

CITY OF ALVARADO

County of Johnson

State of Texas

April 20, 2015

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, April 20, 2015 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
Michael Bennett	*	Councilperson
Jacob Wheat	*	Councilperson
Shawn Goulding	*	Councilperson
Joe Sain	*	Mayor Pro Tem
Dewayne Richters	*	Mayor

Absent:

Arrdeen Vaughan	*	Councilperson
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Others Present:

Clint Davis	*	City Manager
Debbie Thomas	*	City Secretary
Brad Anderson	*	Chief of Police
Michael Dwiggins	*	Public Works Director
Emile Moline	*	Economic Development Director
Kelle Whitfill	*	Finance Director

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 7:12 P.M. and Councilperson Jacob Wheat gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

There were no public comments at this meeting.

CONSENT AGENDA

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

CONSIDERATION AND ACTION REGARDING ACCEPTANCE OF TOM MOORE'S RESIGNATION FROM THE CITY COUNCIL AND THE PRAIRIELANDS FACILITIES CORPORATION.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Michael Bennett, to accept Tom Moore's resignation from the City Council and the Prairielands Facilities Corporation. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING HOLDING TWO REGULAR COUNCIL MEETINGS PER MONTH

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to hold two regular council meetings a month, the second and fourth Monday's of each month beginning in May 2015. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE ADOPTING A ZONING ORDINANCE FOR THE CITY OF ALVARADO; ESTABLISHING ZONING DISTRICTS; REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER PURPOSES, THE DENSITY OF POPULATION, THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES, AND LAND WITHIN SUCH DISTRICTS; INCLUDING THE HEIGHT, NUMBER OF STORIES, SIZE AND APPEARANCE OF BUILDINGS AND OTHER STRUCTURES; REGULATING LANDSCAPING AND THE SIZE OF YARDS AND OTHER OPEN SPACES; PROVIDING PARKING REQUIREMENTS; PROVIDING FOR THE REGULATION OF NONCONFORMING USES AND FOR THE AMORTIZATION THEREOF; PROVIDING FOR THE ADOPTION OF AN OFFICIAL ZONING MAP; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AND BUILDING PERMITS; DEFINING CERTAIN WORDS AND PROVIDING FOR A BOARD OF ADJUSTMENT AND POWERS OF THE BOARD; PROVIDING FOR AMENDMENTS AND CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEALING ORDINANCE NO. 2004.028, AS AMENDED, PROVIDING A SEVERABILITY CLAUSE; PRESCRIBING PENALTIES FOR VIOLATIONS

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OF THE PROVISIONS OF THE ZONING ORDINANCE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Dewayne Richters then closed this public hearing at 7:24 p.m. Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Michael Bennett, to approve an ordinance adopting a zoning ordinance as amended. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING ZONING ON TRACTS 121, 122, 123, AND 128, ABSTRACT 313, IRA GLAZE SURVEY, ALSO KNOWN AS 416 N. PARKWAY, BY AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT TO ACCOMMODATE A “MICRODISTILLERY” IN A GENERAL COMMERCIAL (C-2) ZONING DISTRICT.

Mayor Dewayne Richters then opened this public hearing at 7:25 p.m. Todd Kauffman, owner of the property answered questions regarding the operation of the microdistillery he wishes to open. Mayor Richters then closed the public hearing at 7:31 p.m. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to approve an ordinance issuing a specific use permit for 416 N. Parkway as written.. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, APPROVING PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM; NOMINATING SABRE COMMUNICATIONS CORPORATION FOR ENTERPRISE STATUS; IDENTIFYING LOCAL INCENTIVES THAT MAY BE PROVIDED FOR A NOMINATED PROJECT OR ACTIVITY.

Mayor Dewayne Richters then opened this Public Hearing at 7:34 p.m. A representative from Sabre Communciations was present to answer any questions that the council might have. Mayor Richters closed the public hearing at 7:34 p.m. Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve the ordinance approving participation in the Texas Enterprise Zone Program, nominating Sabre Communications Corporation for enterprise project status. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPROVAL OF AN ORDINANCE AMENDING SECTIONS 36.74 ENTITLED “REPORTS, PAYMENTS, FEES” AND 36.78 ENTITLED “PENALTIES” OF ARTICLE IV OF CHAPTER 36 OF THE CITY CODE.

Kelle Whitfill, Finance Director, explained to the council that this ordinance would make the cities due date for hotel tax in line with the state due date and would make it easier on the hotels for their paperwork. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Shawn Goulding, to approve this ordinance amending Sections 36.74 and 36.78. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE OF THE CITY OF ALVARADO, AS AMENDED, AMENDING SECTION 38.255 TO MODIFY THE ON-STREET PARKING REGULATIONS IN THE CITY.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Michael Bennett, to approve an ordinance amending Chapter 38 of the City code amending Section 38.255. This motion supported four votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN EXPENDITURE FROM ROYALTY FUND FOR SEWER IMPROVEMENTS IN ALVARADO HILLS ADDITION.

Clint Davis, City Manager, explained to the council that the contractor that did the work for the CDBG program repaired the sewer line on the wrong street. He stated that we could hold them responsible or spend \$42,000.00 and have them come repair the right street. He stated that they were apologetic and had done very good work. Motion was made by Councilperson Michael Bennett, duly seconded by Councilperson Shawn Goulding to approve an expenditure from the Royalty fund in the amount of \$42,000.00 to have the contractor come out and replace the correct line. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN EXPENDITURE FROM THE ROYALTY FUND FOR THE PURCHASE OF HE JOHNSON COUNTY SUB-COURTHOUSE LOCATED AT 118 S. FRIOU, ALVARADO, TEXAS.

Clint Davis, City Manager, addressed the council stating that the county would like to sell this building for \$80,000.00 and would be perfect for our court. After discussion, Council directed staff to ask Johnson County for a recent asbestos test.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE ESTABLISHING CRITERIA AND REGULATION FOR THE LOCATION, SPACING, RELOCATION, AND REMOVAL OF DRIVEWAYS; PROVIDING A REQUIREMENT FOR CROSS-ACCESS EASEMENTS ON DRIVEWAYS IN SELECTED SITUATIONS.

After discussion, motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Michael Bennett, to approve and ordinance establishing criteria and regulation for the location, spacing, relocation, and removal of driveways and providing requirements for cross-access easements and driveways. This motion supported four votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING 2014-2015 MID-YEAR BUDGET AMENDMENTS

Kelle Whitfill, Finance Director, explained to the council that most of the mid-year budget amendments have already been approved by the council. After discussion, motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain, to approve the 2014-2015 mid-year budget amendments. This motion supported four votes of approval and zero votes opposed. Motion carried.

EXECUTIVE SESSION

There was not an Executive Session held at this meeting.

CITY MANAGER'S REPORT

Clint Davis spoke to the Council regarding the success of Antique Alley. He stated the upcoming events were Cinco De Mayo at the Old Settlers and Pioneers and movies in the Park and an upcoming 5k Run.

ADJOURNMENT

Mayor Dewayne Richters then adjourned this regular meeting of the Alvarado City Council at 7:50 p.m.

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Passed and approved this the _____ day of _____, 2015.

Mayor E. Dewayne Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary