

CITY OF ALVARADO

County of Johnson

State of Texas

July 18, 2011

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, July 18, 2011 at 6:35 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 (arrived at 8:30 p.m.)

Others Present:

Clint Davis	*	City Manager
Kelle Whitfill	*	Finance Director
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
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 6.36 P.M. and gave the Invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Danny Jones addressed the council in reference to future plans for the rebuilding of the square. Clint Davis, City Manager explained that there every effort is being done to revitalize the square.

CONSENT AGENDA

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

Minutes
Regular Council Meeting
July 18, 2011
Page Two

EXECUTIVE SESSION

Mayor Dewayne Richters then convened into Executive Session at 6:41 p.m.

Mayor Dewayne Richters reconvened into open session at 7:22 p.m.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REZONING OF BLOCK 12, LOTS 11-12, OF THE OLD TOWN ADDITION FROM AN SF-2 (SINGLE FAMILY) ZONE TO AN I (INSTITUTIONAL ZONE)

Mayor Dewayne Richters opened the Public Hearing at 7:24 p.m. Mr. Steve ~~Griffin~~ Gifford from the Mansard Training Center addressed the council explaining the type of trade school and the qualifications that are required to attend this school to the council. He stated that this is being recommended by the Texas Workforce Commission and the applicants will be screened in the same process as for federal funding.

Mr. Lloyd Trumbull, Beverly Short, Cassandra Flores, Ruth Daniels and Danny Jones addressed the council in opposition of this trade school being placed in their neighborhood.

Mayor Dewayne Richters then closed this Public Hearing at 7:53 p.m.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to deny the rezoning of Block 12, Lots 11-12 of the Old Town Addition from an SF-2 (Single Family) Zone to an I (Institutional Zone). This motion supported five votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REZONING OF A PORTION OF TRACT 27 OF THE G. S. MCINTOSH SURVEY, ABSTRACT 625, ALVARADO, JOHNSON COUNTY, TEXAS, FROM AN SF-2 (SINGLE FAMILY) ZONE TO AN A (AGRICULTURAL) ZONE AND BY AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A DETENTION FACILITY/PRISON/JAIL/PLACE OF INCARCERATION IN AN "A" (AGRICULTURE) ZONING DISTRICT.

Mayor Dewayne Richters opened the public hearing at 7:54 p.m. Mayor Richters then closed the public hearing at 7:55p.m. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve the rezoning of a portion of Tract 27 of the G. S. McIntosh Survey, Abstract 625, from an SF-2 (Single Family) Zone to an A (Agricultural) zone and to authorize the issuance of a Specific Use Permit with the modification to the height of a wall to accommodate a detention facility/prison/jail/place of incarceration. This motion supported five votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY BY AMENDING THE LAND USE IDENTIFIED AS: "SCHOOL, TRADE OR COMMERCIAL" AND CREATING TWO SEPARATE LAND USES TO BE TITLED: "SCHOOL, TRADE" AND "SCHOOL, COMMERCIAL" PROVIDING FOR LAND USE DEFINITIONS, IDENTIFYING WHERE SUCH USES SHALL BE PERMITTED OUTRIGHT; CONDITIONALLY PERMITTED AND PROHIBITED..

Mayor Dewayne Richters opened the public hearing at 7:57 p.m. Mayor Richters then closed this public hearing at 8:02 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve this ordinance amending the comprehensive zoning ordinance by amending the land use identified as: "School, Trade or Commercial" and creating two separate land uses to be titled: "School, Trade" and "School, Commercial"; providing for land use definitions; identifying where such uses shall be permitted outright; conditionally permitted and prohibited. This motion supported five votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING CHAPTER 42, THE ZONING ORDINANCE OF THE CITY, AMENDING REGULATIONS GOVERNING THE SETBACK OF PRIVATELY OWNED SWIMMING POOLS FROM PROPERTY LINES.

Mayor Dewayne Richters opened the public hearing at 8:04 p.m. Mayor Richters closed the public hearing at 8:04 p.m. After discussion, motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve an ordinance amending Chapter 42 regarding regulations governing the setback of privately owned swimming pools from property lines. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AWARD OF BID FOR THE LAKEVIEW SANITARY SEWER OUTFALL PHASE I.

Brian Sherrieb from Dannenbaum Engineering addressed the council regarding the award of bid for the Lakeview Sanitary Sewer Outfall Phase I project. His recommendation was Canary Construction at a bid of \$255,658.00. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to award the contract to Canary Construction at a bid price of \$255,658.00. This motion supported five votes in approval and zero votes opposed. Motion carried.

Minutes
Regular Council Meeting
July 18, 2011
Page Four

CONSIDERATION AND ACTION REGARDING CONTRACT BETWEEN OSE FINANCIAL SERVICES AND THE CITY OF ALVARADO FOR COPY EQUIPMENT.

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore approve the contract between Ose Financial Services and the City of Alvarado for copy equipment. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN AMENDED GAS WELL PERMIT APPLICATION FOR THE HILDE-DEAVER #1-H WELL, LOCATED ON CR 607 ON TRACT 26 OF THE G. S. MCINTOSH SURVEY, ABSTRACT 625.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson David Bayless, to approve the amended gas well permit application for the Hilde-Deaver #1-H well. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING SCHEDULING OF PUBLIC HEARINGS FOR 2011 TAX RATE.

Debbie Thomas, City Secretary, stated that two public hearings are required before the adopting of the 2011 tax rate. Staff is recommending the first public hearing be held at the next regular council meeting held on August 15, 2011 and the second public hearing to be held at the Special Called Meeting on September 12, 2011. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Shawn Goulding, to accept these dates for the public hearings. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING RESOLUTION AUTHORIZING AND APPROVING THE CREATION OF A NON-PROFIT CORPORATION TO ACT ON BEHALF OF THE CITY OF ALVARADO, TEXAS TO FINANCE, REFINANCE, OR PROVIDE THE COSTS OF PUBLIC FACILITIES OF THE CITY AND APPROVING THE ARTICLES OF INCORPORATION AND BYLAWS THEREOF AND APPOINTING MEMBERS THEREOF.

This item was taken into Executive Session.

Minutes
Regular Council Meeting
July 18, 2011
Page Five

CONSIDERATION AND ACTION REGARDING CONTRACT BETWEEN CHILDRESS ENGINEERS AND THE CITY OF ALVARADO FOR THE WASTEWATER PLANT PERMIT RENEWAL.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve the contract between Childress Engineers and the City of Alvarado for the Wastewater Plant Permit renewal. This motion supported five ayes and zero nays. Motion passed.

CONSIDERATION AND ACTION REGARDING A FACILITIES LICENSE AGREEMENT WITH JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 FOR THE PURPOSE OF STATIONING PERSONNEL AND EQUIPMENT IN THE ALVARADO FIRE STATION.

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain to approve the facilities license agreement with Johnson County Emergency Services District #1 for the purpose of stationing personnel and equipment in the Alvarado Fire Station. This motion supported five votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Dewayne Richters then convened into Executive Session at 8:20 p.m.

Mayor Richters reconvened into open session at 10:07 p.m.

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

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson David Bayless to approve a resolution creating the Prairielands Public Facilities Corporation and to appoint Tom Moore, Jacob Wheat and Steve Affeman to this corporation and to hold its annual meeting in July. This motion supported six votes in approval and zero votes opposed. Motion carried.

CITY MANAGERS REPORT

Clint Davis, City Manager, explained to the council that we are working to secure the roof and the contract for renovation for the wagon barn. Maple Street will be closed so that we may replace culverts. The monument repairs have begun at Balch Cemetery. Funds have been budgeted for a horse show and dog show at Diamond W Arena. TXDOT is proceeding with the College Street bridge removal.

Minutes
Regular Council Meeting
July 18, 2011
Page Six

ADJOURNMENT

Motion was made by Councilmember David Bayless, duly seconded by Councilperson Tom Moore to adjourn this regular meeting of the City Council of the City of Alvarado at 10:12 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2011.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary