

CITY OF ALVARADO

County of Johnson

State of Texas

April 15, 2013

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, April 15, 2013 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:

Dewayne Richters	*	Mayor
Joe Sain	*	Mayor Pro Tem
David Bayless	*	Councilperson
Shawn Goulding	*	Councilperson
Arrdeen Vaughan	*	Councilperson

Absent:

Jacob Wheat	*	Councilperson
Tom Moore	*	Councilperson

Others Present:

Clint Davis	*	City Manager
Debbie Thomas	*	City Secretary
Richard VanWinkle	*	Fire Chief
Brad Anderson	*	Chief of Police
Kelle Whitfill	*	Finance Director

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 6:55P.M. and Pastor Wade Taylor gave the Invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

There were no public comments at this meeting.

CONSENT AGENDA

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve the Consent Agenda. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE GRANTING OF A VARIANCE FROM THE MINIMUM DISTANCE REQUIREMENTS FOR BEER AND WINE SALES AT CVS PHARMACY, LOCATED AT 420 HWY. 67 W., ALVARADO, TEXAS

Mayor Dewayne Richters opened the public hearing at 7:03 p.m. The manager of the CVS Pharmacy addressed the council and asked that they grant a variance to the distance requirements so that beer and wine could be sold in the store. She stated that all employees would be trained and all state laws would be followed. In opposition were the following: Chris Ratcliff, Dr. Chester Juroska, Jerry Pritchard, Melanie Brooks, and Pastor Wade Taylor. Mayor Dewayne Richters then closed the public hearing at 7:34 p.m. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Shawn Goulding to deny a variance from the minimum distance requirements for beer and wine sales at CVS Pharmacy, located at 420 Hwy. 67 W. This motion supported three votes of approval and one vote opposed (Sain). Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING WHETHER TO ORDER THE REPAIR, REMOVAL, OR DEMOLITION OF THE FOLLOWING SUBSTANDARD STRUCTURE(S) LOCATED AT 100 S. THIRD STREET, LOTS 7-10, BLOCK 12, NEW TOWN ADDITION, ROBERT BELL SURVEY, ABSTRACT A44, OWNER OF RECORD IS ZELMA DEE LEE.

Mayor Dewayne Richters opened this public hearing at 7:36 p.m. Clint Davis, City Manager, addressed the council and explained that this property was a danger and public health hazard to the community. Ms. Linda Parkis, granddaughter of Zelma Dee Lee (deceased), stated that she had been trying to clean up the property and did not want to demolish any of the structures on the property. She stated that this property was in dispute as to heirship and she is currently seeking legal advice and trying to obtain the property in her name. Mayor Dewayne Richters then closed this public hearing at 8:14 p.m. After discussion, motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson David Bayless, to order the following:

We the city council order:

1. That in the event the owner fails to repair or demolish the building within 60 days of the effective date here, the building may be repaired or demolished by any of the mortgagees or lienholders, if any, within 60 days thereafter; and
2. That the city will vacate, secure, remove, and/or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allotted, and charge the cost to the property.

The findings and orders set forth herein are effective this the 15th day of April, 2013.

This motion supported four votes of approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING ANNEXATION OF 18.517 ACRE TRACT OF LAND OUT OF THE JOHN DIXON SURVEY, ABSTRACT A-214 AND WM. BALCH SURVEY, ABSTRACT NO. 1-48, LOCATED ON US. HIGHWAY 67 W. JOHNSON COUNTY, TEXAS AND A 1.641 ACRE TRACT OF LAND OUT OF THE JOHN DIXON SURVEY, ABSTRACT NO. A-214, JOHNSON COUNTY, TEXAS, LOCATED ON IH-35W SERVICE ROAD.

Mayor Dewayne Richters opened this public hearing at 8:24 p.m. He then closed this public hearing at 8:25 p.m. Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance providing for the annexation into the City of Alvarado of two tracts of land as an approximate 18.517 acre tract out of the John Dixon Survey, Abstract A-214 and Wm. Balch Survey, Abstract A-48 and an approximate 1.641 acre tract out of the John Dixon Survey, Abstract A-214, Johnson County, Texas for all municipal purposes and approve a service plan for such territory. This motion supported four votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING REGARDING THE REQUEST FOR ANNEXATION OF A 7.9 ACRE TRACT OF LAND, TRACT 9J, J. MULLICAN SURVEY, ABSTRACT 584, LOCATED AT THE IH-35W SERVICE ROAD, JOHNSON COUNTY, TEXAS.

Mayor Dewayne Richters opened this public hearing at 8:26 p.m. He then closed this public hearing at 8:26 p.m. This is the first of two public hearings that is required for annexation.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF ALVARADO OF APPROXIMATELY 7.9 ACRES OF TERRITORY DESCRIBED AS TRACT 9J, OUT OF THE J. MULLICAN SURVEY, ABSTRACT NO. 584, JOHNSON COUNTY, TEXAS FOR ALL MUNICIPAL PURPOSES AND APPROVE A SERVICE PLAN FOR SUCH TERRITORY.

Mayor Dewayne Richters opened this public hearing at 8:26. p.m. He then closed this public hearing at 8:27 p.m. Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson David Bayless, to approve an ordinance providing for the annexation into the City of Alvarado, Texas of approximately 7.9 acres of territory described as Tract 9J, out of the J. Mullican Survey, Abstract No. 584, for all municipal purposes and approve a service plan for such territory. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A VARIANCE REQUEST FROM SABRE TUBULAR STRUCTURES TO INSTALL A SEPTIC SYSTEM FOR USE AT THE NEW TEST FACILITY UNDER CONSTRUCTION AT 8653 E. HWY 67, ALVARADO, TEXAS

Clint Davis, City Manager, explained to the council that Sabre Tubular Structures is building a new test facility on property that is within the city limits and since their sewer line to the main building is more than 1500 feet from this structure, they would like to install a septic system to the small administration building for this facility. Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain, to grant a variance allowing Sabre Tubular Structures to install a septic system at their new test facility building. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE APPOINTMENT OF MEMBERS AND ALTERNATE TO THE PLANNING AND ZONING COMMISSION.

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain to appoint Jennifer Bjork and Michael Bennett as members and Kelly Goulding and Stephen Evans as alternate members to the Planning and Zoning Commission. This motion supported four votes in approval and zero votes opposed. Motion carried.

PRESENTATION OF SLIDE SHOW FROM ALVARADO FIREFIGHTERS ASSOCIATION REGARDING DUTIES AND SALARY

The Alvarado Firefighters Association then presented a slide show to the council relating to their duties and salary.

EXECUTIVE SESSION

There was no Executive Session held at this meeting.

CITY MANAGERS REPORT

Clint Davis, City Manager, explained to the council that that a Special Meeting and Workshop needs to be held relating to mid-year budget amendments and salary survey that was done. This meeting is to be held on May 16, 2013 at 6:30 p.m.

COUNCIL COMMENTS

There were no council comments at this meeting.

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ADJOURNMENT

Motion was made by Councilmember Arrdeen Vaughan, duly seconded by Mayor Pro Tem Joe Sain to adjourn this regular meeting of the City Council of the City of Alvarado at 8:55 p.m. This motion supported four votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2013.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary