

City of Alpine
Special City Council Meeting
Monday, May 22, 2017, 4:00 P.M.

Minutes

1. Call to Order, Invocation and Pledge of Allegiance –

The meeting was called to order by Mayor Ramos at 4:02 PM. The invocation was led by City Manager, Erik Zimmer. Mayor Ramos led the Pledge of Allegiance.

2. Determination of a quorum and proof of notice of the meeting –

A quorum was determined with the following City Council Members present, Maria Curry, Cynthia Salas, Lucy Escovedo, and Rick Stephens. Also in attendance was Mayor Andres “Andy” Ramos, City Manager, Erik Zimmer, and City Secretary, Kalea Cotton. The notice of meeting was posted at 10:00 AM on May 18, 2017, by City Secretary, Kalea Cotton. Not in attendance was Councilman Jim “Fitz” Fitzgerald with an excused absence.

3. Presentations, recognitions and proclamations – (A. Ramos, Mayor)

4. Reports -

City Mayor’s Report – (A. Ramos, Mayor) – Reading of Article III, Section 3.03 – Mayor and Mayor Pro Tem. Subsection (C) – The Mayor, or the Mayor Pro Tem while presiding over the Council in the absence of the Mayor, shall vote only in the case of a tie except to pass an ordinance when the voting membership of the Council is reduced below five (5) owing to one or more absences and/or vacancies and/or abstentions. Neither the Mayor nor the Mayor Pro Tem shall have the power of veto.

City Manager Report – (E. Zimmer, City Manager) – None
City Staff Updates – None

5. Public Hearings –

A. Street/Alley Closure application, requesting a street closure at 1010 N. Bird Street, between Lot 23 – Kokernot Heights, and Lot 230 – Kokernot Heights. Agents for the parties involved are John Carpenter and Carol Morrow.

Discussion – Johnny Carpenter – Ward 5 – Mr. Carpenter stated that he had appeared before at previous meetings regarding the Street/Alley closure, and he feels that the comparable sales were not appropriate, city streets have no market value, and the request of closure is for non-income producing properties, it is a liability for the City of Alpine. He also stated that he was told that the City has a policy that they can not give property away, but he has also been told by neighbors that they were only charged for the appraisal and

the survey establishing value, and then the City of Alpine deeded the property to them. There was no upfront fee, and it became a turning tax resource. Mr. Carpenter urged the Council to reconsider the appraisal price. The City of Alpine set a precedent in years past. He also asked Council to make a just and fair charge.

Carl Fleming – Ward 5 – Mr. Fleming asked how many more street/alley closures are going to happen in Alpine?

No further discussion from audience.

Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable.

8. Second reading of Ordinance 2017-05-04 to close a portion of Bird Street in Kokernot Heights Addition, Lot 230. Physical address is 1002 N. Loop Road, Alpine, Texas, for permanent closure, due to encroachment. (E. Zimmer, City Manager)

Mr. Zimmer addressed the comments and questions given by the audience members, stating that the City of Alpine may have practiced street closure differently in the past, but that it predated himself as City Manager. He stated that the City of Alpine had not asked for the encroachment to be moved, but that they had an alternate practice in place that would resolve the issue. Mr. Zimmer stated that the appraisal given was not acted upon by a petitioning party, and that this process is not unique or new and is a definitive process that the City of Alpine will systematically practice. Mr. Zimmer announced that he felt it was in the best interest of all of the parties involved to move forward with the closure and sale.

A motion was made by Councilor Salas to accept the second reading of Ordinance 2017-05-04 to close a portion of Bird Street in Kokernot Heights Addition, Lot 230. Physical address is 1002 N. Loop Road, Alpine, Texas, for permanent closure, due to encroachment. The motion was seconded by Councilor Escovedo. The motion passed unanimously 4-0, with one (1) Councilmember abstaining due to a conflict of interest. Affidavit is on file with the City Secretary.

9. Discuss and consider approving the amount to close a portion of Bird Street in Kokernot Heights Addition, Lot 230. Physical address is 1002 N. Loop Road, Alpine, Texas, for permanent closure, due to encroachment. (E. Zimmer, City Manager)

City Manager, Erik Zimmer stated that the amount had been provided to the Council previously from the appraiser for \$32,000.00.

A motion was made by Councilor Salas to approve the amount of \$32,000.00 to close a portion of Bird Street in Kokernot Heights Addition, Lot 230. Physical address is 1002 N. Loop Road, Alpine, Texas, for permanent closure, due to encroachment. The motion was seconded by Councilor Escovedo. The motion passed unanimously 4-0, with one (1) Councilmember

abstaining due to a conflict of interest. Affidavit is on file with the City Secretary.

10. Councilmember Comments and Answers – No discussion or action may take place.

Councilwoman Curry – None

Councilwoman Salas – Thank you to everyone for being here. Thank you to all parties involved on this item.

Councilwoman Escovedo – Thanks for being here.

Councilman Stephens - Thank you to council, also to all of the actions taken by all parties involved to work a timely issue for a property in Ward 5.

Mayor Ramos – Thank you for being here. Councilman Fitzgerald has been excused.

11. Executive Session – None

12. Action after Executive Session – None

13. Adjournment – 4:18 PM

Andres “Andy” Ramos
Mayor, City of Alpine