

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

The City Council of the City of Stephenville, Texas, convened on November 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	:	Joe E. Cude Donald L. Zelman Russ McDanel Alan Nash Alan Nix Martha Cashon 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, November 3, 2009, by Mayor Hunter.
- II. **Citizens' General Discussion.**

Gary Rinehart, 1440 Lockhart, Stephenville, requested that council enact an ordinance to address the problem of parked vehicles in front of mailboxes. Rinehart said that when access to the mailbox is obstructed, letter carriers do not deliver the mail since they cannot pull up to the mailbox in their vehicle.

Don Douglas, 1108 Prairie Wind, Stephenville, announced that American Legion Turnbow-Higgs Post 240 will conduct Veterans' Day ceremonies on Wednesday, November 11, at 10:30 a.m. on the Courthouse Square.

Linda Dickson, 2078 West Overhill Drive, Stephenville, asked the council to consider installing a 4-way stop signal at the intersection of Overhill and Harbin. She said that she believes it will relieve dangerous traffic incidents at this intersection.

III. Meyers & Associates—Larry D. Meyers

Meyers thanked the council for the opportunity to work with the city. He highlighted the following projects for which his firm is seeking funding and participation:

- East Side Sewer Project—No funding allocated in 2009; however, Senator John Carter will support this project in 2010.
- Bosque River flood control measures—Grants filed through the Water Resource Development Act.
- Hike and bike trails—Highway Reauthorization Act, which is a \$425 billion bill, and presently has an 18-month delay.
- Fire Station No. 2—This project is pending and falls under Federal Emergency Management Act.
- Solar panels at the Wastewater Treatment Plant—Meyers firm is not involved as this is funded with stimulus money.

IV. Datamax Annual Report—Jason Smith and Carol Gallegos

Gallegos presented the report of projects completed in 2009 and the project recommendations for 2010 as follows:

Projects completed in 2009:

- Windows 2008 Domain Structure Implementation
- Exchange Server 2007 Implementation
- Server Repurpose—GIS
- Backup Systems Upgrade (due to failure)

Project Recommendations for 2010:

- Replace the police department's file server—STVDC02
- Implement new uninterruptible power supply (UPS) at City Hall
- Disaster Recovery Plan (DRP)
- Technology Plan (TP)

Following questions from councilmembers, MOTION was made by Joe Cude, second by Alan Nix, to accept this report. MOTION CARRIED.

V. FINANCE COMMITTEE REPORT

A. Electric Franchise Agreement

Committee chairman Alan Nash reported that the electric franchise agreement with Oncor Electric Delivery will expire on March 1, 2010. The proposed franchise ordinance will be forthcoming, and no action is necessary at this time.

B. Energy Efficiency Grants

1. Consider Adopting Resolution No. 2009-10 Pursuing an Energy Efficiency and Conservation Block Grant

MOTION by Alan Nash, second by Russ McDanel, to adopt Resolution No. 2009-10. MOTION CARRIED.

2. Consider Approval of Solar Energy Grant

MOTION by Alan Nash, second by Alan Nix, to approve the application for this grant. MOTION CARRIED.

C. Consider Approving the Project Partnership Agreement with the Department of the Army for Construction of an Aquatic Ecosystem Restoration Project

City Administrator Mark Kaiser reviewed this project, which has been in the planning and design phase for over ten years. He explained that approval of the agreement was necessary to move forward. MOTION by Scott Evans, second by Don Zelman, to approve the Project Partnership Agreement. MOTION CARRIED.

VI. PLANNING AND DEVELOPMENT COMMITTEE REPORT

A. Consider Ordinance No. 2009-18 Prohibiting Wind Turbines

Chairman Scott Evans reported that the committee recommends prohibiting the installation of wind turbines in the city. Following a lengthy discussion, action was taken as indicated. MOTION by Scott Evans, second by Russ McDanel, to approve Ordinance No. 2009-18. MOTION CARRIED by the following vote:

Ayes: Councilmembers Cude, Zelman, McDanel, Nash, Nix, and Evans.

Nays: Councilmembers Cross, Cashon, and Mayor Hunter.

B. Consider Relocation of T-Ball Fields in City Park

MOTION by Scott Evans, second by Russ McDanel, to approve the site plan for the t-ball complex. MOTION CARRIED.

C. Consider Approval of Application for Erath Street Pillars Historical Marker

MOTION by Scott Evans, second by Martha Cashon, to approve the application for a historical marker at the Erath Street Arches and authorize the mayor to execute the necessary documents. MOTION CARRIED.

VII. PUBLIC HEALTH AND SAFETY COMMITTEE REPORT

A. Consider Adopting Ordinance No. 2009-19 Prohibiting Loitering

MOTION by Don Zelman, second by Alan Nix, to adopt Ordinance No. 2009-19. MOTION CARRIED.

B. Consider Adopting Ordinance No. 2009-20 Amending the Parking Ordinance

MOTION by Don Zelman, second by Russ McDanel, to adopt Ordinance No. 2009-20. MOTION CARRIED.

VIII. CONSENT AGENDA

Councilmember Cude requested Item B. be removed from the consent agenda, and Councilmember Nash requested Item C. be removed. MOTION by Alan Nix, second by Scott Evans, to approve Items A., D., and E. of the consent agenda. MOTION CARRIED. Questions were answered concerning Items B. and C. and clarifications made that pertain to the provisions of these two items.

MOTION by Joe Cude, second by Russ McDanel, to approve Item B. of the consent agenda. MOTION CARRIED. MOTION by Alan Nash, second by Joe Cude, to approve Item C. of the consent agenda. MOTION CARRIED.

A. Approve Minutes of the Regular Council Meeting on October 6, 2009

B. Approve Contract with City of Fort Worth for Household Hazardous Waste

C. Approve Contract with Pipeline Analysis for Sanitary Sewer Overflow Evaluation

D. Approve Loan Star Grant Application

E. Approve Authorization to Sell 1998 Chevrolet Lumina

IX. Comments by City Administrator

- Airport Terminal should be completed by the end of December
- Bosque River Trail is under construction
- Landfill is closed until completion of Cells 3 and 4

X. Comments by Councilmembers

XI. EXECUTIVE SESSION. . At 7:29 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.

Part of Block 26, Frey First Addition, City of Stephenville, Erath County, Texas

The council reconvened in open session at 7:35 p.m.

XII. Action taken on matters discussed in Executive Session (if necessary)

MOTION by Alan Nix, second by Joe Cude, to authorize the mayor to execute all documents necessary to complete the sale and transfer of this property. MOTION CARRIED.

XIII. Adjourn

MOTION by Alan Nix, second by Russ McDanel, to adjourn the meeting. MOTION CARRIED at 7:36 p.m.

Nancy A. Hunter, Mayor

ATTEST:

Cindy L. Stafford, City Secretary