CITY OF ALVARADO
County of Johnson
State of Texas
7/17/2023
City Council Minutes.

The City Council of the City of Alvarado met in Regular Called Session on Monday, July 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

The following were absent for roll call:

Beverly Short	Councilperson

Others Present:

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

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS- A citizen spoke to Council about concerns she has and another citizen spoke on upcoming events.

AGENDA ITEM #1
CONSENT AGENDA

CONSIDERATION AND ACTION TO APPROVE MINUTES FROM THE JUNE 26, 2023 REGULAR CITY COUNCIL MEETING.

Motion was made by Lydia Moon and seconded by Cherry Bryant to the Consent Agenda.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #2

HOLD A PUBLIC HEARING AND CONSIDERATION AND ACTION ON THE APPLICATION OF MICHAEL PERCIFIELD WITH KEYS2MINISTRY ON BEHALF OF ALVARADO OLD PUEBLO LTD. REPRESENTED BY FLOYD BARTULA FOR APPROVAL OF A SPECIFIC USE PERMIT IN THE GENERAL COMMERCIAL (C-2) DISTRICT WITH THE FLOODPLAIN (FP) OVERLAY DISTRICT FOR PLACE OF WORSHIP USES ON 0.204 ACRES KNOWN AS TRACT 110 OF THE I. GLAZE SURVEY, A-313, ADDRESSED AT 200 N. PARKWAY DRIVE.

Mayor Wheat opened the public hearing at 6:43 p.m.

The Community Development Director explained that the Future Land Use (FLU) map within the Alvarado Comprehensive Plan designates the subject site for Interstate Business, which generally includes big box retail and lifestyle shopping centers. This type of development is targeted to increase the non-residential tax revenue for the City and attract residents and visitors. Though the requested use will not increase tax revenue, the use is consistent with the Comprehensive Plan.

On July 11, 2023, the Planning and Zoning Commission recommended Council approve the request by a vote of five in favor zero opposed. Staff suggests the Council approval of the requested specific use permit.

Motion was made by Michael Bennett and seconded by Lydia Moon to approve Ordinance 2023-0017 approving a Specific Use Permit at 200 N. Parkway Drive.

The public hearing was closed at 6:47 p.m.

This motion supported 4 votes in approval, 1 abstention and 0 votes opposed. Motion carried.

AGENDA ITEM #3

CONSIDERATION AND ACTION APPROVING AN UPDATED SERVICE AGREEMENT WITH BUREAU VERITAS FOR ALL PLAN REVIEW AND INSPECTION SERVICES AVAILABLE INCLUDING INSPECTION OF SUBDIVISION CONSTRUCTION PLANS AND ONSITE SEWER FACILITIES.

The City currently uses Bureau Veritas for health inspections and back up inspections by two separate and limited-service agreements. The proposed service agreement combines these services into one agreement that includes all services available through Bureau Veritas. Approval of this service agreement means the City will only pay for services used and the City will have expanded services available to ensure proper inspections are performed in the event City personnel are unable to perform these services.

Motion was made by Michael Bennett and seconded by Lydia Moon to approve the agreement with Bureau Veritas and the City.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #4
HOLD A PUBLIC HEARING AND CONSIDERATION AND ACTION APPROVING ORDINANCE # 2023- 0016, AMENDING THE ZONING ORDINANCE REGULATIONS IN CHAPTER 42 OF THE CODE OF ORDINANCES, RELATING TO SHORT-TERM/VACATION RENTAL, PARKING LOT OR PARKING GARAGE (TRUCK PARKING), AND SELF-STORAGE, MINI-WAREHOUSE USES. (FRENCH)

Mayor Wheat opened the public hearing at 6:52 p.m.

Regulations and districts in the Alvarado zoning ordinance are established in accordance with the comprehensive plan, for the purpose of promoting the health, safety, morals and welfare of the City. From time to time the City Council may find it necessary to amend the zoning regulations to address new uses and development trends. The attached ordinance has been prepared to address opportunities and threats that are of apparent interest within the City.

On July 11, 2023, the Planning and Zoning Commission recommended City Council approve Ordinance No. 2023-0016 by a vote of three in favor and two opposed with the condition that no specific use permit (SUP) requirement be placed on short-term rentals in the proposed ordinance. Staff initially drafted Ordinance 2023-0016 to only allow short-term rentals with Council approval of an SUP.

The public hearing was closed at 6:55 p.m.

Motion was made by Cherry Bryant and seconded by Michael Bennett to approve Ordinance 2023-0016, amending the zoning ordinance regulations in Chapter 42 of the Code of Ordinances relating to short-term/vacation rental parking lot or parking garage, and self-storage, mini-warehouse uses.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #5
CONSIDERATION AND ACTION AUTHORIZING MAYOR JACOB WHEAT TO EXECUTE REFUSAL OF DELIVERY AND REJECTION OF CONVEYANCE OF OPEN SPACE LOTS IN THE PARKS OF ALVARADO ADDITION FROM THE DEVELOPER, LACKLAND LAND DEVELOPER, LTD. TO THE CITY OF ALVARADO. (FRENCH)

Motion was made by Lydia Moon and seconded by Kevin Thomas to authorize the mayor to execute the refusal document.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #6
CONSIDERATION AND ACTION TO APPROVE AN AGREEMENT WITH VERTOSOFT, INC. (MAY)

The current records management system (Central Square OSSI) used by the police department has reached end of life. The Johnson County Consortium has selected SOMA Global to provide an RMS solution (Vertosoft). Johnson County is funding the implementation and first year of service. After the first year, the City of Alvarado will be responsible for funding the new RMS.

Motion was made by Lydia Moon and seconded by Michael Bennett to approve the agreement with Vertosoft, Inc.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

AGENDA ITEM #7
CONSIDERATION AND ACTION REGARDING PROPOSED CHANGES TO THE MONTHLY SUBSIDY PROVIDED TO EMPLOYEES FOR DEPENDENT COVERAGE. (WALLS)

Currently the City subsidizes dependent coverage for medical insurance at the rate of $300 per month. There is no distinction between child coverage and family coverage. That amount covers 36.74% of the Child premium, 31.31% of the Spouse premium and 16.91% of the Family premium. Staff proposed to increase the subsidy to 36.74% for all coverage tiers. After a discussion of how other area cities subsidized this coverage, a motion was made to increase that amount to 50%.

Motion was made by Lydia Moon and seconded by Kevin Thomas to increase the benefit subsidy to 50% of dependent coverage premium for each coverage tier.

This motion supported 4 votes in approval and 1 vote opposed. Motion carried.

AGENDA ITEM #8
CONSIDERATION AND ACTION TO APPROVE RESOLUTION R2023-0012, DESIGNATING THE CITY MANAGER AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE CITY OF ALVARADO IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM. (SUBER)

The City of Alvarado is working with Blais and Associates (Grant Consultant) to prepare the Texas Parks and Wildlife (TPWD), Local Park Grant Program application prior to the deadline submittal date of August 1, 2023. This grant program assists local units of government with the acquisition and/or development of public recreation areas and facilities for municipalities, with less than a 20,000 population. Once funded, the grant assisted site must be dedicated as parkland in perpetuity, properly maintained and open to the public. The program also offers fifty percent (50%) match, on a reimbursement basis, with a maximum funding amount of $150,000.

Paul DeBuff, City Manager, will be the designated applicant (on behalf of the City) for the TPWD grant program. The City is eligible to participate in the program and the City's matching share are to be available at the time of application. In addition, Parkway Park (located at 100 S. Parkway) has also been designated as the site for development of a splash pad.

Motion was made by Lydia Moon and seconded by Michael Bennett to approve Resolution R2023-0012.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

EXECUTIVE SESSION
Council convened into executive session at 7:21 p.m. for the following items:

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE, THE CITY COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DELIBERATE REGARDING THE FOLLOWING MATTERS:
• 1. § 551.071. CONSULTATION WITH ATTORNEY. THE CITY COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY ON ANY LEGALLY POSTED AGENDA ITEM, WHEN THE CITY COUNCIL SEEKS THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, A SETTLEMENT OFFER, OR ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE PROVISIONS OF CHAPTER 551, INCLUDING THE FOLLOWING ITEMS:

A. ANY ITEM LISTED ON THE AGENDA.

B. RECIPROCAL NON-DISCLOSURE AGREEMENT •

2. § 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. THE CITY COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED ABOVE.

A. DISCUSS REQUEST FOR INCENTIVES RELATED TO PROPOSED PROJECT TREK.

Mayor Wheat reconvened regular session at 7:55 p.m.

AGENDA ITEM #9
RECONVENE INTO OPEN SESSION TO TAKE ACTION NECESSARY AS A RESULT OF ITEMS LEGALLY DISCUSSED IN EXECUTIVE SESSION.

Motion was made by Lydia Moon and seconded by Scott Arthur to approve action as discussed in executive session.

This motion supported 5 votes in approval and 0 votes opposed. Motion carried.

There being no further business, the Mayor adjourned the meeting at 7:59 p.m.

Passed and approved this the 21st day of August, 2023.

Mayor Jacob Wheat

Respectfully Submitted,

Beth A. Walls

Beth A Walls, City Secretary/HRD