

MINUTES OF REGULAR BUSINESS MEETING
City of Stephenville - City Council
Tuesday, April 6, 2010, 5:30 P.M.

The City Council of the City of Stephenville, Texas, convened on April 6, 2010, 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, April 6, 2010, by Mayor Hunter. Hunter recognized the police chief, fire chief, director of finance, director of community development, director of community services, and director of public works.

II. Citizens' General Discussion.

Virginia Abel, 104 Linda Lane, Stephenville, addressed the council concerning the condition of the dance floor at the Senior Citizens' Center. She asked that this item be considered as a budget request for council consideration at budget work sessions this summer and asked that \$15,000 be appropriated for this item. Abel stated that currently dancers are at risk of injury as a result of the floor's condition.

Birgit Sommers, representing Rainbow Wildlife Rescue and Rehabilitation, offered her services for caring for orphaned wildlife. She operates a licensed rescue facility and is authorized to trap, vaccinate, and release raccoons, possum, rabbits, and squirrels.

III. **Water Department Annual Report—Nick Williams, P.E., Director of Public Works**

Nick Williams first recognized the employees in his department. The water department maintains 17 positions at full staff—water production, distribution and collection, and customer service. Williams reported that crews maintain 128 miles of water mains and 116 miles of sanitary sewer. Williams also noted that Stephenville’s water customer uses an average 105 gallons of water per day compared to the state average usage of 145 gallons. Other statistical information is provided on the attached graphs.

MOTION by Joe Cude, second by Russ McDanel, to accept the annual water report. Motion carried.

IV. **PERSONNEL COMMITTEE REPORT**

A. Consider Approval of Bids for Employee Health Insurance and Benefit Programs

Martha Cashon gave the committee report with the following recommendations:

- **Health Insurance**—Maintain same benefits with Blue Cross Blue Shield with an annual increase in cost of \$82,000.
- **Dental Insurance**—Award dental coverage to Fort Dearborn with an annual increase of \$8,200.
- **Voluntary Insurance**—Adopt plan for Voluntary Life and Long-Term Disability Insurance offered by The Standard Insurance Company.

Terry Hale, the city’s consultant with City-County Benefits Services, evaluated the various bids received for insurance. He answered council members’ questions and explained the impact of the increases as related to the current economic situation and recent passage of the national health-care reform bill. He pointed out that if the 2010 rates (17% over last year) are compared to the 2008 rates, there is an overall increase of only 5% over the past 24 months.

Mayor Hunter recessed the council meeting at 6:20 p.m. and called to order the Employee Benefit Trust meeting.

The city council reconvened in regular session at 6:22 p.m.

MOTION by Alan Nix, second by Martha Cashon, to authorize funding for the Blue Cross Blue Shield Plan at \$373.99 and dental insurance with Fort Dearborn at \$19.48 per employee per month for twelve months. MOTION CARRIED.

MOTION by Martha Cashon, second by Alan Nix, to appoint First Financial Administrators for administration of the voluntary benefits package. MOTION CARRIED.

B. Consider Amending Evaluation Reports for City Attorney and City Secretary

No action was taken regarding the evaluation reports for the city attorney and the city secretary.

V. PUBLIC WORKS COMMITTEE REPORT

A. Quantitative Analysis. Chairman Alan Nix advised that no action was needed concerning this item on the agenda.

B. Drought Contingency Plan and Water Conservation Plan. The Water Conservation Plan has been accepted by the state; therefore, no action was necessary.

C. Consider Approval of the East Side Sewer Study. MOTION by Alan Nix, second by Don Zelman, to accept the East Side Sanitary Sewer Study. MOTION CARRIED.

D. Water Well Monitoring Report. The committee received this report, and no council action was necessary.

E. Consider Approval of Proposal from HDR Engineering, Inc. for Airport Well Field Expansion. MOTION by Alan Nix, second by Don Zelman, to retain HDR Engineering, Inc. for Phase I Test Hole Drilling Plan. MOTION CARRIED.

VI. PUBLIC HEALTH AND SAFETY COMMITTEE REPORT—Consider Ordinance No. 2010-__ Addressing Distracted Driving

Mayor Hunter allowed council members to comment on the proposed ordinance then heard comments from citizens.

Bill Allen, 407 PR 1156, Dublin, Texas, said that the proposed ordinances penalize all drivers in the city and that there are other laws already in place to regulate drivers engaged in texting while driving.

Larry Bark, 1091 North Race Street, Stephenville, commented that either of the proposed ordinances is a “solution looking for a problem”. The council should concentrate efforts toward educating the driving public.

Glenda Jackson, 401 East Crow Street, Stephenville, told the council that “smoking kills more people than cell phones”. She said that either of the proposed ordinances is a privacy violation and will be difficult to enforce.

Virginia Abel, 104 Linda Lane, Stephenville, said that she opposed this issue previously in a public hearing and she is still opposed to it.

MOTION by Don Zelman, second by Malcolm Cross, to adopt Ordinance No. 2010-07 prohibiting the use of wireless communication devices while operating a motor vehicle inside the city limits and to include "text messaging". MOTION FAILED by the following vote:

Ayes: Council members Cross, Zelman, and Evans.

Nays: Council members Cude, McDanel, Nash, Nix, Cashon, and Mayor Hunter.

MOTION by Don Zelman, second by Malcolm Cross, to adopt Ordinance No. 2010-07 prohibiting the use of wireless communication devices for electronic messaging while operating a motor vehicle inside the city limits. MOTION CARRIED by the following vote:

Ayes: Council members Cude, Cross, Zelman, Evans, and Mayor Hunter.

Nays: Council members McDanel, Nash, Nix, and Cashon.

VII. Consider Resolution No. 2010-03 Endorsing Certain Legislative Changes Relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas

MOTION by Scott Evans, second by Martha Cashon, to adopt Resolution No. 2010-03. MOTION CARRIED.

VIII. Consider 2010 Consumer Price Index Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates

MOTION by Alan Nash, second by Russ McDanel, to maintain the existing rates. MOTION CARRIED.

IX. CONSENT AGENDA

Joe Cude asked that Items C and E be removed from the consent agenda. MOTION by Alan Nix, second by Alan Nash, to approve Items A., B., and D. of the consent agenda. MOTION CARRIED.

A. Approve Minutes of Regular Council Meeting on March 2, 2010

B. Approve Fair Housing Proclamation

C. Approve Change Order No. 2 to the 2009 Street Reconstruction Project

D. Approve Amendment No. 2 of the Routine Airport Maintenance Project for Landscape/Irrigation

E. Authorization to Sell City Property

Following clarification, motion was made by Joe Cude, second by Russ McDanel, to approve Item C. MOTION CARRIED Motion by Joe Cude, second by Alan Nash, to approve Item E. MOTION CARRIED.

X. Comments by City Administrator

Mark Kaiser mentioned the following scheduled events:

- Tarleton Round-Up and City-Wide Clean Up on Saturday, April 10
- Heritage Plant Fair on Saturday, April 17, at the Museum grounds
- Splashville will open for the season on May 15

XI. Comments by Council Members

- **Drought Contingency Assessment Announcement by Mayor Hunter**

“As Mayor, I initiate Phase 1 of the Water Conservation Plan and specifically announce activation of §51.17(A)(3)(a) whereby customers are requested to voluntarily conserve water and limit irrigation of landscaped areas to two days per week. The days of the week are left up to the customers.”

XII. Adjourn

MOTION by Scott Evans, second by Russ McDanel, to adjourn the meeting. MOTION CARRIED at 7:39 p.m.

Malcolm L. Cross, Mayor Pro-Tem

ATTEST:

Cindy L. Stafford, City Secretary