



## REGULAR CITY COUNCIL MEETING

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City Hall Council Chambers, 298 West Washington Street  
Tuesday, July 11, 2023 at 5:30 PM

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### MINUTES

The City Council of the City of Stephenville, Texas, convened on Tuesday, July 11, 2023, in the City Hall Council Chambers, 298 West Washington Street, for the purpose of a Regular City Council Meeting, with the meeting being open to the public and notice of said meeting, giving the date, time, place and subject thereof, having been posted as prescribed by Chapter 551, Government Code, Vernon's Texas Codes Annotated, with the following members present, to wit:

#### COUNCIL PRESENT:

Mayor Doug Svien  
Council Member LeAnn Durfey  
Council Member Justin Haschke  
Council Member Lonn Reisman  
Council Member Maddie Smith  
Council Member David Baskett  
Council Member Brandon Greenhaw  
Council Member Mark McClinton

#### COUNCIL ABSENT:

Council Member Bob Newby

#### OTHERS ATTENDING:

Jason M. King, City Manager  
Randy Thomas, City Attorney  
Sarah Lockenour, City Secretary

#### CALL TO ORDER

The Mayor called the Regular City Council meeting to order at 5:30 PM.

#### PLEDGES OF ALLEGIANCE

Council Member LeAnn Durfey led the pledges to the flags of the United States and the State of Texas.

#### INVOCATION

Rev. Curt Plaxco of the Stephenville Ministerial Alliance voiced the invocation.

#### CITIZENS GENERAL DISCUSSION

Alan Nix, 113 Ben Hogan, addressed the Council regarding his business, Nix Manufacturing at 750 Paddock St. He wanted to share that they recently opened a citizen collection station that is a TCEQ licensed collection station that can accept household waste and bulky items.

Renee Thompson addressed the Council regarding the recent incident at Splashville.

## REGULAR AGENDA

### 1. Delinquent Tax Litigation and Tax Roll Report for the City of Stephenville Presented by Linebarger Attorney Carrie Pickering and Area Manager Katie Rhodes

Linebarger attorney Carrie Pickering with area manager Katie Rhodes and Erath County Tax Assessor-Collector Jennifer Carey presented the Litigation Summary and Delinquent Tax Roll Report.

## PLANNING AND ZONING COMMISSION

Steve Killen, Director of Development Services

### 2. PUBLIC HEARING

Case No.: RZ2023-005

**Applicant Ryan Studdard, Representing Aaron Caulder, is Requesting a Rezone of Property Located at 711 Miller, Parcel R32523, being 0.177 Acres, S5000 J.W. MILLER ADDITION; BLOCK 2; LOT 1 of the City of Stephenville, Erath County, Texas from Neighborhood Business (B-1) to Single Family Residential District (R-1.5)**

Director of Development Services Steve Killen presented this item at tonight's Regular Council Meeting.

The property has a current zoning of Neighborhood Business District (B-1). The Future Land Use for this property is designated as Single Family.

The applicant is requesting a rezone which conforms to the future land use designation in respect to residential use, however, R-1.5 allows a smaller lot dimension of 50x100 and the construction of a single-family home no less than 1,000 square feet. The adjacent property located at 715 Miller was recently rezoned to R-1 Single-Family Residential District and the properties at 745 and 751 Miller have been rezoned to R-1.5, Single-Family Residential District (6,000 ft).

The Planning and Zoning Commission convened on June 21, 2023, and by a unanimous vote of 7:0, recommended the City Council approve the rezone request from (B-1) Neighborhood Business to (R-1.5) Single-Family Residential District.

Mayor opened the Public Hearing at 6:06 PM.

Applicant Ryan Studdard addressed the Council in favor of the rezone.

No one spoke in opposition of the rezone.

Mayor closed the Public Hearing at 6:07 PM.

### 3. Consider Approval of Ordinance Rezoning Property Located at 711 Miller, Parcel R32523, being 0.177 Acres, S5000 J.W. MILLER ADDITION; BLOCK 2; LOT 1 of the City of Stephenville, Erath County, Texas from Neighborhood Business (B-1) to Single Family Residential District (R-1.5)

MOTION by Justin Haschke, second by David Baskett, to approve Ordinance 2023-O-18 rezoning S5000 J.W. MILLER ADDITION; BLOCK 2; LOT 1, 711 Miller from Neighborhood Business (B-1) to Single Family Residential District (R-1.5). MOTION CARRIED unanimously.

## PUBLIC WORKS COMMITTEE

Mark McClinton, Chair

### 4. Public Works Committee Report

Public Works Committee Chair Mark McClinton presented this item in the Public Works Committee Report at tonight's Regular Council meeting.

#### Agenda Item No. 1: Policy on Water and Sewer Services Outside the City Limits

The committee discussed the extension of utilities outside the city limits. It was noted that the most recent utility extensions have been to properties that were voluntarily annexed into the city limits. It was noted when a request for utilities is made for property outside the city limits, conformance with the city's existing ordinances as well as future maintenance costs are considered.

Following discussion, a motion was made by Mr. Haschke, seconded by Mr. Baskett, to create a policy regarding the extension of water and sewer services for property contiguous to the city limits.

The committee voted unanimously to forward a positive recommendation to the full council to create a formal policy requiring properties contiguous to the city limits to be voluntarily annexed into the city in order to receive city utility services.

#### **5. Consider Approval of Ordinance Amending Section 155.06.12 of the City's Code of Ordinances**

Public Works Committee Chair Mark McClinton pulled this item from tonight's Regular Council meeting. The Committee will explore other options and bring them back to Council at the next meeting.

#### **NOMINATIONS COMMITTEE**

Maddie Smith, Chair

#### **6. Nominations Committee Report**

Nominations Committee Chair Maddie Smith presented this item at tonight's Regular Council meeting.

The committee met on June 20, 2023, to review applications for vacancies to Citizen Boards and Commissions. The following recommendations were made:

##### Airport Advisory Board - Place 2 Ricky Thurman

MOTION by Maddie Smith, second by Brandon Greenhaw, to recommend Ricky Thurman for Place 2 on the Airport Advisory Board to full Council. MOTION CARRIED unanimously.

##### Stephenville Type B Economic Development Authority - Place 7 Gerald Cook

MOTION by Maddie Smith, second by Bob Newby, to recommend Gerald Cook for Place 7 on SEDA to full Council. MOTION CARRIED unanimously.

#### **7. Discuss and Consider Approval of Appointments to Citizen Boards and Commissions**

Nominations Committee Chair Maddie Smith presented this item in the Nominations Committee Report at tonight's Regular Council meeting.

MOTION by Maddie Smith, second by Justin Haschke, to approve Ricky Thurman for Place 2 of the Airport Advisory Board.

MOTION WITHDRAWN by Maddie Smith.

MOTION by Maddie Smith, second by LeAnn Durfey, to approve Ricky Thurman for Place 2 of the Airport Advisory Board and Gerald Cook for Place 7 of the Stephenville Type B Economic Development Authority. MOTION CARRIED unanimously.

## **PUBLIC HEALTH AND SAFETY COMMITTEE**

Bob Newby, Chair

### **8. Public Health and Safety Committee Report**

Stephenville Police Chief Dan Harris and Stephenville Fire Chief Robert Isbell presented the Public Health and Safety Committee Report at tonight's Regular Council meeting.

#### Agenda Item 2: Parking Restrictions on West Long Street

Stephenville Police Department (SPD) Chief Dan M. Harris, Jr. presented the request to change the current parking restrictions regarding West Long Street located in Code of Ordinances 75.02 – Schedule II to read:

(A) No parking zones are established on the city streets are follows:

| STREET            | LOCATION                                                                            | TIMES |
|-------------------|-------------------------------------------------------------------------------------|-------|
| Long Street, West | Both sides from the intersection with Graham to its intersection with Alexander Rd. | All   |

Following presentation and discussion: a motion was made by Mr. Bob Newby and seconded by Mrs. LeAnn Durfey to change the current parking restrictions as noted above and to bring this recommendation to the full council on July 11, 2023. The committee voted unanimously to change the current parking restrictions regarding West Long Street.

#### Agenda Item 3: Automatic Aid Agreement with Erath County Volunteer Fire Rescue Department

Stephenville Fire Department Division Chief Scott Brinkley presented this request to the Public Health and Safety Committee. Stephenville fire department works closely with ECVFR as we provide assistance to each other and train together through an existing Mutual Aid Agreement. This new agreement will allow quicker and more efficient service deliver to both agencies response areas.

With the anticipation of a combined communications center, this agreement will leverage communications allowing both agencies to work seamlessly as a single entity for service delivery.

Following presentation and discussion: a motion was made by Mr. Bob Newby and seconded by Mrs. LeAnn Durfey to enter into an Automatic Aid Agreement with Erath County Volunteer Fire Rescue Department as described above and to bring this recommendation to the full council on July 11, 2023. The committee was unanimous to move forward to full Council.

#### Agenda Item 4: Donation of Fire Department Equipment

Stephenville Fire Department Division Chief Scott Brinkley presented this request to the Public Health and Safety Committee. The Fire Department has migrated to the new radio hardware as part of the system upgrade. Our older radios will not serve our purposes going forward. ECVFR would like to disseminate these older radios to the County volunteer departments. This action would fill an important needed gap in the system.

We also recently migrated to a new SCBA system and, due to regulations on our department, we can no longer use this equipment. ECVFR can disseminate this equipment to needed agencies across our County to assist with equipment needs as well.

Following presentation and discussion: a motion was made by Mr. Bob Newby and seconded by Mrs. Maddie Smith to enter into an approve the donation of Fire Department equipment as described above and to bring this recommendation to the full Council on July 11, 2023. The committee was unanimous to move forward to full Council.

**9. Consider Approval of Ordinance Revising Parking Restriction on West Long Street**

Stephenville Police Chief Dan Harris presented the Public Health and Safety Committee Report at tonight's Regular Council meeting.

MOTION by Lonnn Reisman, second by LeAnn Durfey to approve Ordinance No. 2023-O-19 to revise parking restrictions on West Long Street as presented. MOTION CARRIED unanimously.

**10. Consider Approval of Automatic Aid Agreement with Erath County Volunteer Fire Rescue Department**

Stephenville Fire Chief Robert Isbell presented the Public Health and Safety Committee Report at tonight's Regular Council meeting.

MOTION by Lonnn Resiman, second by LeAnn Durfey, to approve the Automatic Aid Agreement with Erath County Volunteer Fire Rescue Department as presented. MOTION CARRIED unanimously.

**11. Consider Approval of Donation of Fire Department Equipment**

Stephenville Fire Chief Robert Isbell presented the Public Health and Safety Committee Report at tonight's Regular Council meeting.

MOTION by Justin Haschke, second by David Baskett, to approve the donation of fire department equipment as presented. MOTION CARRIED unanimously.

**FINANCIAL REPORTS**

Monica Harris, Director of Finance

**12. Monthly Budget Report for the Period Ending May 31, 2023**

In reviewing the financial statements ending May 31, 2023, the financial indicators are overall as or better than anticipated.

**Property Tax Collections** - We received \$45K in property taxes in the month of May, resulting in a \$432K increase over funds collected last fiscal year to date. The amount collected is 97% of the budget, which is \$171K less than anticipated.

**Sales and Use Tax** - We received \$837K in sales tax in May, resulting in \$851K or 15% more than the funds collected last fiscal year to date. The amount collected is 71% of the \$9 million budget, which is \$458K higher than anticipated.

**Revenue (by Fund)** - Of the \$35.4 million revenue received to date, 53% is in the General Fund, 23% is in the Water/Wastewater Fund, 8% is in the Capital Projects Fund, and 6% is in the Landfill Fund.

**Revenue (Budget vs. Actual)** - We have received 80% of the total budgeted revenues through May, which is \$3.9 million more than anticipated due to taxes, charges for services, and other revenue such as investment income, donations, and debt proceeds.

**Revenue (Prior Year Comparison)** - We received \$22.6 million less in revenue through May than last year to date due to debt proceeds; however we have received \$1.6 million more in taxes, \$728K more in intergovernmental, and \$318K more in charges for services over last year to date.

**Expenditures (by fund)** - Of the \$39 million spent to date, 41% is in the Water/Wastewater Fund, 39% is in the General Fund, 8% in the Capital Projects Fund, and 5% in the Landfill Fund.

**Expenditures (Budget vs. Actual)** - We have expended 41% of the total budgeted expenditures through May, which is almost \$22 million less than anticipated due to personnel, contractual and capital outlay.

**Expenditures (Prior Year Comparison)** - We spent \$9 million more in expenditures through May than last year to date, the bulk of which is capital outlay.

**SEDA Revenue Comparison** - SEDA has received an overall 75% of budgeted revenue through May, which is \$42,000 more than last year to date and \$75,000 more than anticipated due to taxes and interest income.

**SEDA Expenditure Comparison** - SEDA has spent an overall 25% of budgeted expenditures through May, which is \$103,000 more than last year to date due to grant disbursements but \$771K less than anticipated due to capital outlay and grant disbursements.

#### **CONSENT AGENDA**

- 13. Consider Approval of Minutes - June 6, 2023**
- 14. Consider Approval of Minutes - June 20, 2023**
- 15. Consider Approval of Minutes - June 29, 2023**

MOTION by Mark McClinton, second by Justin Haschke, to approve Consent Agenda items. MOTION CARRIED unanimously.

#### **COMMENTS BY CITY MANAGER**

No comments were made by the City Manager.

#### **COMMENTS BY COUNCIL MEMBERS**

No comments were made by Council Members.

Mayor recessed the Regular Council meeting at 6:22 PM and convened the Executive Session at 6:25 PM.

#### **EXECUTIVE SESSION**

In compliance with the provisions of the Texas Open Meetings Law, Subchapter D, Government Code, Vernon's Texas Codes, Annotated, in accordance with

- 16. 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 **JS Riggs Survey**

Mayor adjourned the Executive Session at 6:26 PM and reconvened the Regular Council meeting at 6:27 PM.

#### **ACTION TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF NECESSARY**

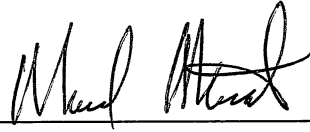
- 16. Section 551.072 Deliberation Regarding Real Property** - to deliberate the purchase, exchange, lease, or value of real property, to wit: real property located in the JS Riggs Survey

MOTION by Mark McClinton, second by David Baskett, to approve the sale property in the JS Riggs Survey as discussed in Executive Session. MOTION CARRIED unanimously.

**ADJOURN**

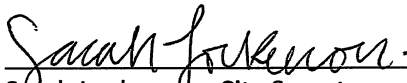
Mayor Svien adjourned the Regular Council meeting at 6:28 PM.

*Note: The Stephenville City Council may convene into Executive Session on any matter related to any of the above agenda items for a purpose, such closed session allowed under Chapter 551, Texas Government Code.*



Mark McClinton, Mayor Pro Tem

ATTEST:

  
Sarah Lockenour, City Secretary