

CITY OF ALVARADO

**County of Johnson
State of Texas
December 19, 2011**

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, December 19, 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
Arrdeen Vaughan	*	Councilperson
Shawn Goulding	*	Councilperson

Others Present:

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

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 6:33 P.M. and Jacob Wheat gave the Invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

There were no public comments at this meeting.

CONSENT AGENDA

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Jacob Wheat, to approve the Consent Agenda. This motion supported five votes in approval and zero votes opposed. Motion carried. After the vote for consent agenda Councilperson Tom Moore arrived.

CONSIDERATION AND ACTION REGARDING THE FINAL PLAT OF TRACTS 9 AND 11 OF THE DS HENDERSON SURVEY, ABSTRACT 334, LOCATED INSIDE THE IESE TX LANDFILL AT 9100 S. I-35W WITH THE CONSIDERATION OF A VARIANCE FROM STREET FRONTAGE.

Motion was made by Councilperson Jacob Wheat, duly seconded by Mayor Pro Tem Joe Sain, to approve the final plat of Tracts 9 and 11 of the DS Henderson Survey, Abstract 334, located inside the IESI TX Landfill and approve a variance from the street frontage. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN AMENDMENT TO THE ALVARADO CODE OF ORDINANCES, SECTION 42-2, "RULES OF CONSTRUCTION AND SPECIAL DEFINITIONS", BY AMENDING THE DEFINITIONS OF MASONRY AND MASONRY-TYPE PRODUCTS.

Mayor Dewayne Richters opened the public hearing at 6:40 p.m. Clint Davis, City Manager explained to the council that this was to change the current definition of masonry and masonry-type products in our Code or Ordinances. This was unanimously approved by the Planning and Zoning Commission. Mayor Dewayne Richters then closed this Public Hearing at 6:50 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve an amendment to the Alvarado Code of Ordinances, Section 42-2, "Rules of Construction and Special Definitions", by amending the definitions of masonry and masonry-type products. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING CHANGING THE JANUARY 2012 REGULAR COUNCIL MEETING TO JANUARY 23, 2012.

Debbie Thomas, City Secretary explained to the council that the regular date for the January 2012 council meeting would be on a city holiday. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Jacob Wheat to change the January 2012 regular council meeting to January 23, 2012. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING A REQUEST FOR A VARIANCE TO THE MINIMUM DISTANCE REQUIREMENTS FOR A PUBLIC SCHOOL FOR BEER AND ALCOHOL SALES AT THE ALVARADO FOOD MART SHELL LOCATED AT 200 HWY. 67 W.

Mayor Dewayne Richters then convened into Executive Session at 6:51 p.m. for consultation with attorney. He reconvened into open session at 7:06 p.m. Mayor Dewayne Richters opened the Public Hearing at 7:07 p.m. He then closed the Public Hearing at 7:08 p.m. Motion was made by Councilperson Jacob Wheat , duly seconded by Mayor Pro Tem Joe Sain, to table this item and place it on next month's agenda. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN AGREEMENT BETWEEN CHESAPEAKE OPERATING, INC. AND THE CITY OF ALVARADO TO INSTALL ONE 3" TEMPORARY ABOVE GROUND WATER LINE ON CITY PROPERTY LOCATED AT 600 S. PARWAY.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve the agreement between Chesapeake Operating and the City of Alvarado to install one 3" temporary above ground water line on city property located at 600 S. Parkway. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN INVOICE FROM JOHNSON COUNTY ELECTIONS FOR THE CITY OF ALVARADO LOCAL OPTION ELECTION.

Clint Davis, City Manager explained to the council that we had received an invoice from the county for over \$8,000.00 for the alcohol election that was held in November, 2011. The city was never informed that there would be a cost for this election. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore to pay this invoice out of the Gas and Royalty funds. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN AGREEMENT WITH ESPY SERVICES TO AUDIT ALL CLIENT TELECOMMUNICATIONS ACCOUNTS FOR THE PURPOSE OF FINDING ERRORS AND OVERCHARGES THAT NOW EXIST OR MAY HAVE EXISTED ON PAST INVOICES.

Kelle Whitfill, Finance Director explained to the Council that the this company will audit all land and cell phone invoices and search for errors and overcharges. If an error is found, the fee will be one-half of the savings that the city will get for twelve months. Motion was made by Councilperson David Bayless, duly seconded by Councilperson Jacob Wheat, to approve the agreement with ESPY to audit all telecommunications accounts for the city. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION REGARDING REGARDING RENEWAL OF EMPLOYEE'S HEALTH INSURANCE FOR 2012.

Clint Davis, City Manager informed the council that February 1, 2012 is renewal for the employee's health benefits. Staff is recommending staying with our current carrier, Blue Cross Blue Shield since we received a seven percent decrease in premiums. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to approve the renewal of health insurance with Blue Cross Blue Shield for the 2012 benefit year. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR A VARIANCE TO THE CITY'S ALCOHOLIC BEVERAGES BUSINESS REGULATIONS AND ESTABLISHING A CITY-CERTIFICATION FEE FOR ALCOHOLIC BEVERAGE PERMIT APPLICANTS.

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve a resolution establishing an application fee for a variance to the city's alcoholic beverages business regulations and establishing a city-certification fee for alcoholic beverage permit applicants. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS ADOPTING THE TEMPORARY RULES AND FEE RATE ADOPTION FOR THE PRAIRIELANDS GROUNDWATER CONVERSATION DISTRICT.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance adopting the temporary rules and fee rate for the Prairielands Groundwater conversation district and to pass this fee on to our citizens beginning on the January, 2012 water bill. This motion supported six votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

CITY MANAGERS REPORT

Clint Davis, City Manager, explained to the council that the wagon barn agreement had not been signed as this time. The environment study for the Animal Control site will cost approximately \$6,000.00. Allied Waste is not too interested in the recycling program for the city. A workshop needs to be scheduled for long range plans for the city. City Hall will be closed December 23 and 26th for the Christmas holidays and January 2 for the New Years holiday.

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COUNCIL COMMENTS

Mayor Dewayne Richters would like to recognize the Alvarado Football team for their wonderful accomplishments this year.

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 7:40 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