

MINUTES OF REGULAR BUSINESS MEETING
City of Stephenville - City Council
TUESDAY, APRIL 3, 2007– 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on April 3, 2007, 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 Pro-Tem :	Todd McEvoy
Council members :	Malcolm L. Cross Nancy Hunter Andrew Johnson Alan Nash Mark Murphy Barry Ratliff
Absent :	Rusty Jergins Cyndi Godwin
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, April 3, 2007, by Mayor Pro-Tem Todd McEvoy who declared a quorum present.

II. Citizen's General Discussion

No one wished to address the council.

III. PLANNING AND ZONING COMMISSION

A. PUBLIC HEARING to consider request to rezone from R-1 "Single-Family Residential District" to B-2 "Retail and Commercial Business District" Lot 32, Block 35, South Side Addition located in the 800 block of South Second Avenue

Betty Chew, Director of Community Development, gave the staff report for this agenda item. She reported that this is a vacant piece of property with no structures. The Planning and Zoning Commission unanimously recommends approval of this rezoning request.

Mayor Pro-Tem McEvoy opened a public hearing.

Speaking in Favor of Rezoning: No one.

Speaking in Opposition to Rezoning: No one.

Mayor Pro-Tem McEvoy closed the public hearing.

B. Consider Ordinance No. 2007-07 rezoning from R-1 "Single-Family Residential District" to B-2 "Retail and Commercial Business District" Lot 32, Block 35, South Side Addition located in the 800 block of South Second Avenue

MOTION by Mark Murphy, second by Malcolm Cross to adopt Ordinance No. 2007-07. MOTION CARRIED by unanimous vote.

C. PUBLIC HEARING to consider request for a PD "Planned Development District" for 11.997 acres of the William Motley Survey, Abstract 515, Erath County, Texas located in the 2800 Block of West Frey Street

Betty Chew gave the staff report stating that Campus Crest Development is the owner of the property, which proposes to develop "The Grove", a three-story urban apartment complex on this site. This development is specifically designed for university student housing. Chew reported that the Planning and Zoning Commission unanimously recommends approval of this planned development.

Mayor Pro-Tem McEvoy opened the public hearing.

Dan Norman, representing Campus Crest Development, made a presentation in which he pointed out the following features:

- Campus Crest Development plans to construct a 192-unit student housing complex on 12 acres located on West Frey Street near Wolfe Nursery Road.
- Construction is scheduled to begin June 2007 and completed in August 2008.
- The development will be known as "The Grove" consisting of the following structures and amenities:
 - 6 24-unit buildings consisting of 12 2-bedroom units and 12 3-bedroom units each;
 - 4 12-unit buildings consisting of 12 3-bedroom units each;
 - Clubhouse which includes a fitness center, coffee house, study/computer lounge, offices, multi-purpose meeting room, central gathering area, game room, and restrooms;
 - Outdoor recreation area consisting of a large swimming pool, sand volleyball pit, large deck, fire pit, grilling area, and basketball court;
 - Open green areas
 - Minimum of 537 parking spaces.

Speaking in Favor of Rezoning:

Mayor Pro-Tem McEvoy asked that Dan Norman's comments be considered as speaking in favor of the Planned Development.

Speaking in Opposition of Rezoning: No one.

Mayor Pro-Tem McEvoy closed the public hearing.

D. Consider Ordinance No. 2007-08 designating a PD "Planned Development District" for 11.997 acres of the William Motley Survey, Abstract 515, Erath County, Texas located in the 2800 Block of West Frey Street

MOTION by Barry Ratliff, second by Nancy Hunter, to adopt Ordinance No. 2007-08.
MOTION CARRIED by unanimous vote.

IV. Annual Report from the Fire Department—Jimmy Chew, Fire Chief

Fire Chief Jimmy Chew gave the departmental report. Chew stated that the year began with wildfires in Carbon and Huckabay and ended the year with a sprinkler activation at an assisted living center. In 2006, the department encountered one of the worst devastating wildfire seasons in Texas history. Also, the department fought the Landmark Apartments fire, which was one of the worst in Stephenville's history. Chew reported that there were 296 fire responses and 1,280 EMS responses for a total of 1,576 runs. The department has 24 firefighters assigned to three shifts of eight each, with a minimum staffing of six, plus a Fire Chief, Fire Marshal, Training Officer and Fire Inspector. This was the first year to have a training officer on staff. As a result, total training hours for paid and volunteer firefighters were increased significantly. A full time fire inspector was authorized and began work in March 2007. In the sixteen working days since he came on the job, he has completed 29 inspections. This compares to 99 completed in 2006. Chief Chew said the inspector is on track to reach over 300 in 2007. Chew also added that every hotel in Stephenville has already been inspected.

MOTION by Nancy Hunter, second by Andrew Johnson, to accept Fire Chief Chew's annual report. MOTION CARRIED by unanimous vote.

V. PUBLIC HEALTH AND SAFETY COMMITTEE REPORT—Consider Awarding Bid on CID Vehicles

MOTION by Barry Ratliff, second by Mark Murphy, to award the bid for a midsize Chevrolet Impala sedan to Bruner Motors for \$18,268.38. MOTION CARRIED by unanimous vote.

Barry Ratliff reported that the bid award of \$21,974.00 to Caldwell Country Chevrolet for a Chevrolet 1500 ½-ton Crew Cab pickup was recommended by the committee.

MOTION by Mark Murphy to accept the bid for the Chevrolet 1500 ½-ton Crew Cab pickup from Caldwell Country Chevrolet for \$21,974.00. Motion died for lack of a second.

CID Capt. Jason King responded to questions about the need for this type vehicle. King explained that additional passenger space together with the hauling capacity of a pickup provides the optimum choice.

MOTION by Nancy Hunter, second by Mark Murphy, to award the bid to Caldwell Country Chevrolet in the amount of \$21,974.00 for the Chevrolet 1500 ½-ton Crew Cab pickup. MOTION FAILED by the following vote:

Ayes: Council members Cross, Hunter, and Murphy.

Nays: Council members Johnson, Nash, Ratliff, and Mayor Pro-Tem McEvoy.

VI. PERSONNEL COMMITTEE REPORT—Consider Awarding Bid on Employee Health Insurance

MOTION by Nancy Hunter, second by Andrew Johnson, to approve the Blue Cross Blue Shield plan D4A, which bid reflects a \$1.77 increase per employee per month.

James Gresham, representing the Stephenville Police Officers' Association, addressed the council concerning the recommended adoption of Plan D4A. Gresham told the council that if they approve this plan, the council is, in effect, "giving every employee in the City of Stephenville a pay cut." He explained that this plan carries significant increases in co-pay, out-of-pocket expenses, and prescription co-pays.

MOTION by Mark Murphy to table and send this matter back to committee and have it back to council within two weeks. Motion died for the lack of a second.

Vote was taken on the original motion, and the MOTION CARRIED by the following vote:

Ayes: Council members Cross, Hunter, Johnson, Nash, Murphy, and Ratliff.

Nays: Mayor Pro-Tem McEvoy

MOTION by Nancy Hunter, second by Mark Murphy, to approve the dental insurance contract with MetLife. MOTION CARRIED by unanimous vote.

VII. PUBLIC WORKS COMMITTEE REPORT

A. Report of 2007 Monitoring Well Program

Committee Chairman Johnson reported that no action was required on the monitoring well program.

B. Consider Approval of Contract with HDR Engineering, Inc. for Water Supply Capacity Expansion

MOTION by Andrew Johnson, second by Barry Ratliff, to approve the contract with HDR Engineering, Inc. to locate potential ground water well sites. MOTION CARRIED by unanimous vote.

C. Consider Amendment to Contract with HDR Engineering, Inc. to Long-Term Water Contract

MOTION by Andrew Johnson, second by Barry Ratliff, to approve the amendment to this contract to cover compensation for additional services performed by HDR as directed by the city. MOTION CARRIED by unanimous vote.

D. Quantitative Financial Information and Utility Profile Report

Johnson stated that this was an informational report, and no action is required.

E. Water Conservation Committee—2007 Water Issues

MOTION by Andrew Johnson, second by Mark Murphy, to approve the Water Conservation Committee recommendations and direct the WCC to update the water conservation ordinance. MOTION CARRIED by unanimous vote.

VIII. Consider 2007 CPI Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates

MOTION by Barry Ratliff, second by Alan Nash, to decline to accept the default rates and to choose the following rates: Residential \$0.59, Non-Residential \$1.32, and Point-to-Point \$2.01. MOTION CARRIED by unanimous vote.

IX. CONSENT AGENDA

MOTION by Nancy Hunter, second by Andrew Johnson, to approve the Consent Agenda. MOTION CARRIED by unanimous roll call vote.

A. Consider Approval Minutes

- 1. Regular Council Meeting on March 6, 2007**
- 2. Special Council Meeting on March 20, 2007**

B. Consider Approval of Joint Election Agreement and Contract for Election Services

C. Consider Resolution No. 2007-04 Requesting Federal Non-Primary Entitlement Funds for Airport Improvements

X. Comments by City Administrator

Mark Kaiser reported that services—police, fire, garbage—have been extended to the area annexed on March 20.

Kaiser recognized and thanked the police department, fire department, street and park departments for their dedicated service to the Ku Klux Klan Rally on March 17 and the recent flooding situation on March 30.

Phase I of the Methodist Branch storm water drainage improvements should begin soon. Recent rains have postponed the construction crews from mobilizing to this area.

XI. Comments by Council Members

Barry Ratliff thanked the street department for the striping on Washington Street and Harbin Drive. Ratliff inquired as to the absence of a TASER report in the February status report. Kaiser replied that the police officers were not equipped with TASERs until March; therefore, there was no necessity for such a report in February. This generated a discussion concerning the policies and procedures governing TASER usage. Questions were raised concerning information about specific incidents. City Attorney Thomas admonished the council about discussing or seeking privileged information about specific cases. The city secretary was directed to add to the Public Health and Safety Committee agenda the topic of TASER policies and procedure.

Todd McEvoy asked about the lights he has inquired about at the Optimist Jaycee Park. Kaiser stated that he would look into this situation.

Malcolm Cross recognized the performance of the United States Air Force band who performed at the Birdsong Amphitheatre on April 1. He commended Community Services Director Drew Wells and the Cross Timbers Fine Arts Council for bringing such an enjoyable performance to our city.

Mark Murphy recognized the Tarleton State University students who were in attendance.

XII. Adjourn

MOTION by Nancy Hunter, second by Barry Ratliff, to adjourn the meeting. MOTION CARRIED by unanimous vote at 7:24 p.m.

Russell E. Jergins, Mayor

ATTEST:

Cindy L. Stafford, City Secretary