

CITY OF ALVARADO

County of Johnson

State of Texas

May 21, 2012

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, May 21, 2012 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
Tom Moore	*	Councilperson
Jacob Wheat	*	Councilperson
David Bayless	*	Councilperson
Shawn Goulding	*	Councilperson
Arrdeen Vaughan	*	Councilperson

Others Present:

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

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 6:30 P.M. and gave Coach Jeff Dixon gave the Invocation.

PLEDGE OF ALLEGIANCE

PROCLAMATION

Mayor Richters then presented the Motorcycle Safety Awareness Proclamation. He then presented the Alvarado Indians Football team proclamation to Coach Dixon.

CONSIDERATION AND ACTION REGARDING RESOLUTION CANVASSING THE MUNICIPAL ELECTION HELD ON MAY 12, 2012.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve the resolution canvassing the municipal election held on May 12, 2012 and declare the candidates elected to office. This motion supported six votes in approval and zero votes opposed. Motion carried.

SWEARING IN OF MAYOR AND COUNCILPERSONS.

Debbie Thomas, City Secretary, then gave the oath of office to the Mayor and Councilpersons.

CONSIDERATION AND ACTION REGARDING ELECTION OF A MAYOR PRO TEM.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to elect Joe Sain as the Mayor Pro Tem. 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 Shawn Goulding, to approve the Consent Agenda. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION TO DETERMINE WHETHER TO ORDER THE REPAIR, REMOVAL, OR DEMOLITION OF THE FOLLOWING SUBSTANDARD STRUCTURE: 204 E. WEAVER, LOT 1A, 2A, BLOCK 36, ORIGINAL TOWN ADDITION, ALVARADO, JOHNSON COUNTY, TEXAS.

Mayor Dewayne Richters opened the public hearing at 6:45 p.m. Doug Ballard, Building Official presented the council the Substandard Inspection Report detailing all of the deficiencies in this building. Mr Jerry Falk presented a slide show detailing the concrete wall that fell from this building onto his new fence. Mr. Rod McNeal, owner of the building, stated that this was hay season and he was very busy working seven days a week with his hay business, but could possibly have time to address some of the issues that were discussed this evening.

Mayor Dewayne Richters then convened into Executive Session at 7:20 p.m. under Section 551.071, Consultation with Attorney. Mayor Richters then reconvened into open session at 7:48 p.m.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Shawn Goulding that the City Council finds that such defects or conditions exist to the extent that the life, health, property or safety of the public or occupancy of the building are endangered; and it is probable that the building may be repaired within 30 days, however, there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time, beyond 30 days, is given. The City Council also finds that the following violations of municipal standards present in the building:

1. See attached violations labeled Exhibit "A".

We the City Council order that the owner demolish the building or repair the building to meet all municipal standards and remedy all violations set forth in the attached and incorporated Exhibit "A" within 30 days of the effective date hereof; or that in the event the owner fails to repair or demolish the building within 30 days of the effective date hereof, the building may be repaired or demolished by any of the mortgages or lienholders, if any, within 30 days hereafter; or if action is not taken with the time allotted, the City of Alvarado will repair or demolish the building and charge the cost to the property. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REQUEST OF A VARIANCE FROM THE CITY OF ALVARADO SIGN ORDINANCES, CHAPTER 30, SECTION 30-12, TO ALLOW THE USAGE OF A POLE SIGN AND A MONUMENT SIGN ON THE SAME PREMISES AND ALLOW THE MONUMENT SIGN TO EXCEED THE HEIGHT ALLOWANCE OF 8 FEET FOR PROPERTY LOCATED AT 6940 HWY 67 W (PART OF TRACT 7 OF THE J DIXON SURVEY).

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to table this item until the next meeting since QT could not be here at this meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REQUEST FOR A VARIANCE FROM THE CITY OF ALVARADO SIGN ORDINANCES, CHAPTER 30, SECTION 30-13, TO ALLOW A PERMANENT OFF-PREMISES POLE SIGN THAT EXCEEDS THE ALLOWED NUMBER OF SIGN PANELS, SQUARE FEET, HEIGHT LIMIT, AND GROUND CLEARANCE FOR PROPERTY LOCATED AT 200-226 VILLAGE PARK DRIVE (LOT 7 OF THE VILLAGE PARK ADDITION).

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve a variance from the City of Alvarado sign ordinances, chapter 30, section 30-13 to allow a permanent off-premise pole sign that exceeds the allowed number of sign panels, square feet, height limit, and ground clearance for property located at 200-226 Village Park Drive. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REQUEST TO CLOSE THE EAST-WEST ALLEY IN BLOCK 9 OF THE ORIGINAL TOWN ADDITION BETWEEN N. CUMMINGS AND N RUSSELL STREET.

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to approve an ordinance closing the east-west alley in Block 9 of the Original Town Addition between N.

Cummings and N. Russell Street and convey quitclaim deeds to the property owners. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO ADOPTING A NEW DROUGHT CONTINGENCY PLAN; AUTHORIZING THE CITY MANAGER TO ACT ACCORDING TO THE PLAN.

Mayor Dewayne Richters opened the Public Hearing at 8:01 p.m. Clint Davis, City Manager, addressed the council stating the need for a new drought contingency plan with penalties for violators since Stage II water restrictions are already in place. Mayor Dewayne Richters then closed the public hearing at 8:13 p.m. Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson David Bayless, to approve an ordinance adopting a new drought contingency plan with a fine of \$100.00 to \$500.00 maximum per occurrence and authorizing the City Manager to act according to the plan. 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 DENYING ATMOS ENERGY CORP, MID-TEX DIVISION'S REQUESTED RATE CHANGE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES.

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance denying Atmos Energy Corp, Mid-Tex Division's requested rate change and require the company to reimburse the city's reasonable ratemaking expenses. This motion supported six votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE APPROVAL FOR CONSTRUCTION AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR A NEW ANIMAL CONTROL BUILDING.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve the construction and authorize the city manager to advertise for bids for a new animal control shelter located at 600 S. Parkway. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY OF ALVARADO ADOPTING A REVISED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012.

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Kelle Whitfill, Finance Director addressed the council in reference to budget amendments needed to cleanup General Fund budget. Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson David Bayless, to approve an ordinance adopting a revised budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012. This motion supported six votes in approval and zero votes opposed. Motion carried.

DISCUSSION REGARDING A YOUTH CENTER LOCATED AT 119 EAST COLLEGE.

Clint Davis, City Manager, stated that Henry Suber had discussed with him the possibility of starting a youth center at the building located at 119 East College. After discussion, council directed staff to direct Mr. Suber to submit a more detailed plan and commitments for the renovation of the building at the next council meeting.

EXECUTIVE SESSION

No Executive Session was held.

PUBLIC COMMENTS

Mr. Earl Dickey submitted a petition to the Mayor in reference to discontinuance of taxation on property.

Brad Anderson, Chief of Police, introduced new police officers Dylan Mansell and Louis DeTommoso to the Mayor and Council.

CITY MANAGERS REPORT

Clint Davis, City Manager, addressed the City Council reminding them of the written city manager's report, the Spring Fling that was held on the square in April, the Honey Tour Bike Ride held on Memorial Day Weekend, July 4th celebration at Diamond W and that negotiations were being held to hold a Car Swap Meet at Diamond W Arena.

COUNCIL COMMENTS

There were no council comments at this meeting.

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ADJOURNMENT

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain to adjourn this regular meeting of the City Council of the City of Alvarado at 8:16 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2012.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary