

CITY OF ALVARADO

County of Johnson
State of Texas
December 15, 2008

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, December 15, 2008 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
Bruce Clark	*	Councilperson
Tom Moore	*	Councilperson
Michael Rayburn	*	Councilperson
Dwayne Richters	*	Mayor Pro Tem
David Bayless	*	Councilperson

Others Present:

Don Ives	*	City Manager
Debbie Thomas	*	City Secretary
Bryn Meredith	*	City Attorney
Kelle Whitfill	*	Finance Director
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

PUBLIC HEARING

The Public Hearing regarding an amendment to the Zoning Ordinance of the City of Alvarado, Texas was postponed until the next regular meeting.

Mayor Tom Durlington opened the Public Hearing regarding whether to repair, removal, or demolition of the following substandard properties: Block 74, Lot 3, Original Town Addition known as 605 Santa Fe; and Block 71, Lot 10, Original Town Addition located at the corner of Atchley and Ezell; and whether to cause the cost of such work to be paid and levied as a special assessment against the properties at 7:04 P.M. Doug Ballard, Building Inspector addressed the Council as to the condition of these properties. He stated that both properties were dangerous, a fire hazard and both were unsecure. There have been complaints that children and teenagers have been in these properties. The owners were not present at this Public Hearing.

Mayor Durlington closed the Public Hearing at 7:10 P.M.

PROCLAMATION

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 RENEWAL OF EMPLOYEE HEALTH INSURANCE FOR FISCAL YEAR 2009-2010 THROUGH UNITED HEALTHCARE

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters, duly seconded by Councilperson Michael Rayburn, to approve the renewal of employee health insurance for fiscal year 2009-2010 through United Healthcare. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION AUTHORIZING REPRESENTATIVES TO INVEST FUNDS AND TO ACT AS CUSTODIAN OF INVESTMENTS PURCHASED WITH LOCAL INVESTMENT FUNDS IN THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL)

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve a resolution authorizing representatives to invest funds and to act as custodian of investments purchased with local investment funds in the Texas Local Government Investment Pool (Texpool). This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, PROVIDING FOR INCREASED MUNICIPAL CONTRIBUTIONS TO THE CURRENT SERVICE ANNUITY RESERVE AT RETIREMENT OF THE EMPLOYEES OF THE CITY OF ALVARADO THROUGH TEXAS MUNICIPAL RETIREMENT SYSTEM.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne “Coach” Richters, to approve an ordinance of the City of Alvarado, Texas, providing for increased municipal contributions to the current service annuity reserve at retirement of the employees of the City of Alvarado through Texas Municipal Retirement System. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALVARADO, TEXAS, REGARDING THE CREATION OF A GROUNDWATER CONVERSATION DISTRICT.

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters, duly seconded by Councilperson Bruce Clark, to approve a resolution of the City Council of the City of Alvarado, Texas, regarding the creation of a Groundwater Conversation District. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE PRELIMINARY PLAT AND FINAL PLAT INCLUDING A VARIANCE REQUEST REGARDING THE LENGTH OF A CUL-DE-SAC FOR TRACTS 7-10, 8B, 8H, AND 8K, OF THE J. BILLINGSLEY SURVEY, ABSTRACT 43 AND TRACTS 3-6, OF THE RM BILLINGSLEY SURVEY, ABSTRACT 49, LOCATED NEAR CR 207 AND CR 109, TO BE CALLED LOTS 1 AND 2 OF THE CHIEF INDUSTRIAL PARK.

Motion was made by Mayor Pro Tem Dewayne “Coach” Richters, duly seconded by Councilperson Bruce Clark, to approve the preliminary plat and final plat including a variance request regarding the length of a cul-de-sac for Tracts 7-10, 8B, 8H, and 8K, of the J. Billingsley Survey, Abstract 43, and Tracts 3-6, of the RM Billingsley Survey, Abstract 49, located near CR 207 and CR 109, to be called Lots 1 and 2 of the Chief Industrial Park. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE COMBINATION PLAT OF PART OF TRACT 14D, WM BALCH SURVEY, ABSTRACT 48, LOCATED AT NEAR PEACH TREE STREET AND PARK STREET, TO BE CALLED BLOCK 1, LOT 1 OF THE BATES ADDITION.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne “Coach” Richters, to approve the combination plat of part of Tract 14D, WM Balch Survey, Abstract 48, located at near Peach Tree Street and Park Street, to be called Block 1, Lot 1 of the Bates Addition. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING WHETHER TO REPAIR, REMOVAL, OR DEMOLITION OF THE FOLLOWING SUBSTANDARD PROPERTIES: BLOCK 74, LOT 3, ORIGINAL TOWN ADDITION KNOWN AS 605 SANTA FE; AND BLOCK 71, LOT 10, ORIGINAL TOWN ADDITION LOCATED AT THE CORNER OF ATCHLEY AND EZELL; AND WHETHER TO CAUSE THE COST OF SUCH WORK TO BE PAID AND LEVIED AS A SPECIAL ASSESSMENT AGAINST THE PROPERTIES.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Dewayne "Coach" Richters for the structures located at Block 71, Lot 10, Original Town Addition located at the corner of Atchley and Ezell and Block 74, Lot 3, Original Town Addition known as 605 Santa Fe:

The City Council of the City of Alvarado, on December 15, 2008, held a public hearing to determine whether the property described herein, meets the minimum standards set forth in the Chapter 150 of the Code of Ordinances, as amended, (the "Code") as adopted by the City of Alvarado. The City Council makes the following findings and orders that the following action take place within the time frame specified herein:

"We the City Council finds:

1. That such defects or conditions exist to the extend that the life, health, property or safety of the public or occupancy of the building are endangered; and
2. The building is infeasible of repair.

We the City Council find the following violations of municipal standards present in the Building:

1. See attached list of violations labeled Exhibit "A".

We the City Council order:

1. That the building be vacated within 72 hours and the Building Official or his designated representative shall post a Notice to Vacate at the property and secure the building from unauthorized entry; and
2. A. That the building be demolished by the owner, within 30 days of the effective date hereof, at his/her option; or
B. That in the event the owner fails to demolish the building within 30 days of the effective date hereof, the building may be demolished by any of the mortgagees or lien holders, if any, within 30 days thereafter, and
3. That the City will vacate, secure, remove, and/or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allotted, and charge the cost to the property.

The findings and orders are set forth herein this the 15th day of December, 2008.

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

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CONSIDERATION AND ACTION REGARDING AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF ALVARADO, TEXAS; PROVIDING FOR THE ADOPTION OF REGULATIONS GOVERNING THE PARKING OF SEMI TRUCKS AND TRAILERS IN RESIDENTIAL AREAS; REVISING THE PARKING REQUIREMENTS FOR ALL RESIDENTIALLY ZONED DISTRICTS; PROVIDING FOR THE REPEAL OF THE "SF-3" ZONING DISTRICT DESIGNATION; REZONING ALL LAND IN THE CITY CURRENTLY ZONED "SF-3" TO THE "SF-2" SINGLE FAMILY ZONING DISTRICT DESIGNATION; AND PROVIDING FOR DEFINITIONS.

No action was taken on this item.

PUBLIC COMMENTS

Earl Dickey of 4404 CR 104C addressed the Council in reference to the Federal Reserve System.

EXECUTIVE SESSION

Mayor Tom Durlington called for an Executive Session at 7:27 P.M.

Open Session was reconvened at 7:38 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 Tom Moore, duly seconded by Councilperson 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.

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Passed and approved this the _____ day of _____, 2008.

Mayor Tom Durlington

ATTEST:

Debbie Thomas, City Secretary