

CITY OF ALVARADO

County of Johnson

State of Texas

March 16, 2009

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, March 16, 2009 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
Michael Rayburn	*	Councilperson
Dwayne Richters	*	Mayor Pro Tem

Absent:

David Bayless	*	Councilperson
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Others Present:

Don Ives	*	City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
Kelle Whitfill	*	Finance Director
Sharon Vass	*	Director of Community Service
Terry Hafer	*	Public Works Director

INVOCATION

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

PLEDGE OF ALLEGIANCE

PROCLAMATION

Mayor Tom Durlington read the proclamation declaring March, 2009 as Red Cross Month.

PUBLIC HEARING

Mayor Tom Durlington opened the Public Hearing to replat Block 4, Lots 24-26 of the Alvarado Hills Addition, located at 905 and 909 Edgar Court, to be called Block 4, Lots 24R and 25R of the Alvarado Hills Addition at 7:05 P.M. Sharon Vass, Community Development Director told the Council that this was needed to place double wide mobile homes on these lots and that the Planning and Zoning Commission had approved this replat.

Minutes
Regular Council Meeting
March 16, 2009
Page Two

Mayor Tom Durlington then closed this Public Hearing at 7:07 P.M.

Mayor Tom Durlington opened the Public Hearing for the replat of Block 2, Lot 1 of the Cox Addition, located at 113 Sunset to be called Block 2, Lots 1-R-A and 1-R-B of the Cox Addition at 7:07 P.M. Sharon Vass, Community Development Director stated that the Planning and Zoning Commission had approved this replat. Mayor Tom Durlington closed the Public Hearing at 7:08 P.M.

Mayor Tom Durlington opened the Public Hearing for the replat of the Lot 1 of the Chataqua Addition, located at 7900 South I-35W, to be called Lots 1-R-1, 1-R-2, and 1-R-3 of the Chataqua Addition at 7:08 P.M. Sharon Vass, Community Development Director explained to the Council that this area was in Alvarado's ETJ and the Planning and Zoning Commission had approved this replat. Mayor Tom Durlington then closed this Public Hearing at 7:09 P.M.

CONSENT AGENDA

Motion was made by Councilperson Michael Rayburn and duly seconded by Councilperson Joe Sain, to approve the Consent Agenda. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TRANSPORTATION CODE, CHAPTER 545, SECTION 545.356, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION ON FM 1807, OR PARTS THEREOF.

Don Ives, City Manager, explained to the Council that TXDOT had revised the speed limits for FM 1807 since the last meeting when this ordinance was originally approved. Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Michael Rayburn, to approve this ordinance altering the prima facie speed limits established for vehicles under the provisions of the Transportation Code, Chapter 545, Section 545.356, upon the basis of an engineering and traffic investigation on FM 2807, or parts thereof. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING VISION JOHNSON COUNTY/ VION OUR TOWN PROJECT

Diana Miller, Johnson County Economic Development, presented a PowerPoint presentation regarding Vision Johnson County/Vision our Town project. This project would be paid for by Johnson County Economic Development and would provide an online survey for the citizens of the city to answer questions regarding their thoughts on services provided by the city. Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Michael Rayburn, to participate in

Minutes
Regular Meeting
March 16, 2009
Page Three

Vision Johnson County/Vision our Town project with Johnson County. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE CERTIFICATION OF UNOPPOSED CANDIDATES AND CANCELLATION OF THE MAY 9, 2009 GENERAL AND SPECIAL ELECTION.

Debbie Thomas, City Secretary, certified that the following candidates are unopposed for election to office for the election scheduled to be held on May 9, 2009:

City Councilperson Ward I	Tom Moore
City Councilperson Ward II	Joe Sain
City Councilperson Ward II	Michael Rayburn
City Councilperson Ward III	Bruce Clark

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters, duly seconded by Councilperson Michael Rayburn to accept the certification of unopposed candidates. This motion supported five votes in approval and zero votes opposed. Motion carried.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to cancel the May 9, 2009 General and Special election for the City of Alvarado. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ALVARADO’S GARDEN CLUB REQUEST TO PLANT A TREE AT PARKWAY PARK IN MEMORY OF THE MABERRY FAMILY

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters, duly seconded by Councilperson Michael Rayburn to approve the Alvarado Garden Club’s request to plant a tree in Parkway Park in memory of the Maberry family. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPOINTMENT AND REAPPOINTMENT OF PARK BOARD MEMBERS

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Michael Rayburn to approve the appointment of Sammy Stell and the reappointment of Ruth West, Danny Elam, and David Bayless to the Parks Board. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE ESTABLISHING PARK PAVILION RENTAL POLICIES AND FEES.

Don Ives, City Manager, explained to the Council that the Parks Board has made a recommendation that this ordinance be approved setting up park pavilion rental policies and fees. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Joe Sain to approve this ordinance establishing park pavilion rental policies and fees. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPROVAL OF AN INTERLOCAL AGREEMENT FOR PARTICIPATION IN THE CITY OF FORT WORTH'S ENVIRONMENTAL COLLECTION CENTER HOUSEHOLD HAZARDOUS WASTE PROGRAM

Don Ives, City Manager, addressed the Council in reference to participating in the City of Fort Worth's Environment Collection Center Household Hazardous Waste Program. He stated that the City of Fort Worth would come to Alvarado and citizens could remove all hazardous household waste from their homes. The cost to the city would be \$47.00 per home. Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Bruce Clark to participate and allow the City Manager to enter into the Interlocal Agreement with the City of Fort Worth's Environment Collection Center Household Hazardous Waste program. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REPLATTING OF BLOCK 4, LOTS 24-26, OF THE ALVARADO HILLS ADDITION, LOCATED AT 905 AND 909 EDGAR COURT, TO BE CALLED BLOCK 4, LOTS 24R AND 25R OF THE ALVARADO HILLS ADDITION.

Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Michael Rayburn to approve the replatting of Block 4, Lots 24-26, of the Alvarado Hills Addition, located at 905 and 909 Edgar Court, to be called Block 4, Lots 24R and 25R of the Alvarado Hills Addition. This motion supported fives votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REPLATTING OF BLOCK 2, LOT 1 OF THE COX ADDITION, LOCATED AT 113 SUNSET, TO BE CALLED BLOCK 2, LOTS 1-R-A AND 1-R-B OF THE COX ADDITION.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne “Coach” Richters to approve the replat of Block 2, Lot 1 of the Cox Addition, located at 113 Sunset, to be called Block 2, Lots 1-R-A and 1-R-B of the Cox Addition. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE REPLATTING OF LOT 1 OF THE CHATAUQUA ADDITION, LOCATED AT 7900 SOUTH I-35W, TO BE CALLED LOTS 1-R-1, 1-R-2, AND 1-R-3 OF THE CHATAUQUA ADDITION.

Motion was made by Councilperson Michael Rayburn, duly seconded by Mayor Pro Tem Dewayne “Coach” Richters, to approve the replat of Lot 1 of the Chatauqua Addition, located at 7900 South I-35W, to be called Lots 1-R-1, 1-R-2, and 1-R-3 of the Chatauqua Addition. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE PETITION REQUESTING ANNEXATION FROM SABRE DIVISIONS, LOCATED AT LOT 3, BLOCK 1 OF THE SABRE PLAZA ADDITION, AN ADDITION TO JOHNSON COUNTY, TEXAS, AND A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR THE PUBLIC HEARINGS REGARDING THE PROPOSED ANNEXATION.

Bryn Meredith, City Attorney, explained to the Council the procedures and time lines that are required by State law for the annexation process. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Michael Rayburn, to hold the Public Hearings regarding the petition requesting annexation from Sabre Divisions at the next two regular council meetings and to approve the ordinance for annexation at the third regular meeting. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO BRING A CONDEMNATION ACTION FOR THE PURPOSE OF OBTAINING A PERMANENT UTILITY EASEMENT FOR USE BY THE CITY FOR IMPROVEMENTS LOCATED AT SABRE TUBULAR STRUCTURES, 8653 HWY 67 EAST.

Minutes
Regular Meeting
March 16, 2009
Page Six

Don Ives, City Manager, explained to the Council that at this time he could not locate one property owner and that one property owner is not willing to grant the city a utility easement on her property for the Sabre utility improvements. He is still trying to negotiate the best offer at this time. Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Tom Moore, to approve this resolution authorizing the City Attorney to bring a condemnation action for the purpose of obtaining a permanent utility easement for use by the city for utility improvements located at Sabre Tubular Structures, 8653 Hwy 67 East but only if good faith negotiations fail. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING 2008-2009 BUDGET AMENDMENTS.

Don Ives, City Manager addressed the Council in reference to the 2008-2009 budget amendments that needed to be made mid-year. These budget amendments are attached as Attachment "A" to the minutes from this meeting. Motion was made by Mayor Pro Tem Dewayne "Coach" Richters, duly seconded by Councilperson Bruce Clark, to approve the 2008-2009 mid-year budget amendments. This motion supported five votes in approval and zero votes opposed. Motion carried.

PUBLIC COMMENTS

Mr. Dickey, 4404 CR 404C, addressed the Council in reference to the Federal Reserve monetary situation of which he spoke on at the last council meeting. The Mayor informed him that he would take care of this when time permits.

EXECUTIVE SESSION

An Executive Session was not held at this meeting.

ADJOURNMENT

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to adjourn this regular meeting of the City Council of the City of Alvarado at 8:10 p.m. This motion supported five votes in approval and zero votes opposed. Motion carried.

Minutes
Regular Meeting
March 16, 2009
Page Seven

Passed and approved this the _____ day of _____, 2009.

Mayor Tom Durlington

ATTEST:

Debbie Thomas, City Secretary