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MINUTES
TOWN OF AVOCA
REGULAR COUNCIL MEETING
NOVEMBER 8, 2022

Call to order

Meeting was called to order by Mayor Whitehorn

Pledge of Allegiance

Moment of silence

Public forum (Agenda item)

None

Council Roll Call – by Rec/Tres. Barnes

Present: Mayor Robert Whitehorn

Rec/Tres. Nanette Barnes

ALD: Kathy Hansen, Oscar Alvarenga, Jeannie Rollins and Katie Rairdon

Absent: Jay King

Staff

Present: Town Attorney: Ed McClure

Zoning Official: Tim DePue

Town Maintenance: None

Absent: Chris Rogers

Guests

Frankie Elliott; Avoca Fire Chief

David Connelly

Leonard Stewart

Richard Rangel

Clayton Morgan; Rogers Humane Society

Kim Whitehorn

Dave Masaria

Declaration of quorum

Mayor Whitehorn declared a quorum was present

Consent of Agenda

Ald. Alvarenga made a motion for consent of agenda Seconded by Ald. Hansen. Discussion; none. All approved. Motion carried.

Consent of minutes for council meeting

Ald. Hansen made a motion to accept the minutes of October, 2022, council meeting, as written. Seconded by Ald. Rairdon. Discussion; none. All approved. Motion carried.

Financial statement

October 2022; Financial report presented by Rec/Tres. Barnes. Ald. Hansen made a motion to accept the October 2022 Financials as presented. Seconded by Ald. Rairdon. Discussion; None. All approved. Motion carried.

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Staff Report – Rec/Tres. Barnes

1. Avoca Fire & Rescue

Avoca Fire Chief Elliott states Avoca Fire & Rescue ran a total of 54 Calls in October. This brings us to 552 calls on the year so far.

2. NEBCO EMS

a. None

3. Social-Media

a. None

4. Business Permits (0 Renewal & 0 New) for October 2022

a. None

5. Building & Inspection Permits for October, 2022

a. None

6. Events

a. Town Clean-Up: October 15, 2022; Rec/Tres. Barnes states the clean-up was a great success and thanked the Avoca Fire & Rescue, Zoning official DePue, Council members King, Hansen and Rairdon for their help.

b. Trunk R Treat; October 29, 2022; Rec/Tres. Barnes states the Trunk R Treat was a lot of fun with a large turnout despite the rain. She thanked the Avoca Fire & Rescue, Zoning official DePue, Council members Hansen and Rairdon & all who come and handed out candy.

Committee Reports:

1. Planning commission – Chairmen Alvarenga

a. Zoning Book; Ald. Alvarenga states Jeff Hawkins presented them with a draft of the new Zoning book. The Planning Members are working on any changes they would like before it comes before the council for final approval.

b. Hidden Forrest Sub-Division; Final Plat: Ald. Alvarenga states the final plat was approved.

c. Tall Trees Sub-Division: Ald. Alvarenga states the first phase was approved.

2. Board of Zoning Adjustments– Chairmen Alvarenga

a. Meeting Times & Dates; Per Ald. Alvarenga, it was approved by the council to meet two (2) times a year (June and December).

3. Zoning Official – Tim DePue

a. 411 Sheppard Road; Leonard & Mindi Stewart: Zoning Official DePue states this area looks like it is being cleaned up and great progress has been made. Leonard Stewart was present and commented that he felt like he was being singled out and states it is his property and he should be able to do what he wants on it.

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4. Town Maintenance – Chris Rogers

- a. Updates - None

5. Streets – Ald. King

- a. Impact Fees: No Updates at this time

6. Park – Ald. Hansen

- a. Monument; Rec/Tres. Barnes states Ald. King has been working on this issue and will update the council at the December meeting.

7. Grants – Ald. Rairdon

- a. Rural Community and Rural Services Block Grant for park equipment: Ald. Rairdon states the town was turned down for this grant.
- b. Hazard Mitigation Grant; Town Hall Generator: Mayor Whitehorn met with ER* Assist and Juan Ortiz concerning this issue.

8. ARPA Funds (American Rescue Plan) – Ald. Rollins

- a. No Update per Ald. Rollins

Old Business

- a. None

New Business

- a. Ordinance 127; Establishing a tax on gross receipts of Motels, Hotels and Short-Term Rentals:
A motion was made by Ald. Hansen to place Ordinance 127; Establishing a tax on gross receipts of Motels, Hotels and Short-Term Rentals: on its first reading. Seconded by Ald. Rairdon. Discussion: None. Roll call: Ald. Rairdon; yes, Hansen; yes, Ald. Alvarenga; yes and Ald. Rollins; yes. All approved. Motion carried. Town Attorney McClure read the ordinance in its entirety. A motion was made by Ald. Hansen to accept Ordinance 127 on its first reading. Seconded by Ald. Rairdon. Discussion: None. Roll call; Ald. Hansen: yes, Ald. Alvarenga: yes, Ald. Rollins: yes, and Ald. Rairdon; yes. All approved. Motion carried. A motion was made by Ald. Rairdon to suspend the rules and to place Ordinance 127 on its second reading by title only. Seconded by Ald. Hansen. Discussion: none. Roll call; Ald. Alvarenga: yes, Ald. Rollins: yes, Ald. Rairdon: yes and Ald. Hansen; yes. All approved. Motion carried. Attorney McClure read Ordinance 127 on its second reading by title only. A motion was made by Ald. Hansen to accept Ordinance 127 on its second reading by title only. Seconded by Ald. Rairdon. Discussion: None. Roll call; Ald. Rollins: yes, Ald. Rairdon: yes, Ald. Hansen: yes, and Ald. Alvarenga: yes. All approved. Motion carried. A motion was made by Ald. Alvarenga to suspend the rules and to place Ordinance 127 on its third and final reading by title only. Seconded by Ald. Hansen. Discussion: None. Roll call; Ald. Rairdon: yes, Ald. Hansen: yes, Ald. Alvarenga: yes, and Ald. Rollins; yes, All approved. Motion carried. Attorney McClure read Ordinance 127 on its third and final reading by title only. A motion was made by Ald. Hansen to accept Ordinance 127 on its third and final reading by title only. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. Hansen: yes, Ald. Alvarenga: yes, Ald. Rollins: yes, and Ald. Rairdon; yes. All approved, motion carried.

- b. Budget: A date was set for December 12, 2022

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c. Dogs; Clay from the Rogers Humane Society came and addressed the council concerning the Avoca Dog problem. He recommends:

1. The town issue dog licenses per dog per owner for a fee that will be waived if the dog owner can show the dog has been fixed.
2. Any breeder must have a breeder license
3. Unannounced inspections to all dog breeders
4. Abandoned Property law
5. Have a rabies clinic one Saturday a month
6. No pet store ordinance

Attorney McClure will start working on some of these recommendations, and will be in contact with Mayor Whitehorn and Rec/Tres. Barnes.

d. Apple Shed Award: the council picked the 2023 recipients to be awarded the Apple Shed Award.

Mayor for the Good of Town

Mayor Whitehorn, updated council concerning water, up at the food court. He states he has worked I out with BCWD #1, and the area is ready for food trucks.

Town Council Member's Personal Privilege (Any matter); 3 Minutes

Council Member Alvarenga – None

Council Member Rairdon – Due to unsightly and unsanitary conditions, she would like Zoning Official DePue to check on the property at the end of Main Street. States there is someone living in a make shift tent.

Council Member Rollins - None

Council Member Hansen – States she would like to see a craft fair set up at the Steam Whistle Park next year during Craft Fair weekend. She also states a swap meet would also be a good event to be held at the Steam Whistle Park.

Council Member King – None

Public Forum (Non-Agenda Items); 3 Minutes

None

Announcements

1. Planning Meeting scheduled for November 15, 2022
2. Christmas Parade scheduled for December 3, 2022
3. Fire Department Christmas Party scheduled for December 9, 2022 (VFW 6:30 pm)
4. Council Meeting scheduled for Tuesday, December 13, 2022
5. Board of Zoning meeting is scheduled for December 20, 2022

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Adjournment:

A motion was made by Ald. Alvarenga and seconded by Ald. Rairdon to adjourn meeting at 7:30 pm.
Discussion: none. All approved. Motion passed.

Respectfully submitted,

Nanette Barnes
Recorder-Treasurer

Approved Robert Whitehorn
Mayor Robert Whitehorn

Attest Nanette Barnes
Recorder/Treasurer Nanette Barnes