

# ***City of Alpine***

**Regular City Council Meeting  
Tuesday, June 20, 2017, 5:30 P.M.**

## **MINUTES**

### **1. Call to Order, Invocation, and Pledge of Allegiance.**

The meeting was called to order at 5:30 PM by Mayor Andres “Andy” Ramos. The invocation was led by Wendel Elliot pastor of the Big Bend Cowboy Church. The Pledge of Allegiance was let by Mayor Ramos.

### **2. Determination of a Quorum and Proof of Notice of City Council Meeting.**

A quorum was determined with Andy Ramos, Rick Stephens, Lucy Escovedo, Cynthia Salas, Maria Curry, and Jim “Fitz” Fitzgerald. Notice was posted at 10:00 AM on June 16, 2017; proof of notice was given by Kalea Cotton.

### **3. Presentations, Recognitions and Proclamations –**

- Brewster County Twin Peaks 4-H Club of Alpine

Mayor Ramos presented Patsy McWilliams with the Proclamation.

### **4. Reports -**

**City Mayor’s Report – (A. Ramos, Mayor) – NONE**

**City Manager Report – (E. Zimmer, City Manager) –**

- Visitor Center Update
  - Good traffic flow through the early stages of summer
  - Seeing about 2 people per hour on average
  - Hiring new FT person
  - Turned one person over – accountability towards scheduled work hours
  - Re-arranging layout slightly – also focusing on pamphlets we hand out – more visitor centric
  - New weekly calendar being distributed

- City of Alpine Financials Update
  - Financial Reports, Checking Account Report and Budget Variance in packets
  - Checking Accounts in good standing
  - GF (>\$500K), WSS (>\$2M), Gas (>\$1M), HOT (>\$450K), Total – (>\$5M)
  - HOT Revenues – 111% of annual target
  - 1 Response to Street RFP – within annual approved budget
  - Megan does a nice job delineating revenues in expenses in monthly reports
  - Wealth of information on City Website
  - Schedule 1.5 hours with Megan and myself for further review

**City Staff Updates – NONE**

**5. Public Hearings –**

- A. Public Hearing to obtain citizens views and comments, concerning Ordinance 2017-06-01 amending the Natural Gas Ordinance 2012-03-02, adjusting rates for Excess Flow Valve (EFV) installations and late fee schedule. (E. Zimmer, City Manager)

City Manager, Erik Zimmer introduced the public hearing.

Discussion - None

- B. Public Hearing to obtain citizens views and comments, concerning New Parking Ordinance 2017-05-01 – Sul Ross/8<sup>th</sup> Street – Stop Sign, Ordinance 2017-05-02 – Sul Ross/8<sup>th</sup> Street – No Parking, and Ordinance 2017-05-03 Sul Ross/5<sup>th</sup> Street – No Parking, Right Turn Only. (M. Curry, City Council)

City Manager, Erik Zimmer introduced the hearing

Lee Smith, Ward 1 – Mr. Smith stated that he is In favor of the new parking Ordinances.

Dave Dumas – Representing Reata Restaurant – Mr. Dumas asked that Council please consider the business, he suggested the possibility of having no parking 8-5 so that clients would have plenty of places to park in the evening for the restaurant.

- C. Public Hearing to obtain citizens views and comments, concerning Ordinance 2017-05-06 Amending Chapter 22, Article III, Division 1, Sections 22-66 through Section 22-70, and Division 2, Sections 22-91 through Section 22-100, to update processing fee and language associated with Peddlers, Canvassers, and Solicitors in the City of Alpine. (R. Stephens, City Council)

CM, Erik Zimmer introduced the public hearing.

Discussion – None

**6. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.)** – (Notice to the Public – The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.) –

- A. Approve Council Minutes of June 6, 2017 (E. Zimmer, City Manager)

A motion was made by Rick Stephens to approve the minutes of June 6, 2017. The motion was seconded by Cynthia Salas. There was no discussion. The motion passed unanimously 5-0.

**7. Information or Discussion items – NONE**

**Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.** (Action items limited to (up to) 10 per meeting.) (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor or Mayor Pro Tem. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the City. Individuals who do not live in, own a business or property in the city limits of Alpine, will be allowed to speak if there is time available.) –

8. Discuss and consider the second reading of Ordinance 2017-06-01 amending the Natural Gas Ordinance 2012-03-02, adjusting rates for Excess Flow Valve (EFV) installations and late fee schedule. (E. Zimmer, City Manager)

Introduction – Erik Zimmer stated that he had a couple questions, regarding this ordinance, one was what does the EFV do? Second was why are we adjusting the ordinance? Mr. Zimmer stated his response was because the utilities and fees are set by Council. One other question received was if the City is doing annual maintenance to install the EFV is citizen charged? Mr. Zimmer stated no, the customer will not be charged.

A motion was made by Cynthia Salas to approve the second reading of Ordinance 2017-06-01 amending the Natural Gas Ordinance 2012-03-02, adjusting rates for Excess Flow Valve (EFV) installations and late fee schedule. The motion was seconded by Jim Fitzgerald. There was no discussion. The motion passed unanimously 5-0.

9. Discuss and consider the second reading of New Parking Ordinance 2017-05-01 – Sul Ross/8th Street – Stop Sign, Ordinance 2017-05-02 – Sul Ross/8th Street – No Parking, and Ordinance 2017-05-03 Sul Ross/5th Street – No Parking, Right Turn Only. (M. Curry, City Council)

City Manager, Erik Zimmer introduced the item, stating that since the right turn only has been installed it has generated more comments from citizens at City Hall and the Police Department. He stated that 5<sup>th</sup> Street and Sul Ross Avenue was involved primarily from a safety perspective. It will make drivers adjust their driving and parking patterns. Mr. Zimmer indicated that when restraints and time elements are installed it creates more opportunity for error.

A motion was made by Rick Stephens to approve the second reading of New Parking Ordinance 2017-05-01 – Sul Ross/8th Street – Stop Sign, Ordinance 2017-05-02 – Sul Ross/8th Street – No Parking, and Ordinance 2017-05-03 Sul Ross/5th Street – No Parking, Right Turn Only. The motion was seconded by Cynthia Salas. During discussion, Rick Stephens stated that safety is the key reason for the right turn only. Mayor Andy Ramos reiterated the safety concern. Jim Fitzgerald stated that he had seen several accidents in that intersection. Maria Curry asked if it had been suggested to have the right turn only time monitored. Cynthia Salas stated that there are issues with the parking lot next to that area, she felt that there should not be a time frame, because people will not abide by it. Mr. Zimmer responded saying that the City is working on striping the area that Ms. Salas has mentioned. Mayor Andy Ramos called a point of order, to stay on the topic at hand. Mayor Ramos called for a vote after there was no further discussion. The motion passed unanimously 5-0.

10. Discuss and consider the second reading of Ordinance 2017-05-06 Amending Chapter 22, Article III, Division 1, Sections 22-66 through Section 22-70, and Division 2, Sections 22-91 through Section 22-100, to update processing fee and language associated with Peddlers, Canvassers, and Solicitors in the City of Alpine. (R. Stephens, City Council)

Introduction – Rick Stephens presented the Council with 7 pages in the handout, stating that it was necessary to include all edits. Mr. Stephens explained that the permit has to be purchased 72 hours in advance for \$40.00, and it will allow the City to verify licenses needed, and supply a better record of tax revenues.

A motion was made by Rick Stephens to approve the second reading of Ordinance 2017-05-06 Amending Chapter 22, Article III, Division 1, Sections 22-66 through Section 22-70, and Division 2, Sections 22-91 through Section 22-100, to update processing fee and language associated with Peddlers,

Canvassers, and Solicitors in the City of Alpine. The motion was seconded by Jim Fitzgerald.

Discussion – Cynthia Salas asked if the City was giving the applicants an “fyi” that we are closed on the weekend, so their permits would need to be purchased in advance. Erik Zimmer responded stating that they would need to purchase the permit on the Tuesday before the weekend to be able to sell in Alpine city limits. He also mentioned that with the new application process the Police Department and Dispatch would have access to see who has purchased a permit or not. Jim Fitzgerald stated that it is not fair to those that have a permit to sell in Alpine, and he feels that this will help with the State and the City being cheated out of sales tax.

There being no further discussion, Mayor Ramos called for a vote. The motion passed unanimously 5-0.

11. Discuss and consider the scheduling of two budget workshops to gather City Council and Community input relative to the 2017-2018 City of Alpine budget. (E. Zimmer, City Manager)

Cynthia Salas asked if there were any proposed dates. Erik Zimmer replied stating that July 6<sup>th</sup>, and July 18<sup>th</sup> were regular City Council meetings.

A motion was made by Rick Stephens to discuss and consider scheduling two budget workshops to gather City Council and the community’s input relative to the 2017-2018 budget. The motion was seconded by Cynthia Salas. Erik Zimmer started the discussion stating that there will need to be a draft discussion, and the City would need approval by mid-August. Rick Stephens announced that his only available dates in July are the 7<sup>th</sup>, 13<sup>th</sup>, and 31<sup>st</sup>. Cynthia Salas proposed July 13<sup>th</sup> and August 1<sup>st</sup> for scheduling the two meetings.

An amended motion was made by Rick Stephens to schedule two budget workshops on July 13<sup>th</sup> and August 1<sup>st</sup>. The motion was seconded by Cynthia Salas. There being no further discussion, the motion passed unanimously 5-0.

12. Discuss and consider approving establishing a reserve fund for future water/sewer/sanitation capital projects (04-102-0518) through TXCLASS. Approve initiating a transfer of \$750,000.00 from Operating Account 04-102-2187 to initially fund the reserve account. (E. Zimmer, City Manager)

Introduction – City Manager, Erik Zimmer stated that the reason for this item is to move some of the funds into a reserve account for bigger projects regarding water/sewer/sanitation. Approving this item will allow the City to pay cash for these projects instead of accruing more debt.

A motion was made by Cynthia Salas to approve establishing a reserve fund for future water/sewer/sanitation capital projects (04-102-0518) through TXCLASS. Approve initiating a transfer of \$750,000.00 from Operating Account 04-102-2187 to initially fund the reserve account. The motion was seconded by Jim Fitzgerald.

Rick Stephens started the discussion asking if once the money is segregated the Council will still approve any and all projects. Erik Zimmer responded stating that the Council will still have to approve any projects. Mr. Stephens asked Mr. Zimmer what the current debt was for the City. Mr. Zimmer stated that the debt is now around \$5.2 million. Jim Fitzgerald stated that he was in favor of this item, and thinks it is great to not accrue more debt. Mayor Andy Ramos stated that while other cities are incurring more debt, Alpine is paying off theirs.

There was no further discussion, and the motion passed unanimously with a vote of 5-0.

13. Discuss and consider approving Jeremy Peter's hangar location, construction (with FAA recommended guidelines) and lease at the Alpine Casparis Municipal Airport. (E. Zimmer, City Manager)

Introduction – Erik Zimmer stated that the application was initially reviewed and approved at the 4/26/17 airport meeting, and that the FAA has approved the application as well.

A motion was made to approve Jeremy Peter's hangar location, construction (with FAA recommended guidelines) and lease at the Alpine Casparis Municipal Airport. The motion was seconded by Jim Fitzgerald.

Discussion – Rick Stephens announced that he would like to confirm that the office will not be built. Mr. Zimmer confirmed. There was no further discussion.

The motion passed unanimously 5-0.

14. Discuss and consider accepting monetary gift from TransPecos Pipeline and establishing two reserve accounts, 01-103-0518 and 01-104-0518 to track specific expenditures relative to the constructs of the gift. (E. Zimmer, City Manager)

Introduction – City Manager, Erik Zimmer detailed that TPP gave other monetary gifts to governing entities as well as the Alpine Library. The money will be used for constructing a walking path that has been introduced previously in the Vision Plan, and the other is to supply material for the Alpine Volunteer Fire Department.

A motion was made by Rick Stephens to accept the monetary gift from TransPecos Pipeline and establishing two reserve accounts, 01-103-0518 and 01-104-0518 to track specific expenditures relative to the constructs of the gift. The motion was seconded by Jim Fitzgerald.

Discussion – Cynthia Salas stated that she noticed also that Brewster County is funding the Fire Department with equipment and supplies as well. Erik Zimmer said that County Commissioner Hugh Garrett has requested an Executive Director to analyze the local fire division in Alpine, and give feedback specific to where they see us needing to fill in the gaps. Mr. Garrett will take the report and give it to the City council. The County will take a similar position, and utilize the money. Now that Mr. Fitzgerald is back, he will be working with Mr. Garrett on the

inter-local agreement that will be forthcoming. Cynthia Salas asked Mike Scudder (who was in the audience) if he would like to say anything. Mike Scudder stated that he wasn't aware of anyone coming to help analyze the fire department or list what they need. Wendel Elliot – Religious Organization – asked if there was a reason the money wasn't given directly to the Fire Department. Mr. Zimmer stated that the monetary gift was given under the pretense that it would be used for fire related equipment. Jim Fitzgerald stated that this will also be a way for the City to be transparent with the money. Lee Smith – Ward 1 – asked if there were two reserve accounts. Erik Zimmer stated that \$215,000.00 would be for the walking path, and \$185,000.00 would be given to the Fire Department. There was no further discussion.

The motion passed unanimously with a vote of 5-0.

15. Discuss and consider first reading of recommendation to Council from Planning & Zoning concerning Felix Nunez' application for a zoning change from R-2 to R-4 to allow for a manufactured home placement. Physical address is 1906 W. Sul Ross Avenue, Alpine, TX 79830. Legal Description is Metta Harms Addition, Block 6, Lots 2-7. Agent is Felix Nunez. (E. Zimmer, City Manager)

Introduction – Erik Zimmer announced that Planning & Zoning did not have a recommendation for Council on this matter, and he suggested the Council tabling the item.

A motion was made to table the first reading of recommendation to Council from Planning & Zoning concerning Felix Nunez' application for a zoning change from R-2 to R-4 to allow for a manufactured home placement. Physical address is 1906 W. Sul Ross Avenue, Alpine, TX 79830. Legal Description is Metta Harms Addition, Block 6, Lots 2-7. Agent is Felix Nunez. The motion was seconded by Cynthia Salas. There was no discussion.

The motion passed unanimously 5-0.

16. Discuss and consider second reading concerning Julie Cobos' application for a zoning change from, R-2 to R-4 to allow for a manufactured home. Physical address is the corner of East Murphy Avenue and South Phelps Street. Legal description is Berkeley Addition, Block 1, Lots 13 and 14. Agent is John Carpenter. (E. Zimmer, City Manager)

A motion was made by Cynthia Salas to approve the second reading concerning Julie Cobos' application for a zoning change from, R-2 to R-4 to allow for a manufactured home. Physical address is the corner of East Murphy Avenue and South Phelps Street. Legal description is Berkeley Addition, Block 1, Lots 13 and 14. Agent is John Carpenter. The motion was seconded by Jim Fitzgerald.

Discussion – Rick Stephens stated that there are eight lots on the block and three of them currently have mobile homes. There was no further discussion.

The motion passed with a vote of 4-1.

**17. City Councilmember Comments and Answers – No discussion or action may take place.**

Rick Stephens – Thank you for coming, please join us tomorrow night for the Vision Plan readout. We have previously shared some results, and now is the time to get feedback on the matter. This plan will allow business and tourism support. The University of San Antonio did a great job with the Vision Plan for Alpine. Please come, we will put you to work!

Jim “Fitz” Fitzgerald – I encourage everyone to show up for tomorrow's Vision Plan readout, previously there has been a pitiful attendance, and this is important, thank you for being here. My wife and I visited the Texarkana center, and they had information on Big Bend, Marathon, Presidio, and the Observatory. Everyone had a piece of literature, except Alpine, this needs to be addressed.

Cynthia Salas – Thank you for being here, please come back, we have lots of work to do on budgets, we appreciate your input, and please come to the workshop tomorrow, you're welcome to attend.

Lucy Escovedo – No comment

Maria Curry – No comment

Andy Ramos – Thank you for being here.

**18. Executive Session – Pursuant to Texas Government Code Section 551.071 (consultation with attorney), and Section 551.074 (personnel matters)**

A motion was made by Rick Stephens to move into executive session. The motion was seconded by Cynthia Salas. The motion passed unanimously with a vote of 5-0. Executive Session began at 6:51 PM.

- A. Discuss and consider City Manager Transition Plan and hiring process for new City Manager. (E. Zimmer, City Manager)
- B. Consultation with attorney regarding the Service Agreement between the City and the Alpine Chamber of Commerce, regarding the Visitor Center. (E. Zimmer, City Manager)

**19. Action after Executive Session –**

**Open Session – 7:32 PM**

**Mayor Ramos, recused himself from participating in the discussion**

- A. Take action, if any, concerning City Manager Transition Plan and hiring process for new City Manager. (E. Zimmer, City Manager)

A motion was made by Jim Fitzgerald to take no action concerning City Manager Transition Plan and hiring process for new City Manager. The motion was seconded by Cynthia Salas. The motion passed unanimously 4-0.

- B. Take action, if any, concerning the Service Agreement between the City and the Alpine Chamber of Commerce, regarding the Visitor Center. (E. Zimmer, City Manager)

A motion was made by Jim Fitzgerald to take no action concerning the Service Agreement between the City and the Alpine Chamber of Commerce, regarding the Visitor Center. The motion was seconded by Cynthia Salas. The motion passed unanimously 4-0.

## 20. ADJOURNMENT

A motion was made by Cynthia Salas to adjourn the meeting. The motion was seconded by Jim Fitzgerald. The meeting was adjourned at 7:38 PM.

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Andres "Andy" Ramos, Mayor

Attest:

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Erik Zimmer, City Manager

I, Erik Zimmer, City Manager, do certify that this notice was posted at 10:00 A.M. on June 16<sup>th</sup>, 2017 and it remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Erik Zimmer, City Manager