

CITY OF ALVARADO

County of Johnson  
State of Texas

April 21, 2008  
MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, April 21, 2008 at 6:30 p.m. in the Council Chambers at City Hall. The first thirty minutes of the meeting was a public work session for the staff to brief the Council on Agenda Items. The following were present for roll call:

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

Absent:

Mellie Ferguson	*	Councilperson
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Others Present:

Kelle Whitfill	*	Interim City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney

INVOCATION

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

PLEDGE OF ALLEGIANCE

Kathleen Gould addressed the Council in reference to the Crime Victims Liaison Board which is a state mandated board that provides help to victims of crime. Ms. Gould stated that she would volunteer her time to set up this board. This item will be placed on the next regular meetings agenda.

CONSENT AGENDA

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

## PROCLAMATIONS

Mayor Tom Durlington then read the proclamation for Relay for Life  
Councilperson Bruce Clark read the proclamation for Motorcycle Safety and Awareness  
Month.

## CONSIDERATION AND ACTION REGARDING APPOINTMENT OF THREE MEMBERS AND A CHAIRMAN FOR THE TAX INCREMENT RELIEF ZONE #1 BOARD

Interim City Manager Kelle Whitfill advised the Council that three members needed to be  
chosen for this board since other membership had expired. Motion was made by  
Councilperson Joe Sain, duly seconded by Councilperson Tom Moore, to appoint David  
Bayless, Bruce Clark and Dewayne “Coach” Richters to this committee and to name  
Dewayne “Coach” Richters the chairperson. This motion supported five votes in  
approval and zero votes opposed. Motion carried.

## CONSIDERATION AND ACTION REGARDING WATER USAGE OUT OF LAKE ALVARADO WITH BRANDON BARRICH OF TEXICALI.

Brandon Barrich of Texicalli addressed the Council in reference to pumping water out of  
Lake Alvarado to fill his stock tank in exchange for making upgrades to the boat ramp  
area of Lake Alvarado. After discussion, motion was made by Councilperson Tom  
Moore, duly seconded by Councilperson Bruce Clark, to table this item and place it on  
the next agenda so that further information could be gathered. This motion supported  
five votes in approval and zero votes opposed. Motion carried.

## CONSIDERATION AND ACTION REGARDING APPROVAL AND RATIFICATION OF THE FIRE TRUCK RENTAL AGREEMENT WITH MARTIN APPARATUS

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters to approve the  
ratification the fire truck rental agreement with Martin Apparatus. This motion supported  
five votes in approval and zero votes opposed. Motion carried.

## PUBLIC HEARING, CONSIDERATION AND ACTION REGARDING REZONING OF A PORTION OF TRACT 26 OF THE J. DIXON SURVEY, ABSTRACT 214, LOCATED IN THE 700 BLOCK OF N. PARKWAY BY ISSUANE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A MOTEL IN A C-2 (COMMERCIAL) ZONE.

Mayor Tom Durlington opened the Public Hearing at 7:15P.M.

City Clerk Sharon Vass explained to the Council that the Planning and Zoning Board had  
denied this item.

The Public Hearing was closed at 7:16 P.M.

No action was taken on this item.

PUBLIC HEARING, CONSIDERATION AND ACTION REGARDING REZONING OF BLOCK 12, LOTS 10, 11, AND 12 OF THE OLD TOWN ADDITION, LOCATED AT 208 E. PURDOM, FROM AN SF-2 (SINGLE FAMILY) ZONE TO A C-1 (COMMERCIAL) ZONE, TO ACCOMMODATE A HOMELESS SHELTER.

Mayor Tom Durlington opened the Public Hearing at 7:17 P.M.

City Clerk Sharon Vass addressed the Council and stated that the City of Alvarado Planning and Zoning Board recommends denying this request.

Mr. E. Shivers addressed the Council and stated that he was in favor of this shelter and praised Ms. Ford for giving of her time and money.

Ms. Cynthia Bates and Kathleen Gould addressed the Council and stated that they were not in favor of this homeless shelter in their neighborhood. Both stated that our streets, water and sewer infrastructure, police force and the building was not acceptable for this added load to the population of Alvarado. They were very concerned about the safety issue for their families since this shelter would be so close in their neighborhood.

The Public Hearing was closed at 7:42 P.M.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to deny this request to rezone Block 12, Lots 10, 11 and 12 of the Old Town Addition, located at 208 E. Purdom, from an SF-2 (Single Family) Zone to a C-1 (Commercial) Zone, to accommodate a homeless shelter. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A COMBINATION PLAT OF TRACTS 29B AND 29C OF THE J. DIXON SURVEY, ABSTRACT 214, LOCATED IN THE 800 BLOCK OF HWY 67 W, TO BE CALLED BLOCK 1, LOT 1 OF THE SUNNY ADDITION.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne "Coach" Richters, to approve the combination plat of Tracts 29B and 29C of the J. Dixon Survey, Abstract 214, located in the 800 block of Hwy. 67 W, to be called Block 1, Lot 1 of the Sunny Addition. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING, CONSIDERATION AND ACTION REGARDING REZONING OF LOT 1 OF THE ALVARADO WASTEWATER TREATMENT PLANT ADDITION, LOCATED ON CR 404, BY ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A CITY WASTEWATER TREATMENT PLANT IN AN AG (AGRICULTURE) ZONE.

Mayor Tom Durington opened the Public Hearing at 7:43 P.M.  
The Public Hearing was closed at 7:43 P.M.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne "Coach" Richters to approve the rezoning of Lot 1 of the Alvarado Wastewater Treatment Plant Addition, located on CR 404, by issuance of a Specific Use Permit to accommodate a city wastewater treatment plant in an AG (Agriculture) Zone. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING POSSIBLE ACTION TO PURSUE  
A CLAIM AGAINST THE BID BOND OF PURCELL CONTRACTING LTD  
RELATING TO THEIR BID FOR THE CITY OF ALVARADO 'S 2003 SEWER  
IMPROVEMENTS (RUS) WASTEWATER TREATMENT PLANT.

This item was taken into Executive Session for discussion with the City Attorney.

#### EXECUTIVE SESSION

Mayor Tom Durington convened into Executive Session at 7:43 P.M.  
Mayor Tom Durington reconvened into Open Session at 8:19 P.M.

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

No action was taken.

#### ADJOURNMENT

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Dewayne "Coach" Richters, to adjourn this regular meeting of the City Council of the City of Alvarado at 8:20 p.m. This motion supported five votes in approval and zero votes opposed. Motion carried.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Mayor Tom Durington

ATTEST:

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Debbie Thomas, City Secretary