

## City of Alpine

### Regular City Council Meeting, Tuesday, November 4th, 2014, 5:30 P.M.

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a meeting at **5:30 P.M. on Tuesday, November 4th, 2014 in the Council Chambers, at 803 West Holland, in the City of Alpine, Texas** for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act. (Section 551.043, Texas Government Code).

#### **PUBLIC NOTICE – THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

Members of the audience will be provided an opportunity to address the Council before agenda items are discussed. The audience is also allowed to comment during the discussion of the agenda items with the Council. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.**

#### **Agenda**

1. Call to Order, Invocation and pledge of allegiance to the flag —
2. Determination of a quorum and proof of notice of the meeting –
3. Presentations, recognitions and proclamations – (A. Rangra, Mayor)
  - A. Texas Arbor Day
  - B. Texas Municipal Courts Week
  - C. Pilot Club – International Care and Kindness Week
  - D. America Recycles Day
4. Reports -
  - City Mayor’s Report –
  - City Manager Report –
  - City Staff Updates –
5. Citizens Comments (on agenda items) – (limited to 3 minutes) -
6. **Public Hearings** –
  - A. Public Hearing to hear citizens views and comments concerning Napa (101 N. 7<sup>th</sup> Street) Loading and Unloading Zone Ordinance, 2014-10-02 (E. Zimmer, CM)
  - B. Public Hearing to hear citizens views and comments concerning Zoning Board of Adjustment Ordinance, Ordinance 2014-10-01.

Board of Adjustment would hear appeals, variances, special exceptions and other matters. (C. Salas)

C. Public Hearing to hear citizens views and comments concerning Civic Center Usage Ordinance, Ordinance 2014-10-03, which updates fees and procedures for the Civic Center (E. Zimmer, CM)

D. Public Hearing to hear citizens views and comments concerning a rezoning request (R-4 to C-1) by Owner Charles Sanders. Owner wishes to warehouse and park commercial vehicles at this property. The property identification/street address is W. Avenue J and South 12<sup>th</sup> Street. Legal description is Gillis 3<sup>rd</sup> Addition, Block 19, Lots 5-6. (E. Zimmer, CM)

7. 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 accounts payable. (E. Zimmer, CM)

B. Approve Council Minutes of September 2<sup>nd</sup> Special Meeting, September 2<sup>nd</sup> Regular Meeting, September 9<sup>th</sup>, Special Meeting and September 9<sup>th</sup>, 2<sup>nd</sup> Special Meeting, September 17<sup>th</sup> Special Meeting and September 23<sup>rd</sup> Special Meeting. (A. Rangra, Mayor)

8. Information or Discussion items – (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.)

A. Review of City financial reports to include Income Statements, Budget Variance & Cash Position reports for FY 2013/2014. These results are unaudited. (E. Zimmer, CM) .

B. Discuss abandoning portions of two (2) streets and one alley. 1) Alley, Gillis Block I, 1008 W. Sul Ross 2) Street in front of La Loma Inn, Metta Harms Orient Block 016, 1809 W. US Hwy 90 3) Unnamed street, Kokernot, Lots 24,25,27, 1 Las Brisas. (E. Zimmer, CM)

**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) 10per meeting.) (Citizens are allowed to comment – limited to 3 minutes – after being called upon by Mayor.)

9. Discuss and Consider second and final reading of Napa (101 N. 7<sup>th</sup> Street) Loading and Unloading Zone Ordinance, 2014-10-02 (E. Zimmer, CM)
10. Discuss and Consider second and final reading of Civic Center Ordinance 2014-10-03, which updates fees and procedures for the Civic Center Usage Ordinance. (E. Zimmer, CM)
11. Discuss and Consider zoning change R-4 to C-1 for Sanders as recommended by P & Z Commission. Owner wishes to warehouse and park commercial vehicles at this property. The property identification/street address is W. Avenue J and South 12<sup>th</sup> Street. Legal description is Gillis 3<sup>rd</sup> Addition, Block 19, Lots 5-6. (E. Zimmer, CM)
12. Discuss and Consider approving first reading of Ordinance 2014-11-02 to authorize City Manager to execute the sale of city property at auction as indicated on property list. Property list will follow the agenda.(E. Zimmer, CM)
13. Discuss and Consider approving appraised valuations and minimum bid amounts of City owned property listed for auction/sale. Property list will follow the agenda. (E. Zimmer, CM)
14. Discuss and Consider first reading of Electrical Ordinance, Ordinance #2014-11-01 amending Ordinance 2011-01-02, AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 18, ADDING DEFINITIONS UNDER SECTION 18-251 ( C ), ELECTRICAL CODE, STANDARDS, AND AMENDMENT BY ADDING TO LANGUAGE IN SECTION 18-252, PERMITTING (a) NEW CONSTRUCTION AND REMODELING (1) PERMIT REQUIRED (a), CONCERNING COMMERCIAL INSTALLATIONS TO REQUIRE A LICENSED JOURