

CITY OF ALVARADO

County of Johnson

State of Texas

4/17/2023

City Council Minutes.

The City Council of the City of Alvarado met in Regular Called Session on Monday, April 17, 2023 at 6:30 p.m. The following were present for roll call:

Jacob Wheat	Mayor
Lydia Moon	Mayor Pro-Tem
Cherry Bryant	Councilperson
Kevin Thomas	Councilperson
Scott Arthur	Councilperson
Michael Bennett	Councilperson
Beverly Short	Councilperson

The following were absent for roll call:

Others Present:

Paul DeBuff	City Manager
Beth A Walls	City Secretary
Laura Cox	Chief Financial Officer
Ashley Dierker	City Attorney
Justin French	Community Dev. Director
Paula Hardison	Director Billing/Accounting
John Rodgers	Fire Chief
Precious Moore	Library Director
Michael Dwiggins	Public Works Director

Mayor Jacob Wheat call the meeting to order at 6:30 p.m. and gave the invocation.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS- Jayme Jones updated Council on upcoming events in Alvarado

AGENDA ITEM #1 & 2

CONSENT AGENDA

1. Approve minutes from the March 20, 2023 regular City Council meeting.
2. Consideration and action to authorize the City Manager to enter into an agreement with General Code/Franklin Legal to provide codification services for the City of Alvarado.

Motion was made by Lydia Moon and seconded by Beverly Short to approve the consent agenda.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #3

Consideration and action to authorize the City Manager to approve an agreement for professional subscription services with Fifth Asset, Inc. dba DebtBook, for a 12-month period that would assist with legal compliance for the upcoming FY2022 financial audit and beyond and provide a repository for debt agreements, leases, and amortization tables. (Cox)

The Governmental Accounting Standards Board (GASB) adopted new requirements for reporting on leases and subscription-based information technology arrangements. The new GASB Statement No. 87 for Leases is required for the FY 2022 audit, which is scheduled to begin in May 2023. The new GASB Statement No. 96 for Subscription-Based Information Technology Arrangements (SBITAs) is required for the FY 2023 audit. Because of the highly technical nature of the new rules, many cities are using specialized software to assist with identifying what constitutes a lease, calculations and recording key information that must be included in future audits. Our auditors have also recommended the use of professional software to address these new pronouncements

Motion was made by Michael Bennett and seconded by Beverly Short to authorize the City Manager to approve the agreement between Fifth Asst, Inc and the City of Alvarado.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #4

Nominations and action to appoint members to the Comprehensive Plan Advisory Committee (CPAC).

On January 23, 2023, the Alvarado City Council were presented with the need for a mid-level update to the Comprehensive Plan adopted in June of 2017. Appointment of members to CPAC is one of the first steps in the update process. Nominations for this committee include:

Marty Douglas	Israel Stephens	Tom Durrington
Jayne Jones	Joshua Rendon	Calvin Jenkins
Rosita Jenkins	Lewis King	Donna Evans
Morgan Burch	Zach Burch	Marissa Wheat

Motion was made by Beverly Short and seconded by Cherry Bryant to approve the nominations as presented.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #5

Public Hearing, consideration, and action to approve Ordinance 2023-0009 of the City of Alvarado, Texas, amending the subdivision regulations of the City, Chapter 34 of the Code of Ordinances, by amending general requirements and design standards pertaining to alleys.

Mayor Wheat opened the Public Hearing at 6:51 p.m.

The purpose of the Alvarado subdivision ordinance is to provide for the orderly, safe, and healthful development of the area within the City and within the area surrounding the City and to promote the health, safety, morals, and general welfare of the community by securing adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewage, and other facilities. From time to time the subdivision ordinance must be amended to achieve this purpose. The proposed ordinance amendment is intended to modernize the general requirements and design standards for alleys for the purposes of the Alvarado subdivision regulations.

The Public Hearing was closed at 6:54.

