

MINUTES OF REGULAR BUSINESS MEETING
City of Stephenville - City Council
Tuesday, June 3, 2008, 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on June 3, 2008, 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	:	Nancy Hunter
Mayor Pro-Tem	:	Malcolm Cross
Council members	:	Pat Shelbourne Russ McDanel Alan Nash Alan Nix Mark Murphy Scott Evans
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 3, 2008.
- II. **Citizen's General Discussion.** No one wished to address the council.
- III. **Citizen Budget Requests.** There were no budget requests presented to the council.
- IV. **Specialized Billing Annual Report.** Bruce Glover is the Director of Fire Department Billing for Specialized Billing and Collection Systems of Texas. This company has been serving the City of Stephenville since 2000. He said the "totals are running pretty steady" with some spikes in the number of calls due to Medicare transports. Revenue is increasing in proportion to the number of calls. He told the council his company enjoys a good working relationship with the city.

MOTION by Alan Nix, second by Mark Murphy, to approve the annual report presented to the council. MOTION CARRIED.
- V. **PLANNING AND ZONING COMMISSION—PUBLIC HEARINGS**
 - A. **Consider Request to Rezone from B-2 "Retail and Commercial Business District" to R-1 "Single Family Residential District" 4.461 acres of Block 3; Sims Addition located in the 300 block of Morgan Mill Road**

Betty Chew, Director of Community of Development, gave the staff report stating that there are no structures located on this property, and the owners are requesting a change of zoning to allow for development of the Lakewood Estate Subdivision.

Mayor Hunter opened a public hearing.

Speaking in Favor of Rezoning: No one.

Speaking in Opposition of Rezoning: No one.

Mayor Hunter closed the public hearing.

B. Consider Adopting Ordinance No. 2008-11 Rezoning from B-2 “Retail and Commercial Business District” to R-1 “Single Family Residential District” 4.461 acres of Block 3; Sims Addition located in the 300 block of Morgan Mill Road

MOTION by Alan Nix, second by Russ McDanel, to adopt Ordinance No. 2008-11. MOTION CARRIED.

C. Consider Request to Rezone from I “Industrial District” to R-3 “Multiple Family Residential District” Block 27, Frey First Addition located in the 200 block of West Oak Street and West Park Street

Betty Chew, Director of Community of Development, gave the staff report stating that the manufactured homes currently situated on this site will be removed, and the properties will be developed with multiple family dwellings.

Mayor Hunter opened a public hearing.

Speaking in Favor of Rezoning: Russell Fairchild with Fairchild Real Estate, who represents the buyers and seller of subject property. He reported that the developers have begun projects similar to the one proposed for this area. Quadraplex structures are being completed at 892 West Vanderbilt. Other locations being developed are 355 West Oak, 1391 West Race, and 560 Elm Street.

Speaking in Opposition of Rezoning: No one.

Mayor Hunter closed the public hearing.

D. Consider Ordinance No. 2008-12 Rezoning from I “Industrial District” to R-3 “Multiple Family Residential District” Block 27, Frey First Addition located in the 200 block of West Oak Street and West Park Street

MOTION by Mark Murphy, second by Alan Nash, to adopt Ordinance No. 2008-12. MOTION CARRIED.

VI. Consider Approval of Landfill Assessment Phase IB—Landfill Expansion Recommendation by Bucher, Willis & Ratliff Corporation

Rob Franke, P.E., Bob Helmburger, P.E. and Jeff Hogan, P.E. with BWR Corporation were present with Rob Franke making the report and presenting their recommendation to the council. Highlights of the report are as follows:

- The city's is the only landfill in Erath County.
- 2.4 to 3.6 years of remaining use for Cells 1 and 2.
- Current personnel includes one full-time crew leader, part-time gate attendant and part-time waste inspector.
- Landfill accepts refuse on Thursday, Friday, and Saturday.
- Current equipment—1985 paddle wheel scraper, 1990 compactor, and 2006 dozer.
- Landfill office has no running water, the roof leaks, has limited space, and there are security concerns.
- Current Rates:

Construction and demolition material	6.50 cy.
Roofing material	13.00 cy.
Brush	6.00 cy.
Pull-Off Fee	5.00 ea.
Bulky Items	6.50 ea.
C&D inadequate containment fee	6.50 cy.
Brush inadequate containment fee	6.00 cy.

- Period of FY96-FY07, landfill revenue was \$2,120,443; expenditures, \$2,169,611. Landfill collects approximately \$180,000 per year.
- Approximately 65% of C&D refuse is from outside the city limits, and approximately 86% of C&D refuse is commercial. Roofing materials comprise 18% of all debris collected over the most recent 28-month period.

Alternatives offered:

Alternative 1—Complete Cells 1 and 2 under status quo and close landfill.

Alternative 2—Design, bid, and build landfill expansion and acquire new equipment.

Alternative 3—Design and combination of contractor and self-perform with new equipment.

Conclusions and Recommendations:

1. Rate Increase. Rates are significantly below average rates in Texas. The current rate structure cannot sustain ongoing operations and provide for closure and perpetual maintenance costs of the landfill upon closure. BWR recommends a detailed rate study to determine an appropriate rate adjustment suitable for the landfill expansion/closure alternative chosen by Stephenville as provided for in Phase II of this project. Adjusted rates should provide for routine operational costs, provide for long-term reserve funds for perpetual maintenance, provide for appropriate equipment for landfill operations and fund other capital expenses for the selected expansion/closure alternative. Rates should be examined on an annual or bi-annual basis to ensure the landfill continues to operate as a self-sustaining enterprise fund.

2. Operational Efficiency Report. If Stephenville chooses to expand landfill capacity, operational efficiency of the landfill should be examined. Haul routes, scales for fee determination, entrance arrangement and other landfill configuration elements should be assessed to determine optimum operating conditions for continued operation of the landfill. The city may consider increasing operation hours of the landfill, especially if a self-perform expansion is preferred. With the increased staffing level needed to self-perform the landfill expansion, additional operational hours may be relatively inexpensive compared to the additional revenue generated through fees.

3. Landfill Expansion Recommendation. Should Stephenville choose to expand landfill capacity, BWR recommends Alternative 3; a combination of contractor and self-perform expansion with various elements performed under contract. The combination of self-perform and contract performance will maximize utilization of the recommended new equipment while mitigating various quality control risks associated with liner and cap construction. Alternative 3 offers roughly the same increase in rates necessary to continue landfill operations under the status quo and close the landfill in two to four years (Alternative 1). Additional topographical data and design analysis will be necessary to refine rough order of magnitude costs presented in this report.

Questions by councilmembers were answered by representatives of BWR as well as Nick Williams, Director of Public Works, and Cam Raulston, Landfill Manager. The council also heard from interested citizens and business owners as follows:

Joe Don Slawson, 1391 Rose Drive, Stephenville, Manager of Slawson Roofing, said he is encouraged by what he has heard from council and the BWR engineers concerning possible expansion of the landfill. He said expansion of the landfill would benefit everyone. He said the rates, when compared with other communities, are "a very good deal". Slawson said he hoped that if rates are increased, that would result in the landfill being open for more than just three days a week.

Jerry Don Slawson, 910 Old Hico Road, Stephenville, addressed the cost issues involved with the landfill. He said people from outside the city and especially outside the county are taking advantage of our low rates and are filling up our landfill. He suggested charging non-residents higher rates at the landfill.

Dwayne Wolf, POB 235, Stephenville, addressed the subject of recycling and how this can reduce the amount of material added to our landfill. Wolfe has a business which accepts certain wastes that would otherwise be taken to the landfill, such as wood chips.

Saul Geyser representing Continental Equipment gave material to councilmembers containing information about his company's line of equipment and financing arrangements.

MOTION by Pat Shelbourne, second by Alan Nix, to accept Phase I and authorize staff to proceed with Bucher, Willis, & Ratliff Corporation to begin Phase II of the agreement for landfill expansion. MOTION CARRIED.

VII. Consider Approval of Amendment to Proposal for Engineering Services with C. T. Brannon Corporation

Drew Wells, Director of Community Services, presented council with an amended proposal. Wells stated that the original agreement with The C. T. Brannon Corporation was for a project costing up

to \$1.5 million and their fee being \$97,000. As a result of council's action last month, Wells reported that The Brannon Corporation was directed to develop plans and specifications for an aquatics complex project estimated at \$3,080,000 and consultant fees of \$184,000.

MOTION by Alan Nix, second by Pat Shelbourne, to approve the amendment to the proposal for engineering services with The C. T. Brannon Corporation. MOTION CARRIED by a 5-2 vote.

VIII. Consider Council Committee Appointments

Mayor Hunter submitted her recommendations for council committee assignments and council liaison to citizen advisory committees.

Finance Committee

Alan Nash, Chairman
Malcolm Cross
Scott Evans
Pat Shelbourne

Nominations Committee

Malcolm Cross, Chairman
Scott Evans
Russ McDanel
Alan Nash

Personnel Committee

Pat Shelbourne, Chairman
Russ McDanel
Alan Nash
Alan Nix

Planning & Development Committee

Scott Evans, Chairman
Mark Murphy
Alan Nash
Pat Shelbourne

Public Health & Safety Committee

Mark Murphy, Chairman
Malcolm Cross
Russ McDanel
Alan Nix

Solid Waste Management Committee

Russ McDanel, Chairman
Malcolm Cross
Mark Murphy
Alan Nix

Public Works Committee

Alan Nix, Chairman
Scott Evans
Mark Murphy
Shelbourne

MOTION by Pat Shelbourne, second by Scott Evans, to approve the committee appointments set out herein. MOTION CARRIED.

IX. Election of Mayor Pro-Tem

MOTION by Alan Nash, second by Mark Murphy, to nominate Malcolm Cross as Mayor Pro-Tem.
MOTION by Mark Murphy, second by Pat Shelbourne, to close nominations and elect Malcolm Cross as Mayor Pro-Tem by acclamation. MOTION CARRIED.

X. Consider Filling Vacancy of City Council Place 3

MOTION by Alan Nix, second by Mark Murphy, to leave City Council Place 3 vacant until the next uniform election date. MOTION CARRIED.

XI. Consider Appointing Voting Representative to North Central Texas Council of Governments

MOTION by Alan Nash, second by Russ McDanel, to elect Mark Murphy as the voting representative to the North Central Texas Council of Governments. MOTION CARRIED.

XII. Consider Approval of Contract with ATMOS Gas

Mayor Hunter announced that this matter will be moved and discussed in executive session.

XIII. Consider Approval of Agreement with Fort Worth & Western Railroad

MOTION by Scott Evans, second by Alan Nix, to approve an agreement with Fort Worth & Western Railroad for the purpose of improving an existing crossing at Long Street at a cost of \$38,347.05 to the city. MOTION CARRIED.

XIV. CONSENT AGENDA

Mark Murphy requested that Item A.1. be removed. MOTION by Scott Evans, second by Alan Nix, to approve Consent Agenda Items A.2., B., and C. MOTION CARRIED by roll call vote.

MOTION by Scott Evans, second by Mark Murphy, to approve Consent Agenda Item A.1. as amended. MOTION CARRIED by roll call vote.

A. Approve Minutes

- 1. Regular Council Meeting on May 6, 2008**
- 2. Special Council Meeting on May 13, 2008**

B. Authorization to Sell City Property

C. Bid Award for 2007 Annexed Utilities

XV. Comments by City Administrator

XVI. Comments by Council Members

XVII. EXECUTIVE SESSION. At 7:26 p.m., Mayor Hunter 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. 551.071 Consultation with Attorney.

A. Larry Walker v. City of Stephenville

B. Kathy Collum v. City of Stephenville

The council reconvened in open session at 8:32 p.m.

XVIII. Action taken on items discussed in Executive Session (if necessary)

No action was taken.

XIX. Adjourn

MOTION by Mark Murphy, second by Alan Nash, to adjourn the meeting. MOTION CARRIED by unanimous vote at 8:32 p.m.

Nancy A. Hunter, Mayor

ATTEST:

Cindy L. Stafford, City Secretary