

CITY OF ALVARADO

County of Johnson

State of Texas

SEPTEMBER 17, 2012

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, September 17, 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 (left at 7:30 p.m.)
Joe Sain	*	Mayor Pro Tem
Tom Moore	*	Councilperson
Jacob Wheat	*	Councilperson (arrived at 7:50 p.m.)
David Bayless	*	Councilperson
Shawn Goulding	*	Councilperson
Arrdeen Vaughan	*	Councilperson

Others Present:

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

INVOCATION

Mayor Pro Tem Joe Sain called this regular meeting to order at 7:34 P.M. and Councilperson David Bayless gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Nelson Traylor addressed the council in reference to littering of the city and banning of plastic bags from the grocery stores within the city.

CONSENT AGENDA

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

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PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE REZONING LOTS 7,8 AND 9 , BLOCK D, NEW TOWN ADDITION, ALVARADO, TEXAS, ALSO KNOWN AS 708 S. SPARKS FROM AN SF-2 (SINGLE FAMILY) TO A TF (TWO FAMILY) ZONE

Mayor Pro Tem Joe Sain opened the public hearing at 7:38 p.m. He then closed the public hearing at 7:41 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve an ordinance rezoning Lots 7, 8, and 9, Block D, New Town Addition also known as 708 S. Sparks from a SF-2 (Single Family) to a TF (Two Family) zone. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 42, ZONING ORDINANCE OF THE CITY; AMENDING REGULATIONS GOVERNING THE ACCIDENTAL DESTRUCTION OF A NON-CONFORMING USE.

Mayor Pro Tem Joe Sain opened the public hearing at 7:42 p.m. Debbie Thomas, City Secretary explained to the council that upon the city attorney's recommendation all variances should be heard before the Zoning Board of Adjustments. This ordinance would change the variance hearing to the Zoning Board of Adjustments. He then closed the public hearing at 7:50 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve an ordinance amending the code of ordinances by amending Chapter 42, Zoning Ordinance; amending regulations governing the accidental destruction of a non-conforming use. This motion supported six votes in approval and zero votes opposed. Motion carried.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING THE REPLAT OF BLOCK 15, LOT 2R, ORIGINAL TOWN ADDITION, A. J. PATTON SURVEY, ABSTRACT 685, ALSO KNOWN AS 206 N. BAUGH TO BE CALLED BLOCK 15, LOT 3R, ORIGINAL TOWN ADDITION, A. J. PATTON SURVEY, ABSTRACT 685.

Mayor Pro Tem Joe Sain opened the public hearing at 7:52 p.m. He then closed the public hearing at 7:54 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve the replat of Block 15, Lot 2R, Original Town Addition, A. J. Patton Survey, Abstract 685, also known as 206 N. Baugh to be called Block 15, Lot 3R, Original Town Addition, A. J. Patton Survey, Abstract 685. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE VACATING AND ABANDONING THE EAST-WEST AND NORTH-SOUTH ALLEY IN THE CITY OF ALVARADO, WITHIN AND ABUTTING LOT 3R, BLOCK 15 OF THE ORIGINAL TOWN ADDITION, A. J. PATTON SURVEY, ABSTRACT NO. 685, FINDING THAT THIS ALLEY IS NOT NEEDED FOR PUBLIC USE AND THEREFORE CONSTITUTES A PUBLIC CHARGE WITHOUT CORRESPONDING BENEFIT.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve an ordinance vacating and abandoning the east-west and north-south alley within and abutting Lot 3R, Block 15, Original Town Addition, A. J. Patton Survey, Abstract No. 685, finding that this alley is not needed for public use and therefore constitutes a public charge without corresponding benefit. This motion supported six votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A REQUEST FOR A VARIANCE TO THE NUMBER OF SIGNS AND LOCATION OF A MONUMENT SIGN AT 1130 HWY. 67 W.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve a variance to the number of signs and location of a monument sign located at 1130 Hwy 67 W.. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A A CONTRACT FOR PROVIDING FIRE EXTINGUISHMENT SERVICES BETWEEN JOHNSON COUNTY EMERGENCY SERVICES DISTRICT #1 AND THE CITY OF ALVARADO.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve a contract for providing fire extinguishment services between Johnson County Emergency Services District #1 and the City of Alvarado. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION OF THE CITY OF ALVARADO, TEXAS ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013 AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve a resolution adopting a budget for fiscal year beginning October 1, 2012 and ending September 30, 2013.. This motion supported six votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE AFFIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE CITY LIMITS.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore, to approve an ordinance affixing and levying municipal ad valorem taxes for the fiscal year beginning October 1, 2012 and ending September 30, 2013. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A CUSTOMER SERVICE AGREEMENT BETWEEN THE CITY OF ALVARADO AND UNIFIRST UNIFORM COMPANY

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve a customer service agreement with the addition of a non-appropriation clause with Unifirst Uniform Company. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION REGARDING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 500 SYCAMORE WHICH WAS ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE.

