

CITY OF ALVARADO

County of Johnson

State of Texas

February 20, 2012

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, February 20, 2012 at 6:30 p.m. in the Council Chambers at City Hall with up to the first thirty minutes of the meeting consisting of a workshop. The following were present for roll call:

Dewayne Richters	*	Mayor
Joe Sain	*	Mayor Pro Tem
Tom Moore	*	Councilperson
Jacob Wheat	*	Councilperson
David Bayless	*	Councilperson
Shawn Goulding	*	Councilperson

Absent:

Arrdeen Vaughan	*	Councilperson
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Others Present:

Clint Davis	*	City Manager
Debbie Thomas	*	City Secretary
Terry Hafer	*	Public Works Director
Richard VanWinkle	*	Fire Chief
Brad Anderson	*	Chief of Police
Kelle Whitfill	*	Finance Director

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 6:35 P.M. and Tom Head gave the Invocation.

PLEDGE OF ALLEGIANCE

PROCLAMATION

Mayor Richters then proclaimed March as Poison Prevention Month.

EXECUTIVE SESSION

Mayor Dewayne Richters then convened into Executive Session at 7:00 p.m. Section 551.071, Consultation with Attorney.

Mayor Richters then reconvened into Open Session at 7:29 p.m.

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PUBLIC COMMENTS

Dr. Chester Juroska, Alvarado Independent School District Superintendent addressed the council in reference to the pending alcohol variance that is on the agenda this evening.

CONSENT AGENDA

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

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REQUEST FOR A VARIANCE TO THE MINIMUM DISTANCE REQUIREMENTS FROM A PUBLIC SCHOOL FOR THE SALE OF BEER AND WINE AT SIDAK PETRO #3 LOCATED AT 1211 S. PARKWAY DRIVE.

Mayor Dewayne Richters opened the public hearing at 7:43 p.m. The following persons spoke against the variance: Tom Durlington, Lori Nunez, Virginia Fischer, Coach Jeff Dixon, Chris Farmer, Jerry Mangrum, Rick Hope, and Zafar Kahn. The following person spoke in favor of the variance: Chris Wilde. Mayor Dewayne Richters then closed the public hearing at 8:03 p.m. Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Tom Moore, to deny the variance to the minimum distance requirement from a public school for the sale of beer and wine at Sidak Petro #3 located at 1211 S. Parkway Drive. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A VARIANCE OF CHAPTER 30, TABLE 1, REGARDING THE HEIGHT OF WALL SIGNS, FOR LOT 1 OF THE VILLAGE PARK ADDITION, LOCATED AT 1100 HWY. 67 W.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve a variance of Chapter 30, Table 1, regarding the height of wall signs, for Lot 1 of the Village Park Addition, located at 1100 Hwy. 67 W. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE 2011 FISCAL YEAR AUDIT.

Gil Volmering of Waters, Volmering and Associates presented the 2011 fiscal year audit to the council. He stated that the city was in good financial condition and had improved from the past year.

Motion was made by Councilperson Jacob Wheat, duly seconded by Mayor Pro Tem Joe Sain, to approve the 2011 fiscal year audit. This motion supported five 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, SUSPENDING THE MARCH 6, 2012, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE AND OTHER CITIES IN THE ATMOS MID-TEX SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF THE CITIES' RATE CASE EXPENSES.

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore, to approve a resolution suspending the March 6, 2012 effective date of Atmos Energy Corp., Mid-Tex Division requested rate change to permit the city time to study the request and to establish reasonable rates and approve cooperation with Atmos Cities Steering Committee. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING ADDENDUM #2 BETWEEN CITY OF ALVARADO AND ALLIED WASTE SYSTEMS FOR THE ADDITION OF CURBSIDE RECYCLE SERVICES.

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to approve Addendum #2 between the City of Alvarado and Allied Waste Systems for a period of seven (7) years and to include the option for 65 or older seniors, whether head of household or utility account name, to opt out of the program after a 30 day free trial pickup. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE GRANTING ATMOS ENERGY CORPORATION A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF ALVARADO FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF GAS IN, OUT OF , AND THROUGH THE CITY.

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Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Shawn Goulding to approve an ordinance granting Atmos Energy Corporation a franchise to construct, maintain, and operate pipelines and equipment for the transportation, delivery, sale and distribution of gas in, out of, and through the city. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE PURCHASE OF APPLE IPADS FOR A PAPERLESS CITY COUNCIL AGENDA PACKET.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Shawn Goulding, to approve the purchase of 9 iPads without covers. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPROVAL OF A LEASE FINANCE AGREEMENT TO PURCHASE POLICE RADIO UPGRADES TO COMPLY WITH FCC MANDATED MIGRATION TO NARROWBAND CHANNELS.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore, to approve a lease purchase agreement with Motorola in the amount of \$86,208.64 for a five year period to purchase police radio upgrades. This motion supported five votes in approval and zero votes opposed. Motion carried.

CITY MANAGERS REPORT

Clint Davis, City Manager, addressed the City Council in reference to the Chisolm Trail 100 Club Charity Sporting Clay Shoot on May 18, 2012. The entry fee per person is \$100.00.

COUNCIL COMMENTS

There were no council comments at this meeting.

ADJOURNMENT

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Jacob Wheat to adjourn this regular meeting of the City Council of the City of Alvarado at 8:43 p.m. This motion supported five votes in approval and zero votes opposed. Motion carried.

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Passed and approved this the _____ day of _____, 2012.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary