

**MINUTES OF REGULAR BUSINESS MEETING**  
City of Stephenville - City Council  
**Tuesday, May 4, 2010, 5:30 P.M.**

The City Council of the City of Stephenville, Texas, convened on May 4, 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	:	Betty L. Chew, Director of Community Development (sitting in for the 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, May 4, 2010, by Mayor Hunter. Hunter recognized the police chief, director of finance, director of community services, and director of public works. Mayor Hunter stated that City Administrator Kaiser was driving in and will be delayed. She also noted that Fire Chief Jimmy Chew, as a member of Texas Forest Service All Hazardous Incident Management Team, has been called to help with the BP oil spill in the Gulf of Mexico.

**II. Citizens' General Discussion.**

No one desired to address the council.

**III. Fire Department Annual Report—Jimmy Chew, Fire Chief**

As a result of Chief Chew's absence, this report will be given at the June council meeting.

**IV. Consider Ordinance No. 2010-08 Providing Budget Amendments for the Remainder of the Fiscal Year Beginning October 1, 2009 and Ending September 30, 2010**

Russ McDanel read the following statement and asked that it be entered into the record of this meeting:

“I’m not here to point fingers or place blame for my concern over the major increase we’re seeing in employee overtime pay. My comments should not be construed as being anti-public safety or aimed at anyone in particular. Two years ago when I ran for this office, a major emphasis of my campaign was a strong public safety component; that has not changed.

“The news of the increase in our budget at mid-fiscal year review for overtime shocked me. The total for 2008 was \$169,000, in 2009 was \$175,000 and currently is projected of \$276,800. That is a 58% increase from last year! The explanation of sick leave calls and vacations doesn’t meet my threshold of a satisfactory explanation. Two hundred seventy-six thousand, eight hundred dollars in annual overtime pay is more than \$23,000 every month or \$758 a day, every day of the year.

“As stewards of the city’s finances it appears the 58% increase is a wake-up call for us to re-examine the current policy in this area. I believe as policy makers, it is our duty to explore the need for positive changes as quickly and prudently as possible. Someone needs to watch the taxpayer’s wallet!”

“I am requesting the Chairman of the Public Health and Safety Committee, Dr. Zelman, to place this overtime issue on the agenda of the next committee meeting. Proper staffing, vacation and sick call policies, as well as the most recent ISO report, should all be reviewed for efficiency and budgetary improvements. Good government—one that is responsible and transparent—should always seek solutions to prevent wasteful spending or abuse wherever they are discovered.

“Again, I’m making no accusations or pointing any fingers. I am simply expressing my sincere concern on an issue of budget that affects the taxpayers I represent. For these reasons, I will be voting “No” on the approval of the budget amendments before us tonight, and I respectfully request the City Secretary to enter my comments into the record (minutes) of this meeting.

“Thank you for the opportunity to share my thoughts on this issue.”

MOTION by Scott Evans, second by Martha Cashon, to adopt Ordinance No. 2010-08. MOTION CARRIED.

**V. Consider Approval of Interlocal Agreement with Sam Houston State University to furnish CRIMES Public Safety Software**

MOTION by Joe Cude, second by Alan Nash, to approve the Interlocal Agreement with Sam Houston State University for CRIMES Public Safety Software. MOTION CARRIED.

**VI. Consider Approval of Bid Award for 2010 Capital Improvements Project**

The low base bid was submitted by Jay Mills Contracting, Inc. in the amount of \$434,006.35. The base bid included street improvements and water and sewer improvements for Ollie Street and Long Street. The bid included Alternate No. 1, a sidewalk on Ollie Street in the amount of \$48,770. And Alternate No. 2, paving McIlhane Street for \$48,075.50.

MOTION by Alan Nix, second by Russ McDanel, to award the bid to Jay Mills Contracting, Inc. as set out. MOTION CARRIED.

**VII. CONSENT AGENDA**

MOTION by Alan Nix, second by Don Zelman, to approve the consent agenda. MOTION CARRIED.

**A. Approve Minutes of Regular Council Meeting on April 6, 2010**

**B. Approve Rail Crossing License Agreement with Cen-Tex Rural Rail Transportation District**

**VIII. Comments by City Administrator**

Betty Chew announced the following scheduled events:

- City General Election, Saturday, May 8, 7am to 7pm, at the courthouse
- Special council meeting to canvass the votes on May 11 at 5:30 p.m.
- City Council and Planning & Zoning Commission joint work session at 5:30 p.m.
- City offices will be closed in observance of Memorial Day on Monday, May 31

**IX. Comments by Councilmembers**

Council member Nix thanked Community Service Director Drew Wells and all the employees of the Park Department and Street Department for their hard work during all the activities that were being held this past weekend. Nix mentioned all the activities that were held in City Park and commended the employees for their efforts in getting the job done well.

Mayor Hunter announced that Splashville will open on Saturday, May 15, for its first full season.

Mayor Hunter, having broken her arm the previous week, thanked Mayor Pro-Tem Malcolm Cross for his willingness to perform those duties as mayor that she has not been able to do. She recognized him as a dedicated public servant and an outstanding mayor pro-tem.

**X. EXECUTIVE SESSION. . At 5:47, 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. 1.7 acres out of Lot 14, Block 19, South Side Addition, Stephenville, Erath County, Texas**

MOTION by Alan Nix, second by Scott Evans, to authorize staff to order an appraisal and survey on this property. MOTION CARRIED.

**B. Block 47, City Addition, Stephenville, Erath County, Texas.** No action was taken on this item.

**C. North Lillian Street from Washington Street to Shirley Street;  
Vanderbilt Street from Cain Street to Rome Street;  
West Tarleton Street from North Lillian Street to St. Peter Street**

MOTION by Joe Cude, second by Don Zelman, to authorize the mayor to execute a contract with Tarleton State University for the sale of the streets as listed above. MOTION CARRIED by the following vote:

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

Nays: Council members McDanel and Evans.

Abstentions: Council member Nash.

**XI. Action taken on matters discussed in executive session (if necessary)**

**XII. Adjourn**

MOTION by Martha Cashon, second by Alan Nash, to adjourn the meeting. MOTION CARRIED at 6:22 p.m.

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Nancy A. Hunter, Mayor

ATTEST:

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Cindy L. Stafford, City Secretary