

CITY OF ALVARADO

County of Johnson

State of Texas

June 21, 2010

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, June 21, 2010 at 6:30 p.m. in the Council Chambers at City Hall. The following were present for roll call:

Dewayne Richters	*	Mayor
Joe Sain	*	Mayor Pro Tem
Tom Moore	*	Councilperson
Jacob Wheat	*	Councilperson
Arrdeen Vaughan	*	Councilperson
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 Dewayne Richters called this regular meeting to order at 7:00 P.M. Councilperson Bruce Clark gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

Mayor Dewayne Richters opened the Public Hearing regarding rezoning of a part of Tract 20, 22 and 34 of the A. Spiva Survey, Abstract 770, by issuance of a Specific Use Permit to accommodate detention facilities in an M-1 (Light Industrial) Zone at 7:03 p.m. Craig Hughes of Hughes Commercial Real Estate represented the Welborn family who are the current owners of the property. He stated that Emerald is looking to purchase 30 to 50 acres to construct a \$109,000,000 project and would bring in between \$1,000,000 and \$2,000,000 per year. The following persons addressed the Council:

Kathleen Gould – against the facility
Tom Durlington – against the facility

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Mr. Youngblood, attorney for Emerald Company addressed the council and explained the process of which the detention facility would be built and the necessary contracts that would be needed with the city. Ms. Anna Vaughan suggested to the council that the city check with the City of Stephenville to see the impact that a detention facility has made on their city. Mr. Jimmy York addressed the council in reference to the medical care that the detainees would receive. Mayor Dewayne Richters then closed the public hearing at 8:22 p.m.

Mayor Richters then announced a recess at 8:22. The meeting was reconvened at 8:29 p.m.

Mayor Dewayne Richters opened the Public Hearing regarding the adoption of an ordinance amending Division 11 of the Zoning Ordinances, by adding Section 42.474 regarding special masonry requirements in the CBD (Central Business District) Zone at 8:29 p.m. Sharon Vass, Director of Community Development explained to the council that this ordinance would require the new or remodeled buildings in the CBD to be 75% masonry for a one story building and 50% masonry for a two or more story building. Mayor Richters closed the public hearing at 8:34 p.m.

Mayor Dewayne Richters opened the Public Hearing regarding the creation of a Tax Increment Financing Reinvestment Zone Number Two for the Highway 67 East area of Alvarado, Texas at 8:34 p.m. Diana Miller of the Johnson County Economic Development Corporation explained to the council the area and the regulations for TIF #2. Mr. Larry Cline addressed the council and explained the Preliminary Project plan to the council. Mayor Richters then closed this public hearing at 8:39 p.m.

CONSENT AGENDA

Motion was made by Mayor Pro Tem Joe Sain and duly seconded by Councilperson Tom Moore, to approve the Consent Agenda. This motion supported six votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Dewayne Richters then recessed this regular meeting and convened into Executive Session at 8:40 p.m. The meeting was reconvened at 8:55 p.m.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE FOR THE REZONING OF A PART OF TRACT 20, 22 AND 34 OF THE A. SPIVA SURVEY, ABSTRACT 770, BY ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE DETENTION FACILITIES IN AN M-1 (LIGHT INDUSTRIAL) ZONE.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the ordinance for the rezoning of a part of Tract 20, 22 and 34 of the A. Spiva Survey,

Abstract 770, by issuance of a specific use permit to accommodate detention facilities in an M-1 (Light Industrial) zone. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE DESIGNATING AND DESCRIBING THE BOUNDARIES OF A TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 2 FOR THE HIGHWAY 67 EAST AREA OF ALVARADO, TEXAS; ESTABLISHING THE DURATION OF THE ZONE; ESTABLISHING A BOARD OF DIRECTORS FOR THE TAX INCREMENT FINANCING REINVESTMENT ZONE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Bruce Clark to approve an ordinance designating and describing the boundaries of a Tax Increment Financing Reinvestment Zone No. 2 for the Highway 67 East area of Alvarado, Texas; establishing the duration of the zone; establishing a board of directors for the tax increment financing reinvestment zone. This motion supported six votes in approval and zero opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE ADOPTION OF A RESOLUTION APPOINTING THREE MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO (TIF #2), CITY OF ALVARADO, TEXAS, APPOINTING ONE MEMBER OF THE BOARD TO SERVE AS CHAIRMAN FOR THE ENSUING YEAR AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH BOARD.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to appoint the member of the TIF #1 Board of Directors (David Bayless, Dewayne Richters, Bruce Clark) to be on the TIF #2 Board of Directors and making Mayor Dewayne Richters as chairman. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE ADOPTION OF AN ORDINANCE AMENDING DIVISION 11 OF THE ZONING ORDINANCES, BY ADDING SECTION 42-474 REGARDING SPECIAL MASONRY REQUIREMENTS IN THE CBD (CENTRAL BUSINESS DISTRICT) ZONE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve the adoption of an ordinance amending Division 11 of the Zoning Ordinances by adding Section 42-474 regarding special masonry requirements in the CBD (Central Business District) Zone. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE APPROVAL OF EXPENSES FOR THE JOHNSON COUNTY OLD SETTLERS REUNION EVENT OUT OF THE HOTEL OCCUPANCY TAX FUND.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve \$14,750.00 for the Johnson County Old Settlers Reunion event out of the hotel occupancy tax. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING RENEWAL OF TERMS FOR MEMBERS OF THE ALVARADO PLANNING AND ZONING COMMISSION.

Sharon Vass, Community Development Director stated that two members of the Planning and Zoning Commission terms had expired. Motion was made to approve the renewal of Planning and Zoning Members Chris Tarwater and Marshall Hall. This motion supported six votes in approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

Mayor Dwayne Richters then recessed this regular meeting and convened into Executive Session at 9:00 p.m. The meeting was reconvened at 10:17 p.m.

CONSIDERATION AND ACTION TO APPROVE A CONTRACT FOR ARCHITECTURAL SERVICES ON NEW CITY HALL TO QUORUM ARCHITECTS, FORT WORTH, TEXAS.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to table this item until the next meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF A RESOLUTION ADOPTING NEW FEES FOR PAYING BY CREDIT CARD FOR THE CITY OF ALVARADO FEE POLICY.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Bruce Clark to table this item until the next meeting. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADOPTION OF AN INTERLOCAL AGREEMENT WITH JOHNSON COUNTY PRECINCT #3 FOR THE REBUILDING OF REUNION DRIVE IN ALVARADO.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the Interlocal Agreement with Johnson County Precinct #3 for the rebuilding of Reunion Drive in Alvarado. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND 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 place the City Manager on paid administrative leave until a special called council meeting and that he is to forfeit his keys and all property belonging to the city, have no contact with city staff, council members or anyone at city hall and to appoint Kelle Whitfill as acting city manager. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC COMMENTS

Bill Gray thanked the City Council and the city staff for there support with the Johnson County Old Settlers Reunion.

CITY MANAGERS REPORT

There was not a City Manager's report at this meeting.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Councilperson David Bayless, duly seconded by Mayor Pro Tem Joe Sain to adjourn this regular meeting of the City Council of the City of Alvarado at 10:20 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 _____, 2010.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary