

CITY OF ALVARADO

County of Johnson State of Texas August 15, 2011

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, August 15, 2011 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

Absent:

Arrdeen Vaughan	*	Councilperson
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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 6.30 P.M. and Councilman Jacob Wheat gave the Invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

There were no public comments at this meeting.

CONSENT AGENDA

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore, to approve the Consent Agenda with the following correction to the minutes: to change Griffin to Gifford. This motion supported five votes in approval and zero votes opposed. Motion carried.

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PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE AMENDMENT OF SECTION 42-673(6) OF THE ZONING ORDINANCES REGARDING THE DEFINITION OF SELF-STORAGE, MINI-WAREHOUSES TO INCLUDE THE STORAGE OF VEHICLES.

Mayor Dewayne Richters opened the Public Hearing at 6:35 p.m. Sharon Vass then explained to the council the need for the definition to be placed in the zoning ordinance. Mayor Dewayne Richters then closed this Public Hearing at 7:53 p.m.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the amendment of Section 42-673(6) of the Zoning Ordinances regarding the definition of self-storage, mini-warehouses to include the storage of vehicles.. 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 BLOCK 6, LOT 5R9 OF THE WOOLARD ADDITION, BY ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A SELF STORAGE/MINI-WAREHOUSE IN A C-2 (COMMERCIAL) ZONE

Mayor Dewayne Richters opened the public hearing at 6:39 p.m. Mayor Richters then closed the public hearing at 6:40 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the rezoning of a portion of Block 6, Lot 5R9 of the Woolard Addition by issuance of a specific use permit to accommodate a self-storage/mini-warehouse in a C-2 (Commercial) Zone. This motion supported five votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE DELETION OF WORDING IN SECTIONS 34-167(M)(1) AND 34-169 THAT REQUIRES BUILDING LINES AND SETBACK LINES TO BE DRAWN ON PLATS.

Mayor Dewayne Richters opened the public hearing at 6:42 p.m. Mayor Richters then closed this public hearing at 6:43 p.m. Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Tom Moore, to approve this ordinance regarding the deletion of wording in Sections 34-167(M)(1) and 34-169 that requires building lines and setback lines to be drawn on plats. This motion supported five votes in approval and zero votes opposed. Motion carried.

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PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING SECTION 42-662, TABLE 5B OF THE ZONING ORDINANCES TO ALLOW GYMNASTIC OR DANCE STUDIOS IN THE CBD (COMMERCIAL) ZONE.

Mayor Dewayne Richters opened the public hearing at 6:44 p.m. Sharon Vass explained to the council that this was a housekeeping matter to correct the ordinance. Mayor Richters closed the public hearing at 6:45 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance amending Section 42-662, Table 5B of the zoning ordinances to allow gymnastic or dance studios in the CBD (Commercial) zone. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE PRELIMINARY PLAT OF TRACT 281 OF THE SETH MORRIS SURVEY, ABSTRACT 536, LOCATED IN THE 7000 BLOCK OF FM 3136, TO BE CALLED BLOCK 1, LOT 1-5 OF THE TURKEY HILL ADDITION.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve the preliminary plat of Tract 281 of the Seth Morris Survey, Abstract 536, located in the 7000 block of FM 3136, to be called Block 1, Lot 1-5 of the Turkey Hill Addition. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE FINAL PLAT OF TRACT 281 OF THE SETH MORRIS SURVEY, ABSTRACT 536, LOCATED IN THE 7000 BLOCK OF FM 3136, TO BE CALLED BLOCK 1, LOT 1-5 OF THE TURKEY HILL ADDITION.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve the final plat of approve Tract 281 of the Seth Morris Survey, Abstract 536, located in the 7000 block of FM 3136, to be called Block 1, Lot 1-5 of the Turkey Hill Addition. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE SELECTION OF AN ENGINEERING FIRM TO SERVE AS CITY ENGINEER.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve the selection of Childress Engineers to serve as the city engineer. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A WATER STORAGE FACILITY, TRANSMISSION LINES, AND PUMP STATION LOCATED ON SUNFLOWER LANE.

This item was skipped.

CONSIDERATION AND ACTION REGARDING SALE OF CITY PROPERTY LOCATED AT 206 N. BAUGH TO JOHNSON COUNTY AND THE RELOCATION OF THE ANIMAL CONTROL FACILITIES TO THE OLD PUBLIC WORKS SITE.

Clint Davis, City Manager explained to the council that Johnson County would like to purchase the property located beside the library at 206 N. Baugh to build a new sub-courthouse. The Animal Control office and dog kennels would have to be relocated to a new location. The city still owns the property at the old public works yards and we could relocate to this location with the addition of a portable building and moving the kennels to this property. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to negotiate the sale of the property located at 206 N. Baugh at a minimum of price of the taxable value and to move the Animal Control to the old public works facility and to authorize the city manager to negotiate this sale. This motion supported 5 votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING SECTION 6 OF THE ALVARADO FEE SCHEDULE, ALVARADO, TEXAS FOR CHARGES FOR WATER SERVICES.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom moore, to approve an ordinance amending Section 6 of the Alvarado Fee schedule, for charges to water services. This motion supported five in approval and zero votes opposed. Motion passed.

CONSIDERATION AND ACTION REGARDING AN AGREEMENT BETWEEN THE CITY OF ALVARADO AND THE PRAIRIELANDS PUBLIC FACILITY CORPORATION FOR THE REIMBURSEMENT OF COSTS FOR THE OPERATION AND MAINTENANCE OF THE CORPORATION UNTIL SUCH TIME AS SUCH COSTS MAY BE REIMBURSED THROUGH THE ISSUANCE OF BONDS BY THE CORPORATION.

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain to approve an agreement between the City of Alvarado the the Prairielands Public Facility Corporation for the reimbursement of costs for the operation and maintenance of the corporation until such time as such costs may be reimbursed through the issuance of bonds by the corporation. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE INCREASE OF COSTS FOR THE EMERGENCY ACTION PLAN FOR NRCS LAKE SITE DAM NO. 2.

After discussion, motion was made by Councilperson Tom Moore, duly seconded by Councilperson Jacob Wheat to approve the expenditure of \$2,900.00 more to the existing costs to complete the detailed study instead of the simplified study for the Emergency Action Plan for NRCS Lake Site Dam No. 2. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING USE OF ROYALTY FUNDS TO REPLACE AIR CONDITIONING SYSTEM IN CITY HALL AND TO FURNISH PRE-EXPOSURE RABIES SHOTS TO ANIMAL CONTROL OFFICER.

Clint Davis, City Manager explained to the council that one of the air conditioners located at city hall will have to be replaced at a cost of approximately \$7,500. He also explained that since there is an outbreak of rabies cases in Johnson county, our animal control officer should have the pre-exposure rabies vaccinations. This is a series of three injections at a cost of approximately \$900.00 to \$1,000.00. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve the expenditure out of the Royalty fund for the replacement of the air conditioner at city hall and to furnish pre-exposure rabies vaccines to our animal control officer. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A FINANCIAL ADVISORY SERVICES AGREEMENT BETWEEN SOUTHWEST SECURITIES AND THE CITY OF ALVARADO, TEXAS.

After discussion, motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Saino to approve a financial advisory services agreement between Southwest Securities and the City of Alvarado. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, AMENDING SECTION 14-51 AND SECTION 38-98 OF THE CODE OF ORDINANCES; PROVIDING THAT THE MAYOR OR HIS DESIGNEE MAY SIGN OR FILE PAPERWORK TO OBTAIN A LIEN.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve an ordinance amending Section 14-51 and Section 38-98 providing that the Mayor or his designee may sign or file paperwork to obtain a lien. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF ALVARADO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF SAID BONDS; PROVIDING FOR THE SECURITY AND PAYMENT OF SAID BONDS.

Mr. John Martin of Southwest Securities addressed the council in reference to the refunding of the cities outstanding bonds. He explained that the city would save approximately \$39,000.00 per year on debt payments. Motion was made by Councilperson Jacob Wheat, duly seconded by Mayor Pro Tem Joe Sain to approve an ordinance authorizing the issuance of the City of Alvrado General Obligation Refunding Bonds and establish procedures for the sale and delivery of said bonds; provide for the security and payment of said bonds. This motion supported five vote in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

An Executive Session was not held at this meeting.

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

CITY MANAGERS REPORT

Clint Davis, City Manager, explained to the council that our water system has improved and that Well No. 4 was in operation. We still are placed under our water contingency plan. We are moving forward on our street repair.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore to adjourn this regular meeting of the City Council of the City of Alvarado at 7:27 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

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

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary