

CITY OF ALVARADO

County of Johnson State of Texas May 17, 2010

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, May 17, 2010 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Tom Durlington	*	Mayor
Joe Sain	*	Councilperson
Tom Moore	*	Councilperson
Dewayne Richters	*	Mayor Pro Tem
David Bayless	*	Councilperson
Bruce Clark	*	Councilperson

Others Present:

Don Ives	*	City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
Terry Hafer	*	Public Works Director
Sharon Vass	*	Community Development Director
Josh Vincent	*	Chief of Police
Richard VanWinkle	*	Fire Chief
Kelle Whitfill	*	Finance Director

INVOCATION

Mayor Tom Durlington called this regular meeting to order at 7:00 P.M. Pastor Scott gave the invocation.

PLEDGE OF ALLEGIANCE

CONSIDERATION AND ACTION REGARDING RESOLUTION CANVASSING THE MUNICIPAL ELECTION HELD ON MAY 8, 2010

Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Bruce Clark to adopt the resolution canvassing the municipal election held on May 8, 2010 with the following being duly elected:

Mayor	*	Dewayne "Coach" Richters
Councilperson, Ward I	*	David Bayless
Councilperson Ward II	*	Arrdeen Vaughan
Councilperson Ward III	*	Jacob Wheat.

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This motion supported five votes in approval and zero votes opposed. Motion carried.

SWEARING IN OF MAYOR AND COUNCILPERSONS

Mayor Tom Durlington then swore in Dewayne “Coach” Richters as the new Mayor of Alvarado. City Secretary Debbie Thomas then swore in David Bayless, Arrdeen Vaughan, and Jacob Wheat as new Councilpersons of Alvarado. They then took their places on the podium.

Mayor Dewayne “Coach” Richters then presented outgoing Mayor Tom Durlington with a plaque of appreciation for his twelve years of service to the City of Alvarado.

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 Councilperson Joe Sain as the Mayor Pro Tem. This motion supported six votes in approval and zero votes opposed. Motion carried.

PROCLAMATION

Councilperson Bruce Clark then read the Motorcycle Safety Awareness Month proclamation. Mayor Pro Tem Joe Sain read the Relay for Life proclamation.

PUBLIC HEARING

Mayor Dewayne “Coach” Richters opened the Public Hearing regarding approval of the permit for Chesapeake Energy drilling a well, Wellborn 6H on property in the A Spiva Survey A 770, Johnson County, Alvarado, Texas at 7:17 p.m. Community Director Sharon Vass addressed the council regarding this permit. Mayor Dewayne “Coach” Richters closed this public hearing at 7:18 p.m.

Mayor Dewayne “Coach” Richters opened the Public Hearing regarding the policies and practices involving handicapped persons at 7:18 p.m. Jessica Kaltenbach addressed the council in reference to the policies and procedures that are required for the Texas Community Development Block Grant program. Mayor Dewayne “Coach” Richters closed this public hearing at 7: 21 p.m.

CONSENT AGENDA

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

**CONSIDERATION AND ACTION REGARDING THE BID AWARD FOR THE
INSTALLATION OF SUNFLOWER/TANGLEWOOD WATER LINE FOR THE
2009 WATER SYSTEM IMPROVEMENTS (CDBG)**

Gary Fisher of Dannenbaum Engineering addressed the council and explained the bid procedure for this project. The city received seven bids with the lowest being Gin-Spen, Inc, with a bid amount of \$233,868.00 and completion within 120 calendar days. He then recommended that the council award the bid for the installation of Sunflower/Tanglewood water line to Gin-Spen, Inc. in the amount of \$233,868.00. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to award the contract for the installation of Sunflower/Tanglewood water line for the 2009 water system improvements (CDBG) in the amount of \$238,868.00 to Gin-Spen, Inc. with completion within 120 calendar days. This motion supported six votes in approval and zero votes opposed. Motion carried.

**CONSIDERATION AND ACTION TO AWARD CONTRACT FOR THE
ENGINEERING SERVICES ON LAKEVIEW SANITARY SEWER OUTFALL
LINE-PHASE I**

Don Ives, City Manager addressed the council explaining that the city had gone out for request for proposals from engineering firms for the engineering services on the Lakeview Sanitary Sewer Outfall-Phase I. This project is an EPA grant of \$243,000.00 with \$190,000.00 matching funds from the city. The city received three proposals and staff is recommending Dannenbaum Engineering in the amount of \$76,506.51. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to award a contract in the amount of \$49,921.90 for basic services and \$26,584.61 for special services to Dannenbaum Engineering for the engineering services on the Lakeview Sanitary Sewer Outfall Line-Phase I subject to the EPA approval. This motion supported six votes in approval and zero opposed. Motion carried.

**CONSIDERATION AND ACTION REGARDING RESOLUTION FOR INTENT
TO CONSIDER ESTABLISHING A TAX INCREMENT FINANCING
REINVESTMENT ZONE NO. 3 FOR HIGHWAY 67 EAST**

Diana Miller, Johnson County Economic Development Director, then explained to the council what a tax increment finance reinvestment zone is. Larry Cline, Schrader and Cline, explained to the council the procedures involved to initiate a tax increment finance reinvestment zone. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Jacob Wheat to approve the resolution for intent to consider establishing a Tax Increment Finance Reinvestment Zone No. 3 for Highway 67 East. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF ALVARADO, TEXAS: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Don Ives, City Manager explained to the Council that Municode Inc. had recodified the cities ordinances and that this ordinance would adopt the new code. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Jacob Wheat to approve the ordinance adopting and enacting a new code for the City of Alvarado, Texas. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF A RESOLUTION ADOPTING THE CITY OF ALVARADO PERSONNEL POLICY

Don Ives, City Manager explained to the Council that adopting of the new code of ordinances the Personnel Policy had been taken out of the Code Book. In the future, all changes to the personnel policy will be made by resolution and since the policies were now saved in the City Secretary's computer the changes will be made immediately and distributed to employees. This will save the city money since the code book will not have to be changed each time. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve the resolution adopting the City of Alvarado Personnel Policies. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF A RESOLUTION ADOPTING THE CITY OF ALVARADO FEE SCHEDULES

Don Ives, City Manager explained to the Council that the Fee Schedules of the City of Alvarado that were also in the old code had been removed in the new code and will be handled in the same procedure as the personnel policies. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve the resolution adopting the City of Alvarado Fee Schedules. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ACCEPTANCE OF THE AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED SEPTEMBER 3, 2009.

Chris Rutledge of Rutledge and Crain then presented the audited financial statements for the fiscal year ended September 30, 2009. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to accept the audited financial statements for the fiscal year ended September 30, 2009. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE PERMIT FOR CHESAPEAKE ENERGY DRILLING A WELL, WELBORN 6H ON THE PROPERTY LOCATED IN THE A SPIVA SURVEY A 770, JOHNSON COUNTY, ALVARADO, TEXAS

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve the permit for Chesapeake Energy drilling a well, Welborn 6H on the property located in the A Spiva Survey, A 770, Johnson County, Alvarado, Texas. This motion supported six votes in approval and zero votes opposed. Motion carried.

CITY MANAGER'S PRESENTATION OF FISCAL YEAR 2009-2010 MID-YEAR BUDGET STATUS

Don Ives, City Manager addressed the council in reference to the 2009-2010 mid-year budget status. He stated that because of the downturn in the economy, certain revenues are projected to be under the amounts budgeted. We still have certain revenues that are over the amounts budgeted and the fund balance in the general fund should remain at about \$623,000.00. We are on track to collect 100% of the Water and Sewer revenues.

EXECUTIVE SESSION

Mayor Dewayne "Coach" Richters then recessed this regular meeting to convene into Executive Session at 9:00 P.M. Regular meeting was reconvened at 10:45 P.M.

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

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to authorize the City Manager to execute the purchase agreement for property located at 117 and 119 East College for \$68,000.00 and up to \$70,000.00 if necessary. This motion supported six votes in approval and zero votes opposed. Motion carried.

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**CONSIDERATION AND ACTION REGARDING ADOPTION OF A
RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE COSTS
OF PROJECTS**

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark, to approve a resolution expressing official intent to reimburse costs of projects with future bond monies. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC COMMENTS

There were not Public Comments at this meeting.

CITY MANAGERS REPORT

Don Ives, City Manager explained to the Council the fiscal year 2010-2011 Budget Calendar stating the budget workshops with the council would be held on July 14 thru 16.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to adjourn this regular meeting of the City Council of the City of Alvarado at 10:50 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2010.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary

