

CITY OF ALVARADO

County of Johnson
State of Texas
July 19, 2010

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, July 19, 2010 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

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

Others Present:

Kelle Whitfill	*	Acting City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
Terry Hafer	*	Public Works Director
Sharon Vass	*	Community Development Director
Josh Vincent	*	Chief of Police
Richard VanWinkle	*	Fire Chief

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 7:04 P.M. Councilperson Jacob Wheat gave the invocation.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

CONSIDERATION AND ACTION REGARDING SUBMISSION OF AN APPLICATION FOR 2011/2012 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Jessica Kaltenbach of Lawrence and Associates and Gary Fisher of Dannenbaum Engineering addressed the council in reference to the application for the 2011/2012 Community Development Block Grant funds explaining projects that could possibly be done with this money. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve the submission of an application for the 2011/2012 Community Development Block Grant funds. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPROVAL OF A CONTRACT BETWEEN ELECTRONIC TRANSACTION SYSTEM CORPORATION AND THE CITY OF ALVARADO FOR CREDIT CARD SERVICES.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to approve the contract between Electronic Transaction System Corporation and the City of Alvarado. This motion supported six votes in approval and zero opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE AGREEMENT BETWEEN THE CITY OF ALVARADO AND ATMOS ENERGY CORPORATION, MID-TEX DIVISION TO PAY FRANCHISE FEES ON FRANCHISE FEES COLLECTED BY THE CITY FROM THEIR CUSTOMERS FOR THE YEARS 2009 AND 2010.

Bryn Meredith, City Attorney, explained to the council that Atmos Energy had failed to pay the franchise fees on the amounts billed to and collected from customers for franchise fees that is added to the revenue amount that Atmos uses to calculate the city's franchise fee payment. They decided to terminate this in 2009. Kelle Owen, representative from Atmos Gas, also explained that this would be a pass through fee to the customer but would only increase their bill thousandths of cents. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve the collection of back franchise fees and to continue from this time forward. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE APPROVAL OF EXPENSES FOR THE ANTIQUE TRACTOR SHOW ADVERTISING OUT OF THE HOTEL MOTEL TAX FUND.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to approve \$3,400.00 for the advertising for the Antique Tractor Show to be taken out of the Hotel Motel Tax fund. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING SUPPLEMENTAL AGREEMENT NO. 1 FOR ENGINEERING SERVICES FOR 2009 WATER SYSTEM IMPROVEMENTS (CDBG) WITH DANNENBAUM ENGINEERING.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve the Supplemental Agreement No. 1 for engineering services for 2009 water system improvements (CDBG) with Dannenbaum Engineering. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING MISCELLANEOUS SERVICES AGREEMENT FOR ENGINEERING SERVICES WITH DANNENBAUM ENGINEERING FOR THE CITY OF ALVARADO WASTEWATER TREATMENT PLANT GRANT UTILIZATION.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the miscellaneous services agreement for engineering services with Dannenbaum Engineering for the City of Alvarado wastewater treatment plant utilization. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF AN ORDINANCE AMENDING THE ALVARADO CODE OF ORDINANCES CHAPTER 14, "GAS DRILLING AND PRODUCTION" REGULATING LANDFARMING OF OIL AND GAS DRILLING WASTE ON PROPERTY WITHIN THE CITY OF ALVARADO, TEXAS AND PROVIDING A DEFINITION OF LANDFARMING.

Sharon Vass, Community Development Director, explained to the Council that a company had requested permission to dump oil and gas drilling waste on property located within the City of Alvarado. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve an ordinance prohibiting landfarming of oil and gas drilling waste on property within the City of Alvarado. This motion supported six votes in approval, and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION AMENDING THE FEE SCHEDULE FOR THE CITY OF ALVARADO.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore, to approve the resolution amending the City of Alvarado Fee Schedule. This motion supported six votes in approval and zero votes opposed. Motion carried.

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CONSIDERATION AND ACTION REGARDING CITY OF ALVARADO TYPE B ECONOMIC DEVELOPMENT BOARD PROJECT WITH SCHRADER & CLINE FOR TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 2 LOCATED AT THE HIGHWAY 67 EAST AREA OF ALVARADO.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the Type B EDC Board project with Schrader & Cline, LLC for the Tax Increment Financing Reinvestment Zone No. 2 at the Highway 67 east area of Alvarado. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING BID FOR DRIVEWAY REPLACEMENT, CURB AND GUTTER REPLACEMENT FOR CHRIS, JANIS, HELEN, LIESA, AND LORIE STREETS.

Kelle Whitfill, Acting City Manager, explained to the Council that the bids for this project were all over the engineer's estimated cost and that staff is recommending not to award this bid due to financial constraints. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to not award this bid for this project. This motion supported six votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Dewayne Richters then recessed this regular meeting and convened into Executive Session at 8:47 p.m. The meeting was reconvened at 9:48 p.m.

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

There was no action taken on this item.

CONSIDERATION AND ACTION TO DEFINE THE DUTIES OF AND ESTABLISH THE COMPENSATION OF THE INTERIM CITY MANAGER.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to pay the Interim City Manager an additional \$1,250.00 per month to current salary retroactive to June 21, 2010. This motion supported six votes in approval and zero votes opposed. Motion carried.

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CONSIDERATION AND ACTION REGARDING AN AGREEMENT TO PARTICIPATE BETWEEN THE CITY OF ALVARADO AND JOHNSON COUNTY IN THE TAX INCREMENT REINVESTMENT ZONE NO. 2 LOCATED AT THE HIGHWAY 67 EAST AREA OF ALVARADO.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to table this item until the next meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC COMMENTS

There were no public comments at this meeting.

CITY MANAGERS REPORT

Richard Van Winkle, Fire Chief informed the council that three of Alvarado's firefighters were honored and received the First Responder's Award from Careflite. They are Joey Kratky, Ivan Cox, and Jordan Gaskin. The Council would like to recognize these firefighters at the next meeting.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain to adjourn this regular meeting of the City Council of the City of Alvarado at 9:53 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2010.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary