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson David Bayless to approve a resolution regarding the sale of real property located at 500 Sycamore for the amount of \$100.00. This motion supported six votes in approval and zero votes opposed. Motion carried.

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

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to remove Chris Tarwater from the Planning and Zoning Commission and replace him with Jacqueline Wygant. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION TO ENTER INTO A FINANCE AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION FOR THE PURPOSE OF PROCURING POLICE VEHICLES AND VARIOUS EQUIPMENT.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Tom Moore, to approve a resolution to enter into a finance agreement with Government Capital Corporation for the purpose of procuring police vehicles and various equipment. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE BALLOT FOR TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISKPOOL BOARD OF TRUSTEES ELECTION.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to elect the following members to the Texas Municipal League Intergovernmental Riskpool Board of Trustees:

- Place 11 - Bill Agan
- Place 12 - Larry Gilley
- Place 13 - Byron Black
- Place 14 - Pat Norriss

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

CONSIDERATION AND ACTION REGARDING AN ORDINANCE DELEGATING THE RESPONSIBILITY OF LOCAL GOVERNMENTS TO ADOPT REGULATIONS DESIGNED TO MINIMIZE FLOOD LOSSES; ADOPTION OF THE FLOOD HAZARD BOUNDARY MAP, DATED DECEMBER 4, 2012 AND ANY REVISIONS THERETO.

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson David Bayless, to approve an ordinance delegating the responsibility of local governments to adopt regulations designed to minimize flood losses and the adoption of the Flood Hazard Boundary Map, dated December 4, 2012 and any revisions thereto. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A DRAINAGE AND UTILITY EASEMENT WITH THE ALVARADO INDEPENDENT SCHOOL DISTRICT FOR 16. 3131 ACRES OF LAND, MORE OR LESS, SITUATED IN THE IRA GLAZE SURVEY, ABSTRACT NO. 313 AND THE L. MULLICAN SURVEY, ABSTRACT NO. 583.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to approve a drainage and utility easement agreement with the Alvarado Independent School District for 16. 3131 acres of land, more or less, situated in the Ira Glaze Survey, Abstract No. 313 and the L. Mullican Survey, Abstract No. 583. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION AMENDING THE MASTER SCHEDULE OF FEES AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Councilperson David Bayless, duly seconded by Councilperson Shawn Goulding to approve a resolution amending the master schedule of fees. 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, REPEALING ORDINANCE NO. 2011-017 GOVERNING THE REGISTRATION OF NON-CONSENT TOW TRUCKS.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding, to approve an ordinance repealing Ordinance No. 2011-017. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE CONTRACTED SALES PRICE FOR THE PROPERTY LOCATED AT 206 N. BAUGH FROM \$45,818.00 FOR 1.98 ACRES TO \$39,917.20 FOR 1.725 ACRES.

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Tom Moore to approve the contracted price for property located at 206 N. Baugh from \$45,818.00 for 1.98 acres to \$39,717.20 for 1.725 acres. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE EXPENDITURE OF ADDITIONAL FUNDS FROM OIL AND GAS REVENUE IN THE AMOUNT OF \$7,500.00 FOR CONSTRUCTION OF THE NEW ANIMAL CONTROL FACILITY.

Clint Davis, City Manager, explained to the Council that after review, \$1,650.00 was all that was needed from the Oil and Gas Revenues. Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Tom Moore, to approve \$1,650.00 expenditure from the Oil and Gas Revenue for construction of the new animal control building. This motion supported six votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION FOR THE SALE OF CERTAIN REAL PROPERTY; LOT 13, BLOCK 4, ROBERTSON ADDITION, KNOWN AS 711 S. SPEARS.

Motion was made by Councilperson Shawn Goulding, duly seconded by Councilperson Tom Moore, to approve a resolution for the sale of property located at 711 S. Spears in the amount of \$6,000.00. This motion supported six votes in approval and zero votes opposed. Motion carried.

DISCUSSION REGARDING THE SALE OF ONE ACRE OF THE MUSEUM OF GLASS PROPERTY ON BURNET DRIVE.

After discussion, council directed staff to pursue the sale of this property for up to two acres.

EXECUTIVE SESSION

There was not an Executive Session held at this meeting.

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CITY MANAGER’S REPORT

Clint Davis, City Manager, addressed the council in reference to a water and wastewater workshop date to discuss several item relating to water/sewer systems. The city will also be holding a Halloween event and Christmas event on the square this year. A Community Challenge has been issued by the Mayor sponsored by HEB Food Stores and will be partnered with the school district

COUNCIL COMMENTS

Mayor Pro Tem Joe Sain praised the Public Works department for all of their hard work in repairing the major water leaks within the city.

ADJOURNMENT

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Shawn Goulding to adjourn this regular meeting of the City Council of the City of Alvarado at 8:23 p.m. This motion supported six votes in approval and zero votes opposed. Motion carried.

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

Mayor Dewayne “Coach” Richters

ATTEST:

Debbie Thomas, TRMC
City Secretary