

MINUTES OF REGULAR BUSINESS MEETING
City of Stephenville - City Council
TUESDAY, JUNE 6, 2006– 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on June 6, 2006, at 5:30 p.m., in the Council Chambers at City Hall, 298 West Washington Street, for the purpose of a Regular Business 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	:	Mark A. Kaiser, City Administrator Randy Thomas, City Attorney 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, June 6, 2006, by Mayor Rusty Jergins who declared a quorum present.

II. CITIZENS' GENERAL DISCUSSION

No one addressed the council.

III. CITIZENS' INPUT TO FY 06/07 BUDGET

Mayor Jergins referred to a letter received from Elizabeth Zickefoose recognizing the good work of Code Enforcement Officer Robbie Hood and asking the council to consider creating an additional code enforcement position.

Jergins then referred to a letter from Bonnie Goddard requesting a "middle turning lane" on Washington, Graham, Harbin, Dale, and Frey Streets. She also requested "No Parking" signs on the "right side" of Frey Street. She stated that a marked bicycle road or route would be nice for Stephenville, as well.

A specific request of \$2,500.00, together with a copy of the 2007 proposed budget, has been received from Helen Eklund, Executive Director, on behalf of Meals on Wheels of Erath County.

The Transit System, Inc. submitted its 2007 budget and a request for additional funding.

IV. PLANNING AND ZONING COMMISSION PUBLIC HEARINGS

A. Consider Request to Rezone from B-2 “Retail and Commercial Business District” to R-3 “Multiple Family Residential District” Lots 1, 2, 3, 4A, 5A, 5B, 6, 7, 8, 9, and 10; Block 69, City Addition, and Lots 7B, 8B, 9, 9A, 10 and 11; Block 2, Park Place Addition, City of Stephenville.

Betty Chew presented the staff report, stating that there are existing single-family dwellings located on the properties requesting rezoning. She reported that the Planning and Zoning Commission recommends the zone change. As this is a request by the neighborhood to bring their properties into compliance with Zoning Ordinance regulations, Betty Chew requested the council to waive the filing fee.

Mayor Jergins opened the public hearing.

Speaking in Favor of the Rezoning Request: Applicants Anna Williams and Nancy Deane represented the property owners, and thanked the council for considering their request. Anna Williams said that she bought her property about nine years ago and was unaware of its zoning status. If her house were to burn, she would not be able to rebuild it because of the zoning classification. She and her neighbors decided to join forces to pursue this rezoning.

Speaking in Opposition to the Rezoning Request: No one.

Mayor Jergins closed the public hearing.

B. Consider Adopting Ordinance No. 2006-19 Rezoning from B-2 “Retail and Commercial Business District” to R-3 “Multiple Family Residential District” Lots 1, 2, 3, 4A, 5A, 5B, 6, 7, 8, 9, and 10; Block 69, City Addition, and Lots 7B, 8B, 9, 9A, 10 and 11; Block 2, Park Place Addition, City of Stephenville

MOTION by Barry Ratliff, second by Mark Murphy, to adopt Ordinance No. 2006-19.

MOTION by Todd McEvoy, second by Alan Nash, to amend the motion by including a provision to provide for waiving the filing fee on the application. MOTION TO AMEND CARRIED by the following vote:

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

Nays: Council member Ratliff.

Abstentions: Council member Hunter, who filed an affidavit of conflict of interest with the city secretary.

AMENDED MOTION CARRIED, with one abstention by Council Member Hunter, who filed an affidavit of conflict of interest.

C. Consider Request to Rezone from I “Industrial District” to R-1 “Single Family Residential District, Lot 37, Block 153, City Addition, known as 935 Old Hico Road

Betty Chew gave the staff report stating that the Planning and Zoning Commission unanimously recommends this rezoning request.

Mayor Jergins opened the public hearing.

Speaking in Favor of the Rezoning Request: No one.

Speaking in Opposition to the Rezoning Request: No one.

Mayor Jergins closed the public hearing.

D. Consider Adopting Ordinance No. 2006-20 Rezoning from I “Industrial District” to R-1 “Single Family Residential District, Lot 37, Block 153, City Addition, known as 935 Old Hico Road

MOTION by Mark Murphy, second by Nancy Hunter, to adopt Ordinance No. 2006-20.

MOTION by Malcolm Cross, second by Barry Ratliff, to amend the motion by including a provision to provide for waiving the filing fee on the application.
MOTION TO AMEND FAILED by the following vote.

Ayes: Council members Cross and Ratliff

Noes: Council members Godwin, Hunter, Johnson, Nash, McEvoy, and Murphy.

MOTION to adopt Ordinance No. 2006-20 CARRIED by unanimous vote.

V. COMMUNITY DEVELOPMENT ANNUAL REPORT, Betty Chew, Director

Betty Chew gave the following report:

Building Permits (new construction only): 79 permits in 2005, 53 of those were for

residential use and 26 commercial. Total number of permits issued in 2005 was 172. New construction permit value: \$16,700,000. Total permit value issued: \$18,400,000. Largest single permit was Bosque Crossing Apartments for \$9,000,000. Other large projects in 2005 include Stephenville Medical and Surgical Clinic Surgery Center, \$2.5 million; Hampton Inn, \$2.8 million; CVS Pharmacy, \$1.1 million; Dollar General \$370,000; Starbucks, \$580,000.

New tax dollar amounts. Last year's total \$19.7 million will be on the tax rolls this year. At our current tax rate, that will be approximately \$93,000.

Code violations: In 2005, 660 letters were mailed for violations. Seventy-two percent of the violations were corrected by property owners. Two substandard structures were demolished in 2005, and 12 structures are on the list for 2006.

MOTION by Todd McEvoy, second by Barry Ratliff, to accept the 2005 Community Development Report. MOTION CARRIED by unanimous vote.

VI. CONSIDER APPROVAL OF COUNCIL COMMITTEE ASSIGNMENTS
VII. ELECTION OF MAYOR PRO-TEM

MOTION by Barry Ratliff, second by Mark Murphy, to approve committee assignments as follows and to nominate Todd McEvoy as Mayor Pro-Tem:

Finance: Nash, Chairperson; Cross; McEvoy; Hunter

Nominations: Cross, Chairperson; Johnson, McEvoy, Murphy

Personnel: Hunter, Chairperson; Murphy, Godwin, Nash

Planning and Development: McEvoy, Chairperson; Johnson, Hunter, Ratliff

Public Health and Safety: Ratliff, Chairperson; Johnson, Cross, Godwin

Solid Waste Management: Godwin, Chairperson; Cross, Ratliff, Nash

Public Works: Johnson, Chairperson; Ratliff, McEvoy, Murphy

MOTION by Cyndi Godwin to amend the motion to include her nomination of Nancy Hunter as Mayor Pro-Tem. Motion died for lack of a second.

MOTION CARRIED by unanimous vote

VIII. CONSIDER CHANGING THE DATE FOR JULY 2006 REGULAR COUNCIL MEETING

MOTION by Mark Murphy, second by Malcolm Cross, to change the date for the July Regular Council Meeting from July 4 to July 11. MOTION CARRIED by unanimous vote.

IX. CONSIDER ACTION REGARDING ATMOS GAS

A. Consider Resolution Endorsing the Efforts to Reduce Rates

MOTION by Mark Murphy, second by Cyndi Godwin, to adopt Resolution No. 2006-11. MOTION CARRIED by unanimous vote.

B. Consider Ordinance Denying the Request for an Annual Gas Reliability Infrastructure Program Rate Increase

MOTION by Barry Ratliff, second by Andrew Johnson, to adopt Ordinance No. 2006-21. MOTION CARRIED by unanimous vote.

X. CONSENT AGENDA

Todd McEvoy asked that Items C and F be removed from the Consent Agenda. MOTION by Andrew Johnson, second by Barry Ratliff, to approve Items A, B, D, and E of the Consent Agenda. MOTION CARRIED by unanimous roll call vote.

A. Approval of Minutes

- i. Regular Council Meeting on May 2, 2006**
- ii. Special Council Meeting on May 16, 2006**

B. Ordinance No. 2006-21 Enacting and Adopting a Supplement to the Code of Ordinances

C. Well Field Water Supply Line Change Order No. 1

D. Airport Project Participation Agreement for Runway Rehabilitation

E. Airport Project Participation Agreement for New Terminal Building

F. Interlocal Agreement with the City of Hurst for Street Paving Materials

Todd McEvoy asked for clarification as to the provisions of the change order. Mark Kaiser explained that rip rock would be used on the line instead of backfill, which will result in a net increase of \$7,200.

MOTION by Todd McEvoy, second by Andrew Johnson, to approve Item C of the Consent Agenda. MOTION CARRIED with Mark Murphy casting the lone dissenting vote.

MOTION by Todd McEvoy, second by Andrew Johnson, to approve Item F of the Consent Agenda. MOTION CARRIED by unanimous vote.

XI. COMMENTS BY CITY ADMINISTRATOR

Mark Kaiser reported that the 2006 Waterline Replacement Project has been completed. The street reconstruction work should begin next week and completed prior to the beginning of the school year.

Council members are invited to ride in the July 4th Family Fun Fair parade. Upcoming meetings include Planning and Development Committee and Public Health and Safety Committee on June 13 and budget work session on June 20.

Todd McEvoy thanked staff for getting the lights fixed at Optimist Jaycee Park.

XII. COMMENTS BY COUNCIL MEMBERS

XIII. EXECUTIVE SESSION. At 6:53 p.m. Mayor Jergins recessed the open portion of the meeting, and council went into 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 Sec. 551.074 Personnel Matters (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Director of Public Works

Council reconvened in open session at 7:50 p.m.

XIV. ACTION TAKEN ON MATTERS DISCUSSED IN EXECUTIVE SESSION

MOTION by Todd McEvoy, second by Nancy Hunter, to confirm the appointment of Nick Williams to Director of Public Works. MOTION CARRIED by unanimous vote.

XV. ADJOURN

MOTION by Todd McEvoy, second by Mark Murphy, to adjourn the meeting. MOTION CARRIED by unanimous vote at 7:51 p.m.

Russell E. Jergins, Mayor

ATTEST:

Cindy L. Stafford, City Secretary