

MINUTES OF SPECIAL COUNCIL MEETING
City of Stephenville - City Council
TUESDAY, APRIL 18, 2006– 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on April 18, 2006, at 5:30 p.m., in the Training Room at City Hall, 298 West Washington Street, for the purpose of a Special 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:

Mayor	:	Rusty Jergins
Mayor Pro-Tem	:	Todd McEvoy
Council members	:	Cyndi Godwin Malcolm L. Cross Nancy Hunter Andrew Johnson Alan Nash Mark Murphy Barry Ratliff
Others Attending	:	Randy Thomas, City Attorney Mark A. Kaiser, City Administrator Cindy L. Stafford, City Secretary

I. Call to Order

The meeting of the Stephenville City Council was called to order at 5:30 p.m. on Tuesday, April 18, 2006, by Mayor Rusty Jergins, who declared a quorum present.

II. Consider Adopting Ordinance No.. 2006-11 Rezoning from I "Industrial District" to B-5 "Restaurant - Alcoholic Beverage Service District" Lot 5, Block 4, College Hill Addition, known as 1044 West Washington Street

Mayor Jergins reminded the council that this agenda item had been tabled from the April 4, 2006 council meeting. He reminded the council that the motion on the floor at the time this was tabled is as follows:

MOTION by Malcolm Cross, second by Mark Murphy, to adopt Ordinance No. 2006-[10], and in addition that it meet the regulations as provided in the classification; specifically, the closing of the drive-through window.

MOTION by Malcolm Cross, second by Cyndi Godwin, to remove the motion from the table. MOTION CARRIED by unanimous vote.

Arturo Avalos addressed the council and distributed photographs of the drive-through window at subject location indicating that the drive-through window was no longer in service. Concern was expressed by some council members that the drive-through window, although may be no longer in service, is still a part of the building. Betty Chew, Director of Community Development, clarified that the Zoning Ordinance prohibits “drive-through service” in the B-5 zoning classification. Following council discussion, action was taken as set out below:

MOTION by Mark Murphy, second by Malcolm Cross, to call the question.
MOTION CARRIED by unanimous vote.

MOTION CARRIED by the following vote:

Ayes: Council members Cross, Hunter, Johnson, Nash, McEvoy, Murphy, and Mayor Jergins.

Noes: Council members Godwin and Ratliff.

III. Adjourn

MOTION by Todd McEvoy, second by Mark Murphy, to adjourn the meeting.
MOTION CARRIED by unanimous vote at 5:55 p.m.

Russell E. Jergins, Mayor

ATTEST:

Cindy L. Stafford, City Secretary