

CITY OF ALVARADO

County of Johnson

State of Texas

August 16, 2010

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, August 16, 2010 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Dewayne Richters	*	Mayor
Tom Moore	*	Councilperson
Jacob Wheat	*	Councilperson
Arrdeen Vaughan	*	Councilperson
David Bayless	*	Councilperson
Bruce Clark	*	Councilperson

Absent:

Joe Sain	*	Mayor Pro Tem
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Others Present:

Kelle Whitfill	*	Acting City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
Terry Hafer	*	Public Works Director
Richard VanWinkle	*	Fire Chief

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 6:54 P.M. and gave the Invocation.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

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

PUBLIC HEARINGS

Mayor Dewayne Richters opened the public hearing regarding an ordinance ratifying portions of Section 24 of the Alvarado Code of Ordinances establishing a curfew for minors at 6:59 pm. This public hearing was closed at 6:59 p.m.

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Mayor Dewayne Richters opened the public hearing regarding rezoning of part of Lots 1, 2, 17 and 18 of the New Town Addition, also know as 700 S. Parkway by issuance of a Specific Use Permit to accommodate a stationary vendor using a mobile structure in a C-2 (Heavy Commercial) Zone at 7:00 p.m. This public hearing was closed at 7:01 p.m.

Mayor Dewayne Richters opened the public hearing regarding an ordinance amending the PD (Planned Development) Zoning for Lots 1B and 2B of the Peach Orchard Park Addition, being a city block bordered by N.Spears, E. Patton, E. Adair and N. Friou at 7:01 p.m. Ms. Paula Rayburn addressed the council in reference to the zoning application fees and building permit fees. She requested a reduction of these fees and was told that this item would be on this meeting's agenda. She also informed the council that she would need an extension on the original warranty deed for this project. Mayor Richters then closed this public hearing at 7:06 p.m.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS APPOINTING THE PRESIDING JUDGE OF THE MUNICIPAL COURT OF RECORD IN THE CITY OF ALVARADO.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve the ordinance appointing Toni Driver the presiding judge of the municipal court of record in the City of Alvarado, Texas. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AMENDMENT OF THE PD (PLANNED DEVELOPMENT) ZONING FOR LOTS 1B AND 2B OF THE PEACH ORCHARD PARK ADDITION, BEING A CITY BLOCK BORDERED BY N. SPEARS, E. PATTON, E. ADAIR AND N. FRIOU.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve the amendment of the Planned Development zoning for Lots 1B and 2B of the Peach Orchard Park addition, on the condition that the garage meets all residential masonry requirements and is like all of the residential structures on the same lot. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION OF THE REZONING OF PART OF LOTS 1, 2, 17 AND 18 OF THE NEW TOWN ADDITION, ALSO KNOWN AS 700 S. PARKWAY BY ISSUANCE OF A SPECIFIC USE PERMIT, TO ACCOMMODATE A STATIONARY VENDOR USING A MOBILE STRUCTURE IN A C-2 (HEAVY COMMERCIAL) ZONE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve an ordinance rezoning part of Lots 1, 2, 17 and 18 of the New Town Addition, also known as 700 S. Parkway by issuance of a specific use permit, to accommodate a stationary vendor using a mobile structure in a C-2 (Heavy Commercial) zone. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE RATIFYING PORTIONS OF SECTION 24 OF THE ALVARADO CODE OF ORDINANCES, ESTABLISHING A CURFEW FOR MINORS, MAKING IT AN OFFENSE FOR MINORS, PARENTS AND GUARDIANS OF MINORS, AND BUSINESS ESTABLISHMENTS TO VIOLATE CURFEW REGULATIONS, PROVIDING DEFENSES; PROVIDING FOR ENFORCEMENT BY THE POLICE DEPARTMENT; PROVIDING FOR WAIVER BY THE MUNICIPAL COURT OF JURISDICTION OVER A MINOR WHEN REQUIRED UNDER THE TEXAS FAMILY CODE.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to approve approve an ordinance ratifying portions of Section 24 of the Alvarado Code of Ordinances establishing a curfew for minors. This motion supported five votes in approval and zero opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS AND THE CITY OF ALVARADO FOR E9-1-1 SERVICE, EQUIPMENT, ADDRESSING AND DATABASE MAINTENANCE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve the interlocal agreement between the North Central Texas Council of Governments and the City of Alvarado for E9-1-1 Service, equipment, addressing and database maintenance. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING FISCAL YEAR 2010-2011 AD VALOREM TAX RATE: TAKE RECORD VOTE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve \$.697313 per \$100 valuation for the 2010 property tax rate. This motion supported five votes in approval and zero votes opposed. Motion carried.

Jacob Wheat	-	Yea
Arrdeen Vaughan	-	Yea
David Bayless	-	Yea

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Tom Moore	-	Yea
Joe Sain	-	Absent
Bruce Clark	-	Yea

EXECUTIVE SESSION

Mayor Dewayne Richters then recessed this regular meeting and convened into Executive Session at 7:12 p.m. The meeting was reconvened at 7:30 p.m.

CONSIDERATION AND POSSIBLE ACTION REGARDING OIL AND GAS LEASE OF CITY OWNED MINERALS OF APPROXIMATELY 6.43 ACRES OUT OF THE IRA GLAZE SURVEY, ANDREW J. PATTON SURVEY AND THE ROBERT BELL SURVEY.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the oil and gas lease and authorize the Mayor to execute same lease subject to the terms discussed in executive session. This motion supported five 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 7:31 p.m. The meeting was reconvened at 8:25 p.m.

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

There was no action taken.

PUBLIC COMMENTS

There were no public comments at this meeting.

CITY MANAGERS REPORT

There was no city manager's report at this meeting.

COUNCIL COMMENTS

The council would like to discuss the Johnson County Pioneers and Old Settlers Reunion plans with the committee for next year.

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ADJOURNMENT

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to adjourn this regular meeting of the City Council of the City of Alvarado at 8:30 p.m. This motion supported five 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