

MINUTES OF REGULAR BUSINESS MEETING
City of Stephenville - City Council
Tuesday, February 3, 2009, 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on February 3, 2009, 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 Donald L. Zelman Russ McDanel Alan Nash Alan Nix Mark Murphy Scott Evans
Others Attending	:	Mark A. Kaiser, City Administrator Randy Thomas, City Attorney Traci Riggs, sitting in for the City Secretary

- I. **Call to Order.** The meeting of the Stephenville City Council was called to order at 5:30 p.m. on Tuesday, February 3, 2009.
- II. **Citizens' General Discussion.** No one wished to address the council.
- III. **Consider Approval of Contract with Meyers & Associates, LLC for Government and Relations Consultant Services; Larry Meyers, President**

MOTION by Scott Evans, second by Alan Nix, to approve the contract with Meyers & Associates, LLC. MOTION CARRIED.

- IV. **Comprehensive Annual Financial Report, Todd Pruitt with Pattillo, Brown, and Hill, L.L.P. (separate cover)**

Paula Lowe presented the audit report stating that this audit was performed in accordance with Government Auditing Standards, which require them to gain an understanding of the city's internal control necessary to plan the audit. The city has received an unqualified opinion (clean opinion), which is the highest form of opinion that they can issue. The financial statements included in the report have been audited and are, in their opinion, free of any material misstatements and are presented fairly in accordance with Generally Accepted Accounting Principles.

MOTION by Pat Shelbourne, second by Alan Nix, to accept the report. MOTION CARRIED.

V. Consider Approval of Application from Caporal Industries, Ltd. For Tax Abatement; Max Tejada, Jr., Chief of Operations

Carl Spellman addressed the council and reported that Caporal plans to install fixed machinery and equipment to operate an electric resistance welding mill at the Stephenville plant, which may add 60 to 80 new jobs. It will also solidify Caporal in the pipe industry. The annual payroll is expected to be between \$2.5 and \$3.2 million annually.

John Moore spoke on behalf of Stephenville Economic Development Corporation, stating that the tax abatement program has really helped a lot of businesses. Moore said that “at this point in time when we’re losing jobs in this community as well as communities like us”, if we can bring new, good jobs into a community, it’s a great opportunity. Moore said that this particular opportunity will also provide for future infrastructure and lead to a plan for increased exposure and more development in this area.

MOTION by Alan Nash, second by Russ McDanel, to publish the Notice of Public Hearing on Designation of Reinvestment Zone. MOTION CARRIED.

VI. CHAMBER OF COMMERCE REPORT

July Danley, President and CEO, presented her report stating that she appreciates the opportunity to work with the City “to promote this great community we all call home”. She recognized members of the Chamber Board of Directors—Chairman Vance Wade, Ron Pack, John Moore, Bob Cervetto, and Jimmy Chew. Danley also recognized Treva Thompson, Marketing and Tourism Director, who was present at the meeting. Additionally, she identified other staff members—Nicole Perez, Administrative Director; Corey White, Membership and Operations Director; and Erin Phillips, intern.

Danley reminded the council of the Chamber’s mission statement—“To support and promote Stephenville in a unified effort to enhance growth and improve the quality of life by implementing programs in the areas of community development, economic development, and tourism development.” She acknowledged that she is presenting the operating, tourism, and foundation budgets. The budget reports are attached hereto and made a part hereof for all purposes.

A. Presentation and Consideration of Chamber of Commerce Tourism Budget and Annual Report—July Danley, President, Stephenville Chamber of Commerce

MOTION by Russ McDanel, second by Don Zelman, to approve the report and budget. MOTION CARRIED.

B. Consider Increasing the Appropriation of Hotel Occupancy Tax to the Stephenville Chamber of Commerce

Mark Kaiser reviewed the allotments of the 13% hotel occupancy tax collection as follows:

6% to the State of Texas; and

7% to the City of Stephenville, which is appropriated as follows:

2% is retained by the City of Stephenville;

1% to Cross Timbers Fine Arts Council;

1% to Stephenville Museum; and

3% to Chamber of Commerce.

MOTION by Alan Nash, second by Malcolm Cross, to renew the contract with the Chamber of Commerce, at the 3% rate. MOTION FAILED by the following vote:

Ayes: Councilmembers Cross and Nash.

Nays: Councilmembers Shelbourne, Zelman, McDanel, Nix, Murphy, and Evans.

MOTION by Scott Evans, second by Pat Shelbourne, to approve Amendment No. 1 to the Contract with Stephenville Chamber of Commerce changing to rate of the Hotel Occupancy Tax from 3% to 4%. MOTION CARRIED by the following vote:

Ayes: Councilmembers Shelbourne, Evans, Murphy, Nix, McDanel, Zelman, Shelbourne, and Mayor Hunter.

Nays: Councilmembers Nash and Cross

VII. PLANNING AND ZONING COMMISSION

A. Consider Preliminary Plat, Doss Addition—Phase 4, being 6.83 acres, William Motley Survey, Abstract 515, 900 block of Wolfe Nursery Road, Stephenville, Erath County, Texas

MOTION by Alan Nix, second by Scott Evans, to approve the preliminary plat of Doss Addition with the following changes to be incorporated in the final plat:

1. Identify and show the existing private sanitary sewer and water service connections on former Lot 3, Block 1, Doss Addition.
2. Identify the survey abstract in the title block and label on the plat.
3. Total number of acres in the plat need to be stated in the title block.
4. Lot 1, Block 1, Campus Crest Addition will need to draw and label the east 10-foot utility easement.
5. A signature block for all owners must be on the plat.
6. A signature block for all lienholders must be on the plat.

MOTION CARRIED.

B. Consider Renaming of Streets in Newly Annexed Areas

Betty Chew, Director of Community Development, reported that there are several streets in the city with multiple names as well as streets which still carry county road numbers. To eliminate confusion for public safety dispatch and the 9-1-1 system, Planning and Zoning is making a recommendation to initiate the process to rename the streets listed below.

MOTION by Don Zelman, second by Scott Evans, to rename 1) Mary Street, Alexander Road, and FM 914 to South Ollie Avenue; 2) County Road 436 to Old Hico Road; and 3) East FM 8 to Lingleville Road. MOTION CARRIED.

- 1. Mary Street, Alexander Road, and FM 914 to South Ollie Avenue**
- 2. County Road 436 to Old Hico Road**
- 3. East FM 8 to Lingleville Road**

VIII. Consider Approval of Resolution No. 2009-03 Changing the Name of Clark Field Municipal Airport

John Downs, descendant of Henry Clark, addressed the council. He thanked Mark Kaiser and Drew Wells for working with the Clark family in coming up with a name for the airport that they can support.

MOTION by Alan Nix, second by Alan Nash, to approve Resolution No. 2009-03. MOTION CARRIED.

IX. Annual Uniform Crime Report and Report on Racial Profiling—Chief Roy Halsell

Police Chief Roy Halsell said that his report includes all activities of the Stephenville Police Department as well as the Uniform Crime Report and Racial Profiling. Halsell began by saying that the SPD is fully staffed. Halsell presented the report, which is attached hereto and made a part hereof for all purposes.

MOTION by Alan Nix, second by Mark Murphy, to accept the Uniform Crime Report and Report on Racial Profiling. MOTION CARRIED.

X. Public Works Committee Report

A. Consider Approval of Amendment No. 2 to Engineering Services Agreement with HDR Engineering Services

MOTION by Alan Nix, second by Pat Shelbourne, to approve Amendment No. 2 to the Engineering Services Agreement with HDR Engineering Services, Inc. MOTION CARRIED by a 6-2 vote.

B. Consider Authorizing Staff to Initiate the Permitting Process for Two Water Wells

MOTION by Alan Nix, second by Pat Shelbourne, to authorize staff to begin the permitting process for the Madeley, Pack 1 and Dublin sites.

MOTION by Mark Murphy, second by Russ McDanel, to separate the Dublin and Madeley well sites as recommended by the committee from the Pack well site. MOTION CARRIED by the following vote:

Ayes: Councilmembers Cross, McDanel, Nash, Murphy, and Mayor Hunter

Nays: Councilmembers Shelbourne, Zelman, Nix, Evans

MOTION on the Dublin and Madeley well sites. MOTION CARRIED.

MOTION by Alan Nix, second by Don Zelman, to add the Pack I well site to the permitting process and authorize staff to begin that. MOTION CARRIED by a 6-2 vote.

C. Consider Approval of Maintenance Operations Alternatives

Troy St. Tours with HDR Engineering, Inc. was present to discuss the options given to the city for maintaining the 11-mile long, 16-inch diameter pipeline between Dublin and the Bowman Ridge Well Field and to answer questions.

Mark Murphy asked that his comments, which follow, be entered into the record.

"I'd like to first say, "I'm sorry" to the people of Stephenville. Sorry for what this group may be about to do to our clean, pure well water system. Sorry for what the water department has done to us by sneaking in a small amount of pipe flush water at the end of last year. I'm also sorry for not staying on top of every aspect of this project to ensure we weren't betrayed like we were. Water is life everywhere in the world. If our water becomes tainted, so do our lives. Although I'm a water quality chemist with over 25 years experience, I am *not* a good enough politician to convince the majority of this council that Proctor water is not good for us, and that we should not go against the will of the people. One current council member actually stated that he knows what the people should get even better than they do.

"After the pipeline was defeated in the 2000 referendum, Mayor Moser stated (quote) ' . . . it is now nearly three weeks since the voters declined to support financing for the Lake Proctor pipeline. They did so by a 7 to 1 margin.' (end quote) Council members Ed Horton, Burns, and others then proceed to conspire with city administrator Davis to circumvent this vote and build the thing anyway. Those council members were later kicked out of office by the people. Don Davis was fired that year. Councilman Bill Stanley said at the time, which I reaffirm here tonight, that (quote) 'The significance of the vote on the water bond proposal cannot be lost on this council. Embedded in that vote is a profound statement of lack of confidence in the way the City is being governed.' Mr. Stanley went on to say that 'Central to the resolution of our problems is the City Administrator. I intend to make a motion in the near future that the employment of Mr. Davis by the City of Stephenville be terminated.' (end quote) And the administrator was fired.

"I'm not yet suggesting that we fire this city administrator, but he should be admonished. He did have the guts to come to us and personally apologize for the staff that turned on the flush water without our knowledge or approval. I give him credit for that. I do think that someone's head should roll for this, and not just at the plant operator level, but higher up. If it was done on purpose, then it was flat out betrayal of the council directive we made to come up with alternative options to flushing. If it was an accident, then it is pure incompetence and should be dealt with accordingly.

“You have to ask yourself, why would I be so vigorously opposed to this water? The reason is simple: it tastes bad and smells bad. The DeLeon Free Press reported in 2007 about how bad the Proctor water was in Gorman. The state of Texas issued a “boil water” notice to the residents of Gorman because the treatment plant at Proctor could not keep up with chlorination and ensure the water was safe to drink. The Free Press went on to say that (quote) ‘The ULRMWD has been required to take extraordinary treatment efforts in recent days and weeks due to the effects of rotting vegetation caused by flood waters. The raw lake water is highly stained and has a strong sulfide smell, similar to rotten eggs.’ (end quote). This was just a little over a year ago.

“I do think that if the water is treated and mixed right, it is unlikely that the levels of toxic contaminants will ever reach unsafe extremes like they have done in Gorman and other places. And the addition of the various chemicals such as sodium hydroxide, chlorine gas and blended phosphate polymers should keep rust from flaking off pipes and bacteria levels down. The fishy smell and dirty taste are caused by chemicals such as geosine and MIB formed from rotting vegetation that is not removed. These organic chemicals can form more toxic chemicals such as HAAs and THMs when reacted with chlorine. In fairness, Proctor water has not exceeded safe levels yet in these cancer causing substances, though it has come close in Hamilton. All this must be carefully balanced and monitored, where we have never had to do this in the past. Staff must be further trained and trusted to do the job right. I also have some concern with the plans to add ammonia in the future, which is a totally new and potentially problematic chemical. If not removed at the home or business, this ammoniated water will cause home and hospital dialysis machines to malfunction, kill fish in aquariums, and make your shower smell like a doctor’s office. But you will just have to get used to that.

“A main point is that the people **do not want** this water. They voted against it 7:1 in 2000 and the council ignored them. We have before us tonight a petition of almost 600 names of citizens who don’t want it. I’m sure some aren’t even residents or registered voters, but many I do recognize as our citizens. Some are former council members, mayors, commissioners and even one former NFL football player, but most are average folks who won’t or can’t afford to buy a home water purification system or drink bottled water. You know that just a few weeks ago we received a petition of about 30 names of people who opposed a speed limit on Dale St. that we were going to put in. Remember that? We changed the plan and voted unanimously to listen to those folks. Are you telling me that something so serious and important as our clean drinking water should not be as carefully reconsidered as a speed limit?

“My last point is that we have been conned into accepting this whole project by the contracted engineering firm HDR. They have made good money off of our taxpayers by recommending the pipeline that pumps from that little mudhole to the west, when all we really needed was a few more wells. I’m wondering who else has made money off of this deal. These same engineers have presented more options than just flushing the pipe with Proctor water. The engineering report clearly states that problems will arise when mixing the flush water in with our good well water. The report states that well water is the best method for maintaining the pipeline. Why are we ignoring that fact? They also say that there probably will be taste and odor issues. Mr. Nash, and before him, Councilman Andrew Johnson and other former council members, believe that the option of maintaining the pipeline with well water is the best option. I agree. We are going to put in two wells anyway, and they are already budget[ed] for.

"Why do this now? We do not need the surface water mixed in, and I don't see a need for a rush to judgment to start pumping from Lake Proctor. Sure I will drink mud if I am thirsty enough, but we are not at that point. If we had a charcoal filter system here, as many cities do, I would completely change my mind and support using this water once it is cleaned up better, but some of you are anxious to start pumping it just as it is. Why the rush?"

"With our groundwater, we are currently at 150% capacity at peak demand. That means that if Stephenville grew 50% overnight, we would still have plenty of clean well water to supply our citizens even during the hottest summer usage on record. We do not need the Proctor water, and there are other good options to consider before it is flushed into our good drinking water supply.

"Someone should be fired for turning on the Proctor water three months ago, whether it be a director, administrator or other staff member. If it should be council members next May, including myself, then so be it. It makes me sick that it was done and is about to be done again. As I said, I apologize for being too trusting and not staying on their backs about it. I take the blame for allowing this disgusting water to contaminate our system, but I will vote tonight to try to stop it in the future. I hope that those of you who cannot afford bottled water or home treatment systems will be able to stomach what we will be piping to you."

Russ McDanel requested his comments be entered into the records as follows:

"I request the City Secretary include my following statement in the minutes of this meeting.

"This single issue drove me to run for public office so that the voters would be properly represented in these types of decisions, especially those regarding their drinking water. Tonight I sit here feeling betrayed, not by the public, but by my colleagues, most of whom have turned a deaf ear to the will of the people.

"I am disgusted that the city administrator, the director of public works and Mr. Nix, the Chairman of the Public Works Committee have consistently been opposed to a better and safer option for maintaining the pipeline. As a policy maker and representative of the people, I would be negligent in my duties and responsibilities to the citizens by not factoring in the outrage of those I speak for. We have in front of us a petition of over 500 names of those who are pleading with us to not allow the flush water through the system unnecessarily.

"Mr. Nix's motion now before us to authorize staff to operate the transmission pipeline was not unanimous in committee, nor is it our best available option. As I said before, the cheapest and easiest option is not always the best, especially with issues concerning public health and safety and our drinking water supply. Though it is treated to remove some of the contaminants, this is still nasty, stinking Proctor lake water that the citizens voted against by a 7:1 margin in 2000.

"It is simply retarded thinking to make statements to the effect that no one has noticed or called to complain. Along with the chemicals, the city had been secretly pumping about 20,000 gallons of flush water per day into our superior drinking water supply. You didn't know it or notice it, so everything must be fine. You will learn to not notice it. Statements like that make me greatly disappointed.

“This is the same water that flowed out with baby tadpoles into a woman’s bathtub in DeLeon in 2004. Dead, bloated animal carcasses have been seen floating in the tributaries that fill the lake. Do you want to keep increasing the percentage of Proctor flush water to the point where we taste and smell organic decay like this? Would any of my colleagues up here want to have a plaque bearing their name in the city hall lobby stating that they were one of those who voted to open the lake water pipeline and pump it into our homes? As I said in committee, I am requesting a roll call vote on any motion related to this issue so that the names of those wanting to turn on the valve is permanently in the record for the voters to review.

“In May of 2005 half of the city council was replaced, in large part due to the Proctor water issue when some arrogant council members thought they knew better than the people that they were supposed to be representing. In September of 2005, I stood before this council representing a large group of concerned citizens opposed to drinking this lower quality water, especially the pipeline flush water. Dr. Cross, you may recall that I stated that you were our hero at the time because you had previously voted not to finance this pipeline against the wishes of the people. The people need your support again tonight. Mayor Hunter, yours was one of 7 out of 9 votes to ask and pay HDR Engineering to come up with options that would not allow this flush water to be pumped into our homes. The people need your support again tonight. For those other members of the council who have not been fully aware of the history of the past 8 years and the public opinion on this all important matter, I ask you to consider the other options presented to us. The idea that Mr. Nash presented about increasing our water supply with more wells and pumping that clean water through the pipeline has great merit. There are several other good options as well. There is no great hurry to act right now. We need to carefully, very carefully, consider, review and research our choices before we lower the quality of our drinking water supply. Dr. Zelman and Mr. Shelbourne, the people need two more heroes. Are you with the people or against them? They really need your support tonight.”

Malcolm Cross acknowledged that he did vote against the funding of the Proctor pipeline in 2004 but explained why he was going to support the committee’s recommendation. Cross said, “This is in many respects a simple question. We have a problem—How to maintain a \$7.5 million investment in the quickest, easiest, cheapest, most efficient manner; and the answer, according to our consultants, is the low-flow of Proctor water through the system.” Secondly, he said that the water will be treated well enough and the volume low enough—2%--so that it will not be noticed. “In fact, he said, “It was in the system temporarily and nobody noticed it (and this does not deal with a good thing to turn on the water without our former knowledge and approval), but it does provide some evidence, however wrongfully obtained, that in point of fact, the Lake Proctor water, treated at the level it is proposed to be treated and added at the level at which it is proposed to be added will not present the aesthetic or health or safety concerns that have been raised by other councilmembers.”

Cross stated that he is the only sitting councilmember who served on the council in 2000. “First of all,” he said, “Mr. Davis was not fired. He decided near the end of 2000 to retire.” He went on to explain “what happened to city councilmembers who voted in favor of the Proctor pipeline. The vote in the Spring of 2004 was six in favor and three (and I was one of the three) against the pipeline. Of those three councilmembers who voted against the pipeline, Mayor Moser decided to retire; another--Mr. Cude—decided to retire. Of the six who voted in favor of the pipeline, three decided to retire at the next election and two were defeated for reelection. “But, were they defeated for reelection because of their vote on the Proctor pipeline or were they defeated because they opposed granting a liquor license to Café Trifles.” In closing, he said that this should be seen as a simple engineering problem and that we have a pretty simple solution.

Don Zelman commented on the drought conditions in our area and said that we are very fortunate to have in place a supplemental water source. He also said, "I think I've been put into a morality play. If I don't agree with some of the council here, I become evil. The fact of the matter, I am just like all the rest of us. I am going to support the recommendation because I am convinced that the low flow that is going to occur is not going to affect the taste or the color or the smell of that water. I know it's going to be tested. I know if we ever find a toxin in it or if we ever get to the point where the water is intolerable, that we can turn that pump off."

Mayor Hunter allowed comments from the audience.

C. H. (Mickey) Maguire, 509 North Columbia, Stephenville, said that he has been a resident of Stephenville for 63 years and present during all the times and events that have been discussed. He has served as city secretary, tax assessor collector, and manager of the city hall office. He said that he hopes the council follows the recommendation of the committee and the "experts that you've hired to advise you. I think that money would be down the drain if you ignored their recommendation." He complimented the councils who gave Stephenville two sources of water supply.

Jerry Legan, 1211 North Dale Avenue, Stephenville, presented a petition, signed by 540 people, which reads as follows:

"We, the undersigned citizens and voters of Stephenville, hereby respectfully request and petition that you consider options other than those that begin mixing treated Proctor Lake water into our city's drinking water supply. The surface water is a good insurance policy for the future, should we ever need it, but we know we have sufficient groundwater to satisfy our requirements for the foreseeable future. We are very concerned about potential taste & odor issues, even when mixed at the proposed 2-20% levels, as well as the addition of the various chemicals needed to treat the mixture. We understand that though the levels may be low, there is chance toxic by-products will be produced by mixing these chemicals with the water. We enjoy clean, pure drinking water and any action that may reduce the quality of our water will be unacceptable.

"Please consider keeping the treated surface water out of our system until we absolutely need it. Thank you for your cooperation and service."

Joy Jones, 1005 Prairie Wind, Stephenville, said that she was disappointed with the low turnout of citizens at the meeting. She told council that it was probably attributed to the fact that citizens don't believe council would take them seriously. She said, "They don't think you care to listen to them. They feel that all of you have your own agenda, and that hurts me. I feel like everybody in this town should be able to feel like you care about us." She said that as she talked to people around town there was only one person out of over 100 who wanted surface water. She suggested using the Proctor water to supply the aquatics complex and to irrigate the park.

MOTION by Mark Murphy, second by Russ McDanel, to approve Option B to maintain pipeline with well water. MOTION FAILED by the following vote:

Ayes: Councilmembers McDanel, Nash, and Murphy.

Nays: Councilmembers Shelbourne, Cross, Zelman, Nix, and Evans.

MOTION by Alan Nix, second by Scott Evans, to authorize staff to begin the low flow option as recommended by the engineers to maintain the facility at Dublin and the pipeline.

FRIENDLY AMENDMENT offered by Mark Murphy including the monthly disinfection by-product monitoring for one year was accepted by Alan Nix and Scott Evans.

AMENDMENT offered by Mark Murphy to limit the amount that is mixed in at 2% until such time as more is needed and they can come before the council and ask for an increase.

MOTION FAILED on the amendment by the following vote:

Ayes: Councilmembers Murphy, McDanel.

Nays: Councilmembers Shelbourne, Cross, Zelman, Nash, Nix, Evans, and Mayor Hunter.

ORIGINAL MOTION WITH FRIENDLY AMENDMENT CARRIED by the following vote:

Ayes: Councilmembers Shelbourn, Cross, Zelman, Nix, Evans, and Mayor Hunter.

Nays: Councilmembers McDanel, Nash, and Murphy.

D. Consider Approval of Sanitary Sewer Overflow Initiative Agreement with Texas Commission on Environmental Quality

MOTION by Alan Nix, second by Alan Nix, second by Scott Evans, to approve the Sanitary Sewer Overflow Initiative Agreement with Texas Commission on Environmental Quality. MOTION CARRIED.

XI. Public Health and Safety Committee Report

A. Consider ISO Public Protection Classification Rating

MOTION by Mark Murphy, second by Alan Nix, to accept the ISO report and move forward with Chief Chew's recommendation to continue steps toward moving Fire Station 2. MOTION CARRIED.

B. Ollie and Jones Intersection. No action was taken.

C. Traffic Signals at Intersection of Wolfe Nursery Road and Frey Street and Other Locations. No action was taken.

D. Smoking Ban. No action was taken.

E. Dog Park. No action was taken.

F. Enforcement of Laws and Ordinances. No action was taken.

G. Consider Extending the Moratorium on Installation of Wind Turbines

MOTION by Mark Murphy, second by Russ McDanel, to extend the moratorium for an additional sixty days and send the matter to Planning and Zoning Commission. MOTION CARRIED.

H. Noise Ordinance. No action.

XII. CONSENT AGENDA

Alan Nash requested Item A. be removed. MOTION by Scott Evans, second by Don Zelman, to approve Items B. through F. of the consent agenda. MOTION CARRIED.

MOTION by Alan Nash, second by Don Zelman, to approve Item A. with changes. MOTION CARRIED.

- A. Approve Minutes of Regular Council Meeting on January 6, 2009**
- B. Order Calling City General Election for May 9, 2009**
- C. Bid Award for Shade Structure**
- D. Authorize the Sale of 1979 Pneumatic Roller**
- E. Acceptance of Elk Ridge Subdivision Phase 1**
- F. Acceptance of 2007 Annexed Services and Adopt Resolution No. 2009-__**

XIII. Comments by City Administrator

City Administrator Mark Kaiser announced that Saturday, February 7, is the first day to file an application to run for city council. He said that someone will be at city hall from 10am till 12pm to receive any applications that are filed. The last day to file is Monday, March 9, at 5:30 p.m.

XIV. Comments by Councilmembers

XV. EXECUTIVE SESSION. At 9:23 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. 551.072 Deliberations about Real Property.

- A. Lot 6, Block 11, College Heights Addition, City of Stephenville**
- B. Lot 3, Block 8, College Heights Addition, City of Stephenville**

Council reconvened in open session at 9:32 p.m.

XVI. Action taken on Matters Discussed in Executive Session

XVII. Adjourn

MOTION by Russ McDanel, second by Alan Nix, to adjourn the meeting. MOTION CARRIED at 9:33 p.m.

Nancy A. Hunter, Mayor

ATTEST:

Cindy L. Stafford, City Secretary