Motion was made by Lydia Moon and seconded by Kevin Thomas to approve Ordinance 2023-0009.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #6

Public Hearing, consideration, and action approving Ordinance 2023-0010 of the City of Alvarado, Texas, amending the Flood Hazard Reduction Ordinance of the City, Chapter 18 of the Code of Ordinances, by expanding the duties and responsibilities of the floodplain administrator, and by amending floodplain development permit procedures and standards.

Mayor Wheat opened the Public Hearing at 6:55 p.m.

The purposes of the Alvarado Flood Hazard Reduction ordinance include promoting the health, safety, and general welfare of the citizens of the City and the area within one mile of the corporate limits of the City, to minimize need for rescue and relief efforts associated with flooding, to minimize prolonged business interruptions, to minimize damage to public facilities and utilities, to help maintain stable tax base, and to insure that potential buyers are notified that property is in a flood area. The attached ordinance amendment is intended to enhance floodplain regulations to the current standard adopted by Johnson County. The most impactful change is the creation of a minimum freeboard of three (3) feet. Freeboard is an additional amount of height above the Base Flood Elevation used as a factor of safety in determining the level at which a structure's lowest floor must be elevated or floodproofed. Requiring three feet of freeboard is significant since the Johnson County regulations and the proposed Alvarado regulations allow new developments to result in increases to the base flood elevation up to one foot.

The Public Hearing was closed at 7:00 p.m.

Motion was made by Michael Bennett and seconded by Lydia Moon to approve Ordinance 2023-0010.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #7

Consideration and action approving resolution R2023-0007, accepting the petition for annexation of 21.679 acres in the 1200 block of N. Cummings (Agave Trail Tract B). (French)

On February 21, 2022, the Alvarado City Council approved Ordinance No. 2022-002 that annexed 120.04 acres at the request of Agave Trail Development LLC. The Alvarado ISD now petitions for the voluntary annexation of 21.679 acres that is to be conveyed to Agave Trail Development LLC in exchange for 22.8 acres that on March 20, 2023, City Council approved the rezoning and conditionally approved the preliminary plat for the future site of Alvarado North Elementary. The subject site is intended to be rezoned and developed with single-family residences as part of a revised Agave Trail Addition development.

Motion was made by Lydia Moon and seconded by Beverly Short to approve Resolution R2023-0007.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #8

Consideration and action to approve the application of Alvarado Independent School District on behalf of Agave Trail Development, LLC for approval of the Alvarado North Addition final plat on 22.8 acres known as a portion of Tract 6 in the J. M. Ross Survey, A-737, approximately addressed at 1300 N. Cummings Drive. (French)

On March 20, 2023, the City Council approved the preliminary plat application with the conditions found in the Preliminary Plat Approval Letter. The final plat was submitted and deemed administratively complete on April 3, 2023. Per Section 34-36.d of the Alvarado subdivision ordinance, the City Council shall:

- (1) Act within 30 days after the filing of final plat and engineering plans,
- (2) The City Council shall conclude one of the following.
 - a. Approved.
 - b. Approve with conditions.
 - c. Disapprove but may be returned for further consideration by the Planning and Zoning Commission.
 - d. Disapprove.

The Future Lane Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Public/Semi-Public use, and the property is zoned to the Institutional Overlay – Agriculture

(I-A) District. Staff finds the final plat to comply with the minimum standards of the Alvarado subdivision ordinance and all other ordinances with the exceptions being stated in the attached recommended conditions of approval letter.

Motion was made by Kevin Thomas and seconded by Michael Bennett to approve the application for Alvarado North Addition final plat on 22.8 acres known as a portion of Tract 6 in the J. M. Ross Survey, A-737, approximately addressed at 1300 N. Cummings Drive.

This motion supported 5 votes in approval and 1 vote opposed. Motion carried.

AGENDA ITEM #9

Consideration and action to approve the application of Stephanie Torrez on behalf of Rez Real Estate Investments, LLC for approval of Lot 1, Block 86 of the Original Town of Alvarado Addition final plat being 0.36 of an acre and known as a portion of tract in the A. J. Patton Survey, A-685, addressed 705 E. Davis Avenue. (French)

On March 20, 2023, the City Council approved the preliminary plat application with conditions found in the attachment titled Preliminary Plat Approval Letter. Per Section 34-36.d of the Alvarado subdivision ordinance, the City Council shall:

- (1) Act within 30 days after the filing of final plat and engineering plans,
- (2) The City Council shall conclude one of the following.
 - a. Approved.
 - b. Approve with conditions.
 - c. Disapprove but may be returned for further consideration by the Planning and Zoning Commission.
 - d. Disapprove.

The Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Low Density Residential, and the property is zoned Single-Family Residential (SF-2) District. Staff finds the final plat to comply with the preliminary plat, conditions made on the approval of the preliminary plat, the minimum standards of the Alvarado subdivision ordinance and all other ordinances with no exceptions.

Motion was made by Lydia Moon and seconded by Beverly Short to approve the application of a final plat for Lot 1, Block 86 of the Original Town of Alvarado.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried

AGENDA ITEM #10

Consideration and action to authorize the City Manager to execute a construction contract with Live Edge Concepts, in the amount of \$15,000.00 for trimming trees & shrubs and the removal of debris at 220 S. Cummings Drive, Alvarado, Texas. (Suber)

Balch-Senterwood Cemetery was established in 1852, and it is considered one of the oldest cemeteries in Johnson County. During the 1900s, the City of Alvarado acquired the cemetery along with the responsibility of maintenance and care. For the past twenty years, Johnson County Jail (JCJ) have maintained the grounds with inmate manpower. However, due to a constant turnover of inmates, Johnson County Jail cannot designate a group (inmates) to provide consistent routine maintenance, therefore the cemetery has become inundated with overgrown trees and shrubs.

Due to an inconsistency of routine maintenance and care, staff contacted three (3) different tree trimming and landscaping companies to inspect the condition of the cemetery grounds, plus provide quotes to improve the appearance of the cemetery while being mindful of the delicate nature of this historical site (with respect for the resting place of past Alvarado citizens, antique fencing and headstones throughout the cemetery).

On March 20, 2023, City Council approved the authorization of the City Manager to execute a construction contract with Alvarado's Tree Services, but the contract was never executed due to unforeseen events with the owner of Alvarado's Tree Services. Therefore, Live Edge Concepts has agreed to clean-up the cemetery.

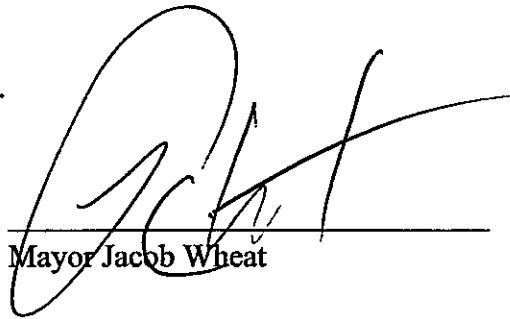
Motion was made by Lydia Moon and seconded by Michael Bennett to approve authorizing the City Manager to execute a construction contract with Live Edge Concepts, in the amount of \$15,000 for trimming trees and shrubs, and the removal of debris at 220 S. Cummings Drive.

This motion supported 6 votes in approval and 0 votes opposed. Motion carried.

There was no Executive Session in this meeting.

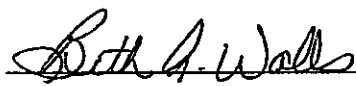
Mayor adjourned meeting at 7:13 p.m.

Passed and approved this the 15th day of May, 2023.



Mayor Jacob Wheat

Respectfully Submitted,



Beth A Walls, City Secretary/HRD