

CITY OF ALVARADO

County of Johnson

State of Texas

October 15, 2012

MINUTES

The City Council of the City of Alvarado met in Regular Session on Monday, October 15, 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
Arrdeen Vaughan	*	Councilperson

Absent:

Shawn Goulding	*	Councilperson
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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 Dewayne Richters called this regular meeting to order at 7:12 P.M. and gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

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

Earl Dickey came before the council regarding ownership of property and ad valorem taxes.

Jackie Wygant stated that she had an unprovoked dog attack in Stonegate addition with two pitbulls. She was instructed to meet with staff regarding this matter.

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CONSENT AGENDA

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

PRESENTATION BY EMERALD COMPANIES

Hull Youngblood, attorney for Emerald Companies introduced the Ms. Flores, Director of the Dallas division of ICE. She stated that money had been appropriated for the environmental study for the detention facility and it would be moving forward. She then answered questions regarding this project.

PUBLIC HEARING AND CONSIDERATION AND ACTION REGARDING AN ORDINANCE REZONING LOT 1A, BLOCK 32, OLD TOWN ADDITION, ALVARADO, TEXAS, ALSO KNOWN AS 209 W. COLLEGE FROM A C-1 (COMMERCIAL) TO AN SF-2 (SINGLE FAMILY) ZONE.

Mayor Dewayne Richters opened the public hearing at 7:41 p.m. Debbie Thomas, City Secretary explained to the council this property had been rezoned to commercial in 2007 and the current owner has requested it be taken back to a single family residential zoning. The property is located in the middle of a single family zoning district. He then closed the public hearing at 7:43 p.m. Motion was made by Councilperson Tom Moore, duly seconded by Mayor Pro Tem Joe Sain to approve an ordinance rezoning Lot 1A, Block 32, Old Town Addition also known as 209 W. College from a C-1 (Commercial to an SF-2 (Single Family) zone,. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING THE FINAL PLAT OF BLOCK 1, LOTS 1,2, AND 3, QT955 ADDITION, JOHN DIXON SURVEY, ABSTRACT 214 AND THE WM. BALCH SURVEY, ABSTRACT NO. 48, ALSO KNOWN AS 5940 HWY 67 E.

Clint Davis, City Manager explained to the council that we have not received the final plat from QT. and asked that this item be tabled. Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Tom Moore, to table this item upon QT's request until the next meeting. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO REPEALING ORDINANCE NO. 2004-025, DESIGNATING THE 800 BLOCK OF WEST ATCHLEY STREET A ONE-WAY STREET BY RESTRICTING TRAVEL TO THE EASTBOUND DIRECTION ONLY DURING DESIGNATED SCHOOL HOURS; PROVIDING THAT THE 800 BLOCK OF WEST ATCHLEY STREET SHALL AT ALL TIMES REMAIN OPEN TO TWO-WAY TRAFFIC.

Motion was made by Councilperson Jacob Wheat, duly seconded by Mayor Pro Tem Joe Sain, to approve an ordinance repealing Ordinance No. 2004-025, designating the 800 block of West Atchley Street a one-way street by restricting travel to the eastbound direction only during designated school hours and that the 800 block of West Atchley Street shall at all times remain open to two-way traffic. 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 ADOPTING THE REVISION TO THE CITY OF ALVARADO PERSONNEL POLICY.

Motion was made by Mayor Pro Tem Joe Sain, duly seconded by Councilperson Jacob Wheat, to approve resolution adopting the revisions to the City of Alvarado Personnel Policy. This motion supported five votes of approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, AMENDING CHAPTER 6, ARTICLE II, DEFINITIONS, BY PROVIDING A DEFINITION OF "DANGEROUS ANIMALS", RENAMING ARTICLE II, ANIMAL GRIEVANCES, OF CHAPTER 6, ANIMALS, TO "COURT PROCEDURES" PROVIDING THE PROCEDURES TO BE FOLLOWED IN MUNICIPAL COURT FOR CERTAIN HEARINGS; AMENDING CHAPTER 6, ANIMALS, ARTICLE VI, DANGEROUS ANIMALS.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Arrdeen Vaughan, to approve an ordinance amending regarding procedures and definitions of dangerous animals. 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 ADOPTING THE ANNUAL DANGEROUS DOG REGISTRATION FEE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Arrdeen Vaughan, to approve a resolution adopting the annual dangerous dog registration fee of \$400.00. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A RESOLUTION APPROVING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 205 EZELL WHICH WAS ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE.

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve a resolution approving the sale of certain real property located at 205 Ezell which was acquired at a delinquent tax foreclosure sale. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING CONTRACT LAND SERVICES AGREEMENT BETWEEN THE CITY OF ALVARADO AND HARTCO RESOURCES, INC. TO RETAIN EASEMENTS FOR WATER TRANSMISSION LINES.

Motion was made by Councilperson Jacob Wheat, duly seconded by Councilperson Arrdeen Vaughan, to approve a contract services agreement between the City of Alvarado and Hartco Resources, Inc for the purpose of retaining easements for water transmission lines. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING A COMPROMISE AND SETTLEMENT AGREEMENT BY AND BETWEEN DUDLEY HODGKINS COMPANY, EOG RESOURCES, HALIBURTON COMPANY, HALIBURTON ENERGY SERVICES, DEVON ENERGY PRODUCTION AND THE CITY OF ALVARADO REGARDING TITLE TO THE MINERAL ESTATE CONSISTING OF APPROXIMATELY 88 ACRES OF REAL PROPERTY OUT OF THE T. MATTY SURVEY, ABSTRACT 538, JOHNSON COUNTY, TEXAS AND AUTHORIZING THE MAYOR TO EXECUTE A DISCLAIMER OF INTEREST AND QUIT CLAIM DEED TO THE GAS OIL AND MINERALS IN THE REAL PROPERTY.

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Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless, to approve a compromise and settlement agreement between Dudley Hodgkins Company, EOG Resources, Haliburton Company, Haliburton Energy Services, Devon Energy Production Company and the City of Alvarado regarding title to the mineral estate consisting of approximately 88 acres of real property out of the T. Matty Survey, Abstract 538, Johnson County, Texas. This motion supported five votes in approval and zero votes opposed. Motion carried.

CONSIDERATION AND ACTION REGARDING AN ORDINANCE OF THE CITY OF ALVARADO, TEXAS, APPOINTING THE PRESIDING JUDGE OF THE MUNICIPAL COURT.

Clint Davis, City Manager, explained to the council that Judge Tony Drive had resigned effective October 15, 2012. He and Vicki McNatt, Court Clerk, had visited with Terri G. Wilson, our associate judge and she was very interested in assuming the municipal court judge for the unexpired term. Motion was made by Councilperson Tom Moore, duly seconded by Councilperson David Bayless to approve an ordinance appointing Terri G. Wilson as our municipal court judge for the unexpired term of Tony Driver. This motion supported five votes in 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, City Manager, addressed the council in reference to a water and wastewater town hall meeting. He stated that after the holidays were over would be a better date to hold this. There will also be a Trick or Trunk on the square on October 30, 2012. The AYA carnival and ASA Fall Festival will also be held. Santa's Helpers tickets are available for purchase at this time.

COUNCIL COMMENTS

There were no council comments at this meeting.

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ADJOURNMENT

Motion was made by Councilperson Tom Moore, duly seconded by Councilperson Jacob Wheat to adjourn this regular meeting of the City Council of the City of Alvarado at 8:02 p.m. This motion supported five 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