

CITY OF ALVARADO

**County of Johnson
State of Texas
December 20, 2010**

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, December 20, 2010 at 6:30 p.m. in the Council Chambers at City Hall with up to the first thirty minutes of the meeting consisting of a workshop. The following were present for roll call:

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|------------------|---|---------------|
| Dewayne Richters | * | Mayor |
| Joe Sain | * | Mayor Pro Tem |
| Tom Moore | * | Councilperson |
| Jacob Wheat | * | Councilperson |
| David Bayless | * | Councilperson |
| Bruce Clark | * | Councilperson |
| Arrdeen Vaughan | * | Councilperson |

Others Present:

| | | |
|-------------------|---|--------------------------------|
| Kelle Whitfill | * | Interim City Manager |
| Debbie Thomas | * | City Secretary |
| Jenny Gravley | * | City Attorney |
| Terry Hafer | * | Public Works Director |
| Richard VanWinkle | * | Fire Chief |
| Sharon Vass | * | Community Development Director |
| Brad Anderson | * | Interim Police Chief |

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 7:00 P.M. and Pastor Paul Calaway of the Fundamental Baptist Church gave the Invocation.

PLEDGE OF ALLEGIANCE

PROCLAMATION

Mayor Dewayne Richters then read the Alvarado High School Football Proclamation and presented it to Mr. Clay, President of the Alvarado Booster Club.

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PUBLIC COMMENTS

Mr. Brian Fleck, owner of AMP Fitness addressed the council in reference to a portable sign that was placed on private property within the city. He stated that Code Enforcement told him to remove the sign because that type of sign is not allowed in the city limits.

Mr. Earl G. Dickey addressed the council in reference to Texas Independence from the United States, red light cameras, and honoring March 2 as Texas Independence Day with a parade.

PUBLIC HEARING

Mayor Dewayne Richters opened the Public Hearing regarding the request for a variance from Chapter 30, entitled "Signs" of the City of Alvarado Code of Ordinances pertaining to the height of the sign on Lot 2 of the Fundamental Baptist Church located at 902 Church Street at 7:03 p.m. Mayor Pro Tem Joe Sain stated concerns about setting a precedence for this type of sign variance and was told by the City Attorney that each variance stands on its own and no precedence was being set. Mayor Richters closed this Public Hearing at 7:04 p.m.

CONSENT AGENDA

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the Consent Agenda. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AMENDMENT TO CHAPTER 42 OF THE ALVARADO CODE OR ORDINANCES, THE CITY'S ZONING REGULATIONS, PERTAINING TO: MASONRY AND PARKING REQUIREMENTS, APPROVED MASONRY-TYPE PRODUCTS, RESIDENTIAL CONSTRUCTION REQUIREMENTS, CARPORT CONSTRUCTION, DRIVEWAY REQUIREMENTS, FENCING, AND COMMERCIAL PARKING LOT CONSTRUCTION.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to postpone this item. This motion supported six votes in approval and zero votes opposed. Motion carried. At the January 2011 regular meeting a workshop will be scheduled for discussion of this item.

CONSIDERATION AND ACTION REQUEST FOR A VARIANCE FROM CHAPTER 30, ENTITLED "SIGNS" OF THE CITY OF ALVARADO CODE OF ORDINANCES PERTAINING TO THE HEIGHT OF THE SIGN ON LOT 2 OF THE FUNDAMENTAL BAPTIST CHURCH LOCATED AT 902 CHURCH STREET.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve the variance from Chapter 30, entitled "Signs" of the City of Alvarado Code of Ordinances pertaining to the height of the sign on Lot 2 of the Fundamental Baptist Church located at 902 Church Street. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, CLOSING AND ABANDONING A PORTION OF WEST SHELTON STREET OF THE ORIGINAL TOWN ADDITION, ALVARADO, JOHNSON COUNTY, TEXAS AND AUTHORIZING ITS CONVEYANCE TO THE ADJACENT PROPERTY OWNERS.

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain to approve an ordinance closing and abandoning a portion of West Shelton Street of the Original Town addition, Alvarado, Johnson County, Texas and authorizing its conveyance to the adjacent property owners. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING CONTINUATION OF MEMBERSHIP WITH SISTER CITIES INTERNATIONAL.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore, to not renew membership with Sister Cities International. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONTINUATION AND ACTION REGARDING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, CHAPTER 545, SECTION 545.356, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF ALVARADO AS SET OUT IN THE ORDINANCE AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$500.00 FOR VIOLATION OF THIS ORDINANCE.

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Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the ordinance altering the prima facie speed limits established for vehicles upon certain streets and highways within the city limits of the City of Alvarado. This motion supported two ayes and four nays. Motion failed. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Arrdeen Vaughan, to table this item until the next meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Dewayne Richters convened into Executive Session at 7:15 p.m. He then reconvened into open session at 7:34 p.m.

CONSIDER POSSIBLE ACTION RESULTING FROM ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION.

There was no action taken.

CITY MANAGERS REPORT

Kelle Whitfill, Interim City Manager, stated that City Hall would be closed on Friday, December 24 and Monday, December 27 for the Christmas Holidays. It will also be closed on Friday, December 31, 2010 for the New Year's holiday.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore to adjourn this regular meeting of the City Council of the City of Alvarado at 7:40 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2011.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC, City Secretary

City Secretary