

# CITY OF ALVARADO

County of Johnson  
State of Texas  
October 19, 2009

## MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, October 19, 2009 at 7:00 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Tom Durlington	*	Mayor
Joe Sain	*	Councilperson
Tom Moore	*	Councilperson
Dwayne Richters	*	Mayor Pro Tem
David Bayless	*	Councilperson
Bruce Clark	*	Councilperson

### Others Present:

Don Ives	*	City Manager
Debbie Thomas	*	City Secretary
Kelle Whitfill	*	Finance Director
Terry Hafer	*	Public Works Director
Josh Vincent	*	Chief of Police

## INVOCATION

Mayor Tom Durlington called this regular meeting to order at 7:00 P.M and gave the invocation.

## PLEDGE OF ALLEGIANCE

## PUBLIC HEARING

Mayor Tom Durlington skipped this item and it will be placed on the next meeting's agenda.

## PUBLIC COMMENTS

Jerald Hemphill asked the Council the procedure to be placed on the agenda.  
Eddie Walker then addressed the council regarding the state of the city.

**CONSIDERATION AND ACTION REGARDING A REQUEST FOR VARIANCE FROM THE CITY OF ALVARADO SIGN REGULATIONS, SECTION 111.12 ENTITLED "POLE AND MONUMENT NOT TO BE USED IN COMBINATION" FOR LOT 1 OF THE PATEL ADDITION, ALSO KNOWN AS 1185 HWY. 67 E.**

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Sharon Vass, Community Development Director addressed the council in reference to the application that the Days Inn had filed for a variance to the sign ordinance. Motion was made by Councilperson Michael Rayburn, duly seconded by Councilperson Tom Moore to approve a variance from the City of Alvarado sign regulations, Section 111.12, entitled "Pole and Monument Not to be Used in Combination" for Lot 1 of the Patel Addition, also known as 1185 Hwy 67 E. This motion supported six votes in approval and zero votes opposed. Motion carried.

### **CONSENT AGENDA**

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Joe Sain to approve the consent agenda. This motion supported six votes in approval and zero votes opposed. Motion carried.

### **CONSIDERATION AND ACTION REGARDING THE REPLATTING OF BLOCK 5, PART OF LOT 10, LOTS 11-12 OF THE NEW TOWN ADDITION, LOCATED AT 902 TRAVIS, TO BE CALLED BLOCK 5, LOT 12-R-1 OF THE NEW TOWN ADDITION.**

This item was skipped and will be placed on the next agenda.

### **CONSIDERATION AND ACTION REGARDING THE COMBINATION PRELIMINARY AND FINAL PLAT OF TRACTS 109 AND 118 OF THE SETH MORRIS SURVEY, ABSTRACT 536, TO BE CALLED BLOCK A, LOT 1 OF THE WORNAT ADDITION.**

Sharon Vass, Community Development Director, explained to the Council that this was in our ETJ and would be a Shell gas station, convenience store and truck stop. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the combination preliminary and final plat of Tracts 109 and 118 of the Seth Morris Survey, Abstract 536, to be called Block A, Lot 1 of the Wornat addition. This motion supported six votes in approval and zero votes opposed. Motion carried.

### **CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, CONFIRMING THE SELECTION OF THE ADMINISTRATIVE CONSULTANTS NEEDED TO COMPLETE ACTIVITIES RELATING TO THE 2009 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Jessica Kaltenbach of Lawrence and Associates addressed the Council regarding the procedures needed to in compliance for the Texas Community Development Block Grant program. She stated that the Council needed to authorize an administrative consultant and an engineering firm. Requests for proposals had been sent to various engineering firms and consulting firms. Only one consulting firm, Lawrence and Associates had returned a proposal for consulting services. Motion was made by Mayor Pro Tem Coach Richters, duly seconded by Councilperson Michael Rayburn, to approve the selection of Lawrence and Associates as the consulting firm needed to complete activities relating to the 2009 Texas Community Development Grant Program. This motion supported six votes in approval and zero vote opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING RANKING PROPOSALS RECEIVED FROM ENGINEERING FIRMS RELATED TO THE CITY'S TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Don Ives, City Manager, told the Council that we had received three proposals for engineering services for the Texas Community Development Block Grant program. The city staff rated these engineering firms as follows: 1. Dannenbaum Engineering 2. Teague, Nall and Perkins 3. Morris Engineers. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Michael Rayburn, to approve the above ranking with Dannenbaum Engineering as number 1, Teague, Nall and Perkins, number 2, and Morris Engineers, number 3. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING CONFIRMING THE SELECTION OF THE ENGINEERING FIRM NEEDED TO COMPLETE THE ACTIVITIES PROPOSED IN THE 2009 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Coach Richters to confirm the selection of Dannenbaum Engineering as the engineering firm needed to complete the activities proposed in the 2009 Texas Development Block Grant program. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING A RESOLUTION ESTABLISHING DEPOSITORY/AUTHORIZED SIGNATORIES FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve a resolution naming the Mayor, Mayor Pro Tem, and City Secretary as authorized signatories for the Texas Community Development Block Grant program. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION AN ORDINANCE GRANTING TO ATMOS ENERGY CORPORATION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF ALVARADO, JOHNSON COUNTY, TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF PUBLIC RIGHT-OF-WAYS; AND PROVIDING THAT SUCH FEE SHALL BE LIEU OF OTHER FEES AND CHARGES, EXCEPTING AD VALOREM TAXES; AND REPEALING ALL PREVIOUS GAS FRANCHISE ORDINANCES.**

This item was skipped and will be placed on the November, 2009 agenda.

**CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS ADOPTING A REVISED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010.**

Don Ives, City Manager, addressed the Council asking for a budget amendment in order to purchase Christmas decorations for this year's Christmas season. This expenditure would be out of Gas Royalties. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Michael Rayburn to approve a resolution adopting a revised budget for the fiscal year beginning on October 1, 2009, and ending on September 30, 2010 in the amount of \$7,500.00. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING AMENDMENT OF THE CITY OF ALVARADO PERSONNEL POLICIES.**

After discussion, motion was made by Councilperson Michael Rayburn, duly seconded by Mayor Pro Tem Coach Richters, to table this item until the next regular meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CITY MANAGER'S REPORT**

Don Ives, City Manager informed the Council that our engineering firm had researched the flooding problem on the corner of Hopper and Ray streets. Their estimate for engineering fees for this project was \$30,000.00 with a construction cost of \$134, 000.00 He stated that we would researching this further to see if this could be an in-house project to save costs. He commended the Police Department

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and Fire Department for their great work on our first National Night Out. It was a great success. Police Officer Lee Jones gave of his time and talent to make this a great event.

### **COUNCIL COMMENTS**

Mayor Tom Durlington congratulated City Secretary Debbie Thomas for graduation and becoming a Texas Registered Municipal Clerk.

The Johnson County Officials dinner will be held on Tuesday, October 20, 2009 at 7:00 P.M. at the Rio Vista Civic Center.

### **EXECUTIVE SESSION**

An executive session was not held at this meeting.

### **ADJOURNMENT**

Motion was made by Mayor Pro Tem Coach Richters, duly seconded by Councilperson Michael Rayburn to adjourn this regular meeting of the City Council of the City of Alvarado at 7:50 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor Tom Durlington

ATTEST:

\_\_\_\_\_  
Debbie Thomas, City Secretary

