

CITY OF ALVARADO

County of Johnson State of Texas June 20, 2011

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, June 20, 2011 at 6:35 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
Bruce Clark	*	Councilperson
Arrdeen Vaughan	*	Councilperson

Others Present:

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

INVOCATION

Mayor Dewayne Richters called this regular meeting to order at 7:13 P.M. and Pastor Paul Galloway gave the Invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Ms. Jackie Wygant addressed the council in reference to mandatory waste recycling for the city. Clint Davis, City Manager explained that there were waste recycling bins open to the public across from the Fire Department in front of the police impound building.

CONSENT AGENDA

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

CONSIDERATION AND ACTION REGARDING AN ORDINANCE GOVERNING THE ACCUMULATION OF TIRES.

After discussion, motion was made by Councilperson David Bayless, duly seconded by Councilperson Jacob Wheat to revise the proposed ordinance to not exempt retailers of new tires and they would follow the same requirements of other tire dealers to keep the cities health and water clean and with the amendment to delete Section D in its entirety. This motion supported four votes in approval and two votes opposed (Vaughan, Sain). Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REQUEST FOR VARIANCES FROM CHAPTER 34, SECTIONS 34-164 AND 34-167 OF THE CODE OF ORDINANCES FOR A PROPOSED DEVELOPMENT ON TRACT 281, OF THE SETH MORRIS SURVEY, ABSTRACT 536 TO ALLOW A DEVELOPER TO PLAT AND DEVELOP PROPERTY WITHOUT MEETING THE REQUIREMENTS FOR LOT SHAPE, STREET FRONTAGE AND STREET CONSTRUCTION.

Mayor Dewayne Richters opened the public hearing at 7:19 p.m. Sharon Vass explained to the council that Johnson County has requested that this variance not be approved so that the street can be constructed to county standards and further maintained by the county. Mike Tucker, owner of the property explained to the council that the street maintenance agreement would be a part of the deed record for each property owner and the lots would be 10 acres and would be priced between \$6,500 and \$7,500 an acre. He also told the council that no mobile homes would be allowed in this development. Mayor Richters then closed the public hearing at 7:22 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve all three of the variances that have been requested. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REZONING OF BLOCK 29, RESUB 2, LOTS 1-8, OF THE THE OLD TOWN ADDITION FROM AN SF2 (SINGLE FAMILY) TO A CBD (CENTRAL BUSINESS DISTRICT) ZONE.

Mayor Dewayne Richters opened the public hearing at 7:24 p.m. Clint Davis, City Manager explained to the council that this was basically a housecleaning item to the CBD district. Mayor Richters then closed this public hearing at 7:25 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve this ordinance rezoning Block 29, Resub 2, Lots 1-8 of the Old Town Addition from an SF2 (Single Family) to a CBD (Central Business District) zone. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING CHAPTERS 30 AND 42 REGARDING SIGN REGULATIONS AND GARAGE SALES.

Mayor Dewayne Richters opened the public hearing at 7:25 p.m. Clint Davis, City Manager, explained to the council that our current sign and garage sale regulations were too strict for our citizens. Mayor Richters closed the public hearing at 7:28 p.m. After discussion, motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance amending the Chapters 30 and 42 regarding sign regulations and garage sales. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING THE ALVARADO CODE OF ORDINANCES CHAPTER 20 “LAW ENFORCEMENT”; PROVIDING FOR THE CREATION OF THE ALVARADO POLICE RESERVE UNIT.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve an ordinance amending Chapter 20 “Law Enforcement”; providing for the creation of the Alvarado police reserve unit. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AWARD OF JANITORIAL CONTRACT FOR THE CITY OF ALVARADO MUNICIPAL FACILITIES.

Clint Davis, City Manager, addressed the council in reference to bids that have been received for janitorial service at our municipal facilities. He then recommended Brooks Janitorial Service with a bid of \$840.00 per month to clean city hall. Bids were received for the cleaning of the library and Annex building starting in October, 2011. Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Tom Moore to approve the bid of \$840.00 per month to clean city hall to Brooks Janitorial and the cleaning of the library and annex building contingent on the budget for 2011-2012. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING APPOINTMENT OF MEMBERS TO THE PLANNING AND ZONING COMMISSION.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve the reappointment of Chuck Krueger, Mike McBee and Beverly Short as members and the appointment of Jacqueline Wygant as an alternate member to the Planning and Zoning Commission. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AWARD AN AGREEMENT FOR ENGINEERING SERVICES WITH O'BRIEN ENGINEERING TO DEVELOP AN EMERGENCY ACTION PLAN FOR NRCS LAKE SITE DAM NO. 2, ALVARADO, JOHNSON COUNTY, TEXAS.

Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain, to award an agreement to O'Brien Engineering to develop an emergency action plan for Lake Alvarado Dam in the amount of \$9,900.00 plus \$2,500.00 for any additional billable services required with a \$12,400.00 maximum and that this expenditure be allocated from the oil and gas revenue.. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING SECTION 38-129 OF THE ALVARADO CODE OF ORDINANCES BY DESIGNATING THE SCHOOL ZONE FOR PORTIONS OF MAPLE STREET; DIRECTING THE CITY MANAGER TO INDICATE THE NEW SCHOOL ZONE LOCATIONS AND TIMES WITH APPROPRIATE SIGNAGE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve an ordinance amending section 38-129 by designating the school zone for portions of Maple Street and directing the City Manager to indicate the new school zone locations and times with appropriate signage. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING THE CITY OF ALVARADO'S NON-CONSENT TOW ORDINANCES AND DELIBERATION REGARDING NON-CONSENT TOW OPERATIONS WITHIN THE CITY.

This item was taken into Executive Session.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE ADOPTING THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE FOR THE STATE OF TEXAS.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve an ordinance adopting the 2009 International Energy Conservation Code for the State of Texas. This motion supported six votes in approval and zero votes opposed. Motion carried.

Minutes
Regular Council Meeting
June 20, 2011
Page Five

EXECUTIVE SESSION

Mayor Dewayne Richters then convened into Executive Session at 7:45 p.m.

Mayor Richters reconvened into open session at 8:48 p.m.

CONSIDER POSSIBLE ACTION RESULTING FROM ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION.

Motion was made by Councilperson Shawn Goulding, duly seconded by Mayor Pro Tem Joe Sain to approve an ordinance amending the City of Alvarado's non-consent tow ordinance. This motion supported six votes in approval and zero votes opposed. Motion carried.

CITY MANAGERS REPORT

Clint Davis, City Manager, stated that he had received a engineering structural report for the wagon barn stating that is was in good structural condition. He let the council know that all violations at the Animal Control Shelter had been remedied and that it was ready for it's state inspection. Soctt Perry has been hired as our new Wastewater Treatment Plant Operator . He let the council know that the city's Drought Contingency Plan was currently in effect and a notice would be in each water bill.

ADJOURNMENT

Motion was made by Councilmember Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to adjourn this regular meeting of the City Council of the City of Alvarado at 8:53 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

Passed and approved this the _____ day of _____, 2011.

Mayor Dewayne "Coach" Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary

