LS2 Advant Helmet – White and Black High Trim, Sun Shield Inner Lens –Adjustable Clear Outer Lens –Micro Metric Quick Release– Air ChannelingSystem – Removable, Washable Interior w/ Anti-Bacterial, Anti-Microbial Fabric – Pin Lock Anti-Fog Lens Included Please Specify Size When Placing Order Available June -July	\$495.00	\$990.00
		Estimated Freight		\$68.80

Applied Concepts, Inc. (d/b/a Stalker Radar) Product Terms and Conditions

- (1) **Purpose.** The terms set forth herein govern the sale and delivery of the Stalker Radar and other products (collectively "**Products**") sold by Applied Concepts, Inc. (d/b/a Stalker Radar "**we**," "**us**," "**our**," etc.) and purchased by the purchaser ("**you**," "**your**," etc.).
- (2) **Price and Product Changes; Errors.** Prices of Products are subject to change without notice, and all references in sales brochures, technical data sheets and offers on our website or otherwise as to size, weight, and other details of the Products are approximate only. No such term shall be binding on us unless expressly incorporated in a purchase order which is approved and accepted by us in accordance with these terms. In the event that a Product is mistakenly listed at an incorrect price or with other incorrect information, we reserve the right to refuse or cancel any orders placed for a Product listed at the incorrect price or based on incorrect product information. In addition, we are not responsible for any inability to fulfill orders due to reasons beyond our control. We reserve the right to refuse or cancel any such orders whether the order has been confirmed and you have paid for the Product. If you have already paid for the Product and your order is cancelled, we will issue a refund in the amount paid.
- (3) **Cancellation.** Cancellation of an order for standard Products will be accepted without penalty, prior to shipment. Cancellation of an order for non-standard or customized Products will not be accepted once item is in production or shipped.
- (4) **Delivery.** Unless separate arrangements have been agreed upon in writing with you to the contrary, the terms of delivery are F.O.B. our loading dock. We will use commercially reasonable efforts to make your purchased Products available for pick-up and delivery by you within a reasonable time after acceptance of an order from you, or, if you so specify, to place the purchased Products with a common carrier at your expense for delivery to you. You bear the risk of loss or destruction of the purchased Products upon and after the first to occur of (a) pick-up or acceptance of the Products by you or your common carrier at our place of business, or (ii) five (5) days after confirmation from us that the Products are ready for pick-up at our place of business. If we are required to store the Products due to any delay caused by you, you will reimburse us for reasonable storage charges. We reserve the right to make the Products available for pick-up and delivery in installments provided that such installment shall not be less than one Product unit, unless otherwise expressly confirmed in a written communication to the contrary by us. Delay in delivery of any installment shall not relieve you of your obligation to accept remaining deliveries.
- (5) **Returns.** We must authorize all returns and a Return Material Authorization (RMA), prior to shipping. All returns must be made within thirty (30) days after delivery as specified in Section (4). Returns will be shipped at your expense. An RMA number can be obtained by e-mailing Customer Service: csd@a-concepts.com. We will not be responsible for, nor guarantee credit or replacement on, any product returned to us without an RMA. Under no circumstances will we accept collect shipments. Products returned must be received by us in re-salable condition. Product that cannot go back to stock as received will not be accepted. Please securely pack the Product and write the RMA number on the outside of the shipping box, not the product box. All returns are subject to a restocking charge of 25% of net price. Specific items may require additional charges.
- (6) **Payment.** You will pay the purchase price and applicable taxes and duties for Products without setoff, deduction, or withholding net 30. You hereby grant us a purchase money security interest in and to the Products until the purchase price and other applicable charges are paid in full. You consent to filing of a UCC-1 or other applicable document that we deem necessary to perfect this security interest and appoint our designee as your attorney-in-fact to execute and file such UCC-1 or other document in our sole discretion.
- (7) **Proprietary Information.** We have and claim various proprietary rights in the Products. You will not directly or indirectly cause any proprietary rights to be violated or any proprietary information to be disclosed to any third party without our prior written consent.
- (8) **Warranty.** We warrant Products to be free of defects and (a) that Products will perform materially in accordance with the user guides, quick reference guides, and other technical and operations manuals and specifications for Products provided by us. At our election, we will repair or replace at our cost all Product

hardware components that fail due to defective materials or workmanship during the warranty period specified in your owner's manual or a longer period specified in your quote or invoice. You must return failed Product to the factory or an authorized service center, freight prepaid. Return shipping on any components that fail within 6 months from shipment date, will be paid for by us through a shipping label we provide to you. We will pay standard UPS ground on all return shipping. This warranty excludes normal wear-and-tear such as frayed cords, broken connectors, scratched or broken cases, or physical abuse. The foregoing warranty is exclusive, in lieu of all other warranties, of quality, fitness, or merchantability, whether written, oral, or implied. We will not be liable for any direct, indirect, consequential or incidental damages arising out of the use or inability to use Product even if you have advised us of the possibility of such damages. As a further limit on warranty, and as an expressed warning, you should be aware that harmful personal contact may be made with a Product in the event of violent maneuvers, collisions, or other circumstances, even though said Product is installed and used according to instructions. We specifically disclaim any liability for injury caused by a Product in all such circumstances. **Any attempt to repair a Product on your own will void this warranty.**

- (9) **Limitations of Liability.** WHETHER IN CONTRACT, TORT OR UNDER ANY OTHER THEORY OF LIABILITY, OUR AND OUR AFFILIATES' AND LICENSORS' AGGREGATE LIABILITY UNDER THIS AGREEMENT WILL BE LIMITED TO THE GREATER OF \$100,000 OR THE AMOUNT YOU ACTUALLY PAID US UNDER THIS AGREEMENT FOR PRODUCTS DURING THE 12 MONTHS PRECEDING THE CLAIM.
- (10) **Miscellaneous**
 - a) **Force Majeure.** We and our partners will not be liable for any delay or failure to perform any obligation under this Agreement where the delay or failure results from any cause beyond our reasonable control, including acts of God, labor disputes or other industrial disturbances, systemic electrical, telecommunications, or other utility failures, earthquake, storms or other elements of nature, blockages, embargoes, riots, acts or orders of government, acts of terrorism, or war.
 - b) **Assignment.** You may not assign or otherwise transfer Products or any of your rights and obligations specified herein without our prior written approval. Subject to the foregoing, these terms and conditions will be binding upon, and inure to the benefit of us, you and our and your respective successors and permitted assigns.
 - c) **Jurisdiction.** Your purchase of Product and these terms and conditions shall be governed by, construed, and enforced in accordance with the laws of the State of Texas without regard to its conflicts of laws provisions. Any controversy or claim arising out of or relating to this agreement, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. Such Arbitration shall take place only in Collin or Dallas Counties, State of Texas. There is no recourse beyond the Binding Arbitration mentioned herein and that no civil litigation or action will be brought by either party as a direct result of your purchase or use of Product or these terms and conditions. The non-prevailing party (as exclusively determined by the arbitrator) shall pay all of the prevailing party's arbitration fees, attorneys' fees, costs (including costs of investigation), expert witness fees, and all other related expenses of every kind and nature whatsoever. Notwithstanding the foregoing, we may seek any equitable or injunctive relief in a court having proper jurisdiction to protect our rights under these terms and conditions or to protect any of our proprietary interest or goodwill.
 - d) **Severability.** In the event that any provision of these terms and conditions is held by a court of competent jurisdiction to be unenforceable because it is invalid or in conflict with any law or any relevant jurisdiction, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if these terms and conditions did not contain the particular provisions held to be unenforceable.



City of Stephenville Texas
298 W Washington St Stephenville, TX 76401

04/04/2023 INVOICE #04042023-1

2019 Harley-Davidson FLHTP Electra Glide Turn Key

Pay to: LHD Partners DBA Longhorn Harley-Davidson 2830 W I-20 Grand Prairie Texas 75052
\$31,029.90 Grand Total for Two (2) Units

INVOICE #04042023-1

Motor:

- \$11,995.00 2019 Harley-Davidson Police FLHTP Electra Glide 114 Security Included BLACK Outfitted
- \$489.95 1 Setcom MWH-31 Motorcycle PTT Unit
- \$1225.00 1 Setcom Motorola-APX7000 Liberator Wireless SuperMic System for **VERIFY RADIO**
- \$230.00 1 Install SetCom to H-D PTT in left switch pack
- \$1,500.00 Used Bike Make Ready
- \$75.00 Shipping

Unit total \$15,514.95

\$31,029.90 Grand Total for Two (2) Unit

VIN# 1HD1FMP10KB634651 – 5229 Miles

VIN# 1HD1FMP14KB634619 – 5572 Miles

David Magers Police & Fleet Account Manager
Longhorn & Maverick Harley-Davidson
Harley-Davidson Police Advisory Board Member
Texas Master Peace Officer & Motor Officer Est 2004
[972-935-6904](tel:972-935-6904) motorofficer@longhornhd.com

Police Motorcycles Since 1908





QUOTE
2072709

Item 4.

applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Page 1 of 1

Date: 04/04/23

Inside Sales Partner: Chris Frett
+1-972-801-4866
chrisf@a-concepts.com

Reg Sales Mgr: Michael Guinn
+1-972-213-0349
michaelg@a-concepts.com

Effective From : 04/04/2023

Valid Through: 07/03/2023

Lead Time: 45 working days

Bill To: Stephenville Police Dept 356 N Belknap St Stephenville, TX 76401-3414	Customer ID: 025813 Accounts Payable	Ship To: Stephenville Police Dept 356 N Belknap St Stephenville, TX 76401	<i>FedEx Ground</i> Sergeant Michael Donley
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Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
1	2	808-6125-00	Stalker Lidar RLR - w/BT, DL & FTC, 2 Batteries, D	24	\$2,525.00	\$5,050.00

Ln	Qty	Part Number	Description	Price	Ext Price	
1	2	200-1278-53*	Stalker Lidar RLR		\$0.00	
2	4	200-1053-10	Lidar RLR Battery Cell, ACI Build		\$0.00	
3	2	200-1092-01	Lidar RLR Dual Bay Battery Charger		\$0.00	
4	2	035-0211-00	Soft Storage Bag		\$0.00	
5	2	011-0002-00	Lidar Certificate of Accuracy		\$0.00	
6	2	011-0231-00	Lidar RLR Quick Start Guide		\$0.00	
7	2	035-0389-00	Lidar Shipping Box w/Foam		\$0.00	
8	2	060-1000-24	24-Month Warranty		\$0.00	
Group Total						\$5,050.00

Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price												
2	1		Accessories	0	\$0.00	\$0.00												
<table border="1"> <thead> <tr> <th>Ln</th> <th>Qty</th> <th>Part Number</th> <th>Description</th> <th>Price</th> <th>Ext Price</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>2</td> <td>200-1293-03</td> <td>2021-Present Harley Holster with Lock</td> <td>\$297.00</td> <td>\$594.00</td> </tr> </tbody> </table>							Ln	Qty	Part Number	Description	Price	Ext Price	9	2	200-1293-03	2021-Present Harley Holster with Lock	\$297.00	\$594.00
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9	2	200-1293-03	2021-Present Harley Holster with Lock	\$297.00	\$594.00													
Group Total						\$594.00												

Product	\$5,644.00	Sub-Total:	\$5,644.00
Discount	\$0.00	Sales Tax 0%	\$0.00
Payment Terms: Net 30 days		Shipping & Handling:	\$60.00
		Total: USD	\$5,704.00

Buy Board State Contract Price

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.



STAFF REPORT

SUBJECT: Consider Approval of Council Rules of Procedure Updates

DEPARTMENT: Administration

STAFF CONTACT: Sarah Lockenour, City Secretary

RECOMMENDATION:

Section 3.1 Regular Business Meeting of the Council Rules of Procedures currently reads:

The Council shall meet in City Hall for Regular Business, Adjourned, and Special Meetings. The Regular Business Meetings are to commence at 5:30 p.m. on the first and third Tuesday of each month, unless otherwise specified in accordance with state law.

Staff recommends revising to state:

The Council shall meet in City Hall for Regular Business, Adjourned, and Special Meetings. The Regular Business Meetings are to commence at 5:30 p.m. on the first Tuesday of each month, unless otherwise specified in accordance with state law.

Section 3.7 Committee Meetings and Reports of the Council Rules of Procedures does not currently address when or where Committee Meetings are routinely held.

Staff recommends adding the following language:

- A. *The Committees shall meet in City Hall for their Committee Meetings. The Committee Meetings are to commence at 5:30 p.m. on the third Tuesday of each month, unless otherwise specified in accordance with state law.*

By approving this update, the Council Rules of Procedure document will be fully up to date and ready for the new Council members in May.

BACKGROUND:

The Council Rules of Procedure was last updated May 3, 2022.

ALTERNATIVES

Leave Council Rules of Procedure document as is with incorrect information stating that Regular Business Meetings commence on the first and third Tuesday of the month with no information regarding the Committee Meetings location or schedule.

**CITY OF STEPHENVILLE CITY COUNCIL
RULES OF PROCEDURE**

PROLOGUE

These rules and procedures represent an effort to clarify unwritten policies, to expedite matters needing council attention, and to streamline agendas. They are intended to supplement the existing Code of Ordinances and City Charter by addressing areas either left unclear or not addressed at all. Unlike the Charter and Code of Ordinances, these rules and procedures can be modified to fit the personality of the Mayor and Councilmembers. No conflict with the Charter or the Code of Ordinances should exist.

It is the purpose of this document to present guidelines for the maintenance of decorum and presentation of a favorable impression to the public and press in attendance at the meetings of the City Council.

SECTION 1. AUTHORITY

1.1 Charter. The City Council of the City of Stephenville shall establish its own rules of procedure for meetings as provided by City Charter. The following set of rules shall be in effect upon their adoption by the Council, and until such time as they are amended, or new rules adopted in the manner provided by these rules.

SECTION 2. GENERAL RULES

- 2.1** Meetings to be Public. All official meetings of the Council shall be open to the public (except where State or local law allows Executive Sessions for certain limited topics). The journal of proceedings shall be open to public inspection.
- 2.2** Quorum. The presence of at least five (5) members of the Council shall constitute a quorum and be necessary for the transaction of business.
- 2.3** Compelling Attendance. The Council may adjourn from day to day to compel the attendance of absent members. The names of Councilmembers arriving late shall be noted upon the minute pages of the City Council.
- 2.4** Journal of Proceedings. An account of all proceedings of the Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the Council.
- 2.5** Right of Floor. Any member desiring to speak shall be recognized by the Chair and shall confine his or her remarks to one subject under consideration or to be considered.
- 2.6** City Manager. The City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council but shall have no vote.
- 2.7** City Attorney. The City Attorney or his/her official designee shall attend all meetings of the Council unless excused and shall, upon request, give an opinion, either written or oral, on questions of the law. The City Attorney shall act as the Council's parliamentarian.
- 2.8** City Secretary. The City Secretary or his/her designee shall attend all meetings of the Council unless excused and shall keep the official minutes and perform such other duties as may be

requested by the Council.

- 2.9 Officers and Employees. Department Heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings. Department Heads are encouraged to attend all meetings of the City Council as information, or their expertise may be required.
- 2.10 Rules of Order. "Roberts Rules of Order Revised" shall govern the proceedings of the Council in all cases unless they are in conflict with these rules.
- 2.11 City Stationery. City Stationery will be used for official business only and will be kept at City Hall. All Mayor and City Council correspondence will be handled through the City Secretary's office and kept on file in that office.
- 2.12 Compensation. The City Council shall be compensated at the rate of \$200.00 per month. The Mayor shall be compensated at the rate of \$400.00 per month.

SECTION 3. TYPES OF MEETINGS

- 3.1 Regular Business Meeting: The Council shall meet in City Hall for Regular Business, Adjourned, and Special Meetings. The Regular Business Meetings are to commence at 5:30 p.m. on the first Tuesday of each month, unless otherwise specified in accordance with state law.
- 3.2 Special Meetings. Special meetings may be called by the Mayor or by a majority of the members of the Council. Any individual member may call a special meeting upon securing concurrence of four other members, whom he must personally contact and upon confirmation, each of the four concurring members must personally contact the City Secretary. Councilmembers may only state the reason for the called meeting when contacting other Councilmembers. No further discussion may take place regarding the subject(s) of the meeting.

The call for a special meeting shall specify the day, the hour, and the location of the special meeting and shall list the subject or subjects to be considered. No special meeting shall be held until at least seventy-two hours (72) after the call is issued. No item will be placed on the agenda unless submitted to the City Manager at least twenty-four (24) hours prior to the posting of the called meeting agenda.

- 3.3 Recessed Meetings. Any meeting of the Council may be recessed to a later date and time, provided that no recess shall be for a longer period than until the next Regular Meeting.
- 3.4 Emergency Meetings. The City Council may hold meetings dealing with emergency conditions as provided by state law.
- 3.5 Work Sessions. The Council may meet informally in Work Sessions (open to the public), at the call of the Mayor or of a majority of the Council, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Manager, provided that all discussions and conclusions thereon shall be informal. On-site inspections of project sites and facilities by individual Councilmembers are strongly encouraged. Department Heads will schedule times to accompany any councilmember who wishes to tour city facilities.

3.6 Executive Sessions. Executive Sessions or closed meetings may be held in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551. Topics that may be discussed would include but are not limited to: (1) Consultation with Attorney, (2) Deliberations Regarding Real Property, (3) Deliberation Regarding Prospective Gift, (4) Personnel Matters, (5) Deliberation Regarding Security Devices, (6) Meeting Concerning a Municipally Owned Utility, (6) Deliberation Regarding Economic Development Negotiation. The City Council may convene into executive session on any matter related to agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.

3.7 Committee Meetings and Reports.

A. The Committees shall meet in City Hall for their Committee Meetings. The Committee Meetings are to commence at 5:30 p.m. on the third Tuesday of each month, unless otherwise specified in accordance with state law.

B. Standing Committees shall be appointed annually following the City's General Election in May.

C. The Mayor shall submit suggestions for committee assignment and chairmanship designation to the City Council not later than the second regular council meeting following the City General Election in May. In formulating recommendations, the Mayor shall be guided by the following considerations:

1. At the first regular council meeting following each council election, the Mayor shall request that each council member submit their prioritized request for committee assignments. These requests shall be submitted to the Mayor within 14 days of being requested.

2. The Mayor shall consider each council member's request for committee assignments in arriving at a recommendation. In the event a council member fails to submit a committee assignment request, the Mayor shall attempt to make fair and equitable assignment recommendations for that council member. In arriving at recommendations, the Mayor shall consider the following factors in the priority listed:

a. The Mayor shall serve as a non-voting member of all committees. The Mayor shall not serve as the chairman of any committee.

b. Council members may serve as chairman of only one committee unless the number of standing council committees is expanded to more than eight.

c. Incumbent council members shall retain their current chairmanship assignments unless they request and receive assignment as chairman of another committee.

d. Open chairmanship recommendations shall be based on council member's seniority of total council service and prioritized written assignment requests, in that order.

e. Council members who are not selected as chairmen shall receive their first four prioritized committee assignment requests.

f. The Mayor shall make committee assignment recommendations to achieve a fair

and equitable distribution based on council member's prioritized written requests.

- g. The assignments shall be approved by a majority vote of the City Council.
- h. Special Committees may be appointed by the City Council as needs arise and the membership of such special committees shall remain intact until the committee's assignment is completed.

D. It is the duty of the committee chairman to call meetings and see that the committee's assignment is completed. Each committee that has met since the last Regular Business Meeting shall be required to give a status report to the City Council at each monthly meeting. All final committee recommendations shall be filed in written form with the City Secretary and included with the Council's agenda packet.

3.8 Attendance of Media at Council Meetings. All official meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings. Exceptions to this rule will apply to meetings or parts of meetings which are held in accordance with Vernon's Texas Civil Statutes regarding executive sessions.

SECTION 4. CHAIRMAN AND DUTIES

- 4.1 Chairman. The Mayor, if present, shall preside as Chairman at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a Chairman.
- 4.2 Call to Order. The meetings of the Council shall be called to order by the Mayor, or in his/her absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Secretary for the election of a temporary Chairman.
- 4.3 Preservation of Order. The Chairman shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.
- 4.4 Points of Order. The Chairman shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chairman be sustained?"
- 4.5 Questions to be Stated. The Chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, in the manner provided in Section 6.7 of these rules. Before taking a final vote, the Chairman shall ask for discussion on the motion.

SECTION 5. ORDER OF BUSINESS AND AGENDA

5.1 Order of Business. The general rule as to the order of business in regular meetings shall be as follows:

AGENDA OF THE CITY COUNCIL

- I. Call to Order
- II. Pledges of Allegiance
- III. Invocation
- IV. Proclamations, Recognitions, and Presentations
- V. Citizens' General Discussion
- VI. Regular Agenda Items (these are items not discussed in committee)
- VII. Planning and Zoning Commission
- VIII. Reports from Boards and Commissions
- IX. Council Committee Reports
- X. Consent Agenda
 - i. Approval of Minutes
 - j. Bid Considerations
 - k. Resolutions
- XI. Comments by City Manager
- XII. Comments by Council Members and Items for Future Discussion
- XIII. Executive Session
- XIV. Action Taken on Items Discussed in Executive Session, if necessary
- XV. Adjourn

The Mayor may, at his/her discretion, limit the amount of time allowed for the agenda item, "Citizens' General Discussion".

- 5.2 Agenda. The order of business of each council meeting shall be as contained in the agenda prepared by the City Secretary. The Agenda shall be delivered to members of the Council at least seventy-two (72) hours preceding the meeting to which it pertains. The order of the agenda may be adjusted by the Mayor as situations warrant. The Mayor shall announce at the opening of the meeting any items which have been removed.

The order of business of the City Council shall include a Consent Agenda. The Consent Agenda is used as a tool to help shorten council meetings. It contains routine items which are not controversial in nature and do not need further discussion. The Consent Agenda can be handled with one motion from the City Council, "I move that the Consent Agenda be approved as presented." If an item needs to be removed from the Consent Agenda and discussed separately, a typical motion to affect this might be, "I move that we approve the Consent Agenda Items "A" through "D" with the exception of Item "C".

- 5.3 Comments by Council Members and Items for Future Discussion. The Agenda shall provide a time when the Mayor or any Councilmember may bring before the Council any business that he/she feels should be deliberated upon by the Council. These matters need not be specifically listed on the agenda, however, discussion and formal action on such matters shall be deferred until a subsequent council meeting.
- 5.4 Placing Items on the Agenda. Any member of the City Council or general public may place items on the agenda by submitting such items to the City Secretary, City Manager, Mayor or applicable Committee Chairman, in writing, by 5:00 p.m. seven (7) days preceding the Regular Business Council Meeting or applicable committee meeting.

- 5.5 Reading of Minutes. Unless a reading of the minutes of a council meeting is requested by a member of the Council, such minutes may be approved without reading, if the City Secretary previously furnished each member with a copy.

SECTION 6. ORDINANCES, RESOLUTIONS, AND MOTIONS

- 6.1 Form. Ordinances and resolutions shall be presented to the Council only in printed or typewritten form.
- 6.2 Funding. All ordinances authorizing an expenditure of money shall include the exact source of the funds to be expended.
- 6.3 City Attorney to Approve. All ordinances and resolutions shall be "Approved as to Form and Legality" by the City Attorney. Such approval shall be so indicated by signature on the last page of the ordinance or resolution. Ordinances or Resolutions shall not be presented to the Council without first being approved by the City Attorney.
- 6.4 City Manager to Review. All ordinances and resolutions shall be "Reviewed By" the City Manager. Such review shall be so indicated by signature on the last page of the ordinance or resolution.
- 6.5 Distribution of Ordinances. Copies of all proposed ordinances shall be distributed to all members of the Council at least twenty-four (24) hours before the council meeting as part of the agenda packet in which the ordinance is to be introduced. If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least twelve (12) hours prior to the meeting of the Council at which said ordinance is to be considered.
- 6.6 Recording of Votes. The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council.
- 6.7 Majority Vote Required. Where a quorum of the City Council is present, a proposition is carried by a majority of the votes cast, although some of the members present refuse to vote. Where a member of the City Council is present, but has not voted on a matter, his or her silence shall be construed as concurring with the majority, at least where such concurrence is needed for adoption of the matter before the deliberative body. Abstaining votes shall therefore be construed as concurring with the majority favoring adoption of the matter. Councilmembers filing Conflict of Interest affidavits with the City Secretary shall be considered as not casting any vote on the issue at hand.

Exceptions to the majority vote rule shall apply where required by Charter, ordinance, or state law.

- 6.8 Voting. Two voting methods will be used by the City Council – voice votes and roll call votes. Voice votes are votes cast by the City Council in unison, either aye or nay, when requested by the Mayor. Roll call votes are votes which are cast individually. Voice votes will be used on all issues unless the Mayor or a councilmember requests a roll call vote. When roll call votes are used, the Mayor will be the last councilmember to vote.

When any vote is called, each Councilmember shall respond "yes (aye)", "no (nay)", "abstain", or "pass". Any Councilmember who responds "pass" shall be given an opportunity at the end of the roll call to change his or her vote to "yes (aye)", "no (nay)", or "abstain". Any "pass" response not so

changed shall be recorded as an abstention.

In the event of a tie in votes on any motion, the motion shall be considered lost.

- 6.9 Numbering Ordinances and Resolutions. Upon passage, a number shall be assigned to each ordinance or resolution by the City Secretary.
- 6.10 Ordinance Passage Procedure. When passed by the City Council, an ordinance shall be signed by the Mayor or Mayor Pro Tem and be attested by the City Secretary; and it shall be immediately filed and thereafter preserved in the office of the City Secretary. Ordinances shall be adopted in accordance with City Charter Article III, §19.

Any ordinance imposing a penalty, fine, or forfeiture for a violation of its provisions shall become effective not less than ten (10) days from the date of its passage. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine, or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in a newspaper of general circulation in Stephenville at least within ten (10) days after the passage of said ordinance.

- 6.11 Requests for Ordinances or Legal Opinions. Any member of the City Council may request the City Manager to have prepared proposed ordinances with such ordinances to be placed on the agenda of the next scheduled Council meeting, provided the ordinance can be drafted and distributed to members of the Council in accordance with time schedules set forth in Section 6.5 of these rules. Any member of the City Council may request written legal opinions, relating to City business, from the City Manager. Upon receiving requests for a proposed ordinance or a written legal opinion, the City Manager shall forthwith request same from the City Attorney; and upon return receipt thereof, the City Administrator shall forthwith cause to have distributed the subject ordinance or written legal opinion to all members of the Council so that all members of the Council may be fully informed of the status of City affairs. Any member of the Council may, for purposes of inquiry, request verbal opinion or advice on City legal matters directly from the Attorney.

SECTION 7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

- 7.1 Citizen Committees, Boards and Commissions. The Council may create committees, boards, and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Charter or City Code.
- 7.2 Membership and Selections. Membership and selection of members shall be as provided by the Council if not specified by the City Charter or City Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Administrator, except as otherwise specified by the City Charter or City Code.
- 7.3 Removal of Members of Boards and Commissions. The Council may remove any member of any board or commission which it has created or as created by the City Charter or by a vote of at least a majority of the Council.

SECTION 8. CITIZENS' RIGHTS

- 8.1. Addressing the Council During a Regular Business Meeting. Persons addressing the Council shall complete a Registration Form prior to the Call to Order and present it to the City Secretary. Questions from citizens will be directed to the Mayor, and the Mayor will inform the citizen that the question will be directed to the appropriate person, staff, or Councilmember.
- 8.2. Time Limit. Each person addressing the Council shall step up to the microphone, shall give his/her name and address in an audible tone of voice for the record. Individual citizen presentations shall be limited to three (3) minutes, and group presentations shall be limited to ten (10) minutes. At least three members of the group or organization shall be in attendance and their names shall be listed on the Registration Card. The Mayor, at his/her discretion, may reasonably extend these limits.
- 8.3. Manner of Addressing the Council. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked of the Councilmembers, except through the presiding officer.
- 8.4. Personal and Slanderous Remarks. The Mayor may, at his or her discretion, have removed any person making personal, impertinent or slanderous remarks while addressing the Council and may bar such persons from further audience before the Council.
- 8.5. Reading of Protests. Interested persons, or their authorized representatives, may address the Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.
- 8.6. Mayor May Appoint Committee or Refer Citizen's Complaints. The Mayor may appoint a committee of three members of the City Council to hear citizens' complaints, or may refer citizens' complaints to an Executive Session of the City Council, whenever the subject would be appropriate.
- 8.7. Written Communications. Interested parties, or their authorized representatives, may address the council by written communication in regard to any matter concerning the city's business or over which the council has control at any time by mailing or emailing such communication to the City Secretary, or mailing or emailing such communication to individual Councilmembers. All members of the Council shall have an email address issued by the City.

SECTION 9. SUSPENSION AND AMENDMENT OF THESE RULES

- 9.1. Suspension of These Rules. Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.
- 9.2. Amendment of These Rules. These rules may be amended, or new rules adopted, by a majority vote of all members of the council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior council meeting.

Resolution No. 1986-3. Revised February 7, 1990; April 3, 1990; October 3, 1995; April 1, 1997; November 3, 1998; March 7, 2000; June 17, 2003; September 9, 2008; March 1, 2016, May 3, 2022.

Public Works Committee
STAFF REPORT



SUBJECT: FY2022-2023 Street Improvement Priorities
MEETING: Public Works Committee Meeting – 18 APR 2023
DEPARTMENT: Public Works
STAFF CONTACT: Nick Williams

RECOMMENDATION:

Staff recommends pursuing the reconstruction of the brick pavement on College Street from Barton to Belknap.

BACKGROUND:

On August 11, 2022, a water main was inadvertently damaged by Atmos Energy that resulted in damage to the block of brick pavement on College Street between Barton Avenue and Columbia Avenue. Following negotiations, the city received a check from Atmos for \$144,900 to offset the cost of the base repairs and brick pavement repairs. Atmos Energy has been, and continues to be, a good partner coordinating with the city’s construction projects and with the many gas utility improvements around the city.

On August 2, 2022, the city council engaged the professional services of Jacob and Martin, LLC to design the public improvements for the one-block brick pavement sections on College Street and Belknap Avenue directly adjacent to the courthouse. Due the nearby damage to College Street (that occurred the following week), the city council re-engaged Jacob and Martin to address the brick pavement section of College Street between Barton Avenue and Belknap Avenue.

Final design of the two-block section from Barton to Belknap, including brick pavement and ADA sidewalk improvements, as well as the replacement of existing cast iron water lines and clay sewer lines, is anticipated to be completed in April 2023. Construction of one or both blocks, if authorized by City Council, is expected to be completed in 2023.

Pursuing the two-block section from Barton to Belknap this fiscal year will allow brick pavement work to commence this summer while considering any desired design modifications to the walkability around the downtown square.

FISCAL IMPACT SUMMARY:

Approximately \$1.6 million is allocated for capital pavement improvement projects for FY22-23.

Bids for the roadway improvements to Lockhart Road will be opened on April 25, 2023 to be presented for consideration at the May 2, 2023 council meeting. Once the Lockhart bids are opened, a brick pavement project, if directed by committee, will be advertised. The resulting brick pavement project bids will determine the remaining amount available to be used for the annual chip seal maintenance program.

The engineer’s Opinion of Probable Construction Cost for the two-block section of College Street from Barton to Belknap totals \$1,434,391 consisting of \$563,333 and \$871,058 respectively for the blocks from Barton to Columbia and from Columbia to Belknap.

ATTACHMENTS:

Proposed Brick Pavement Project Area Map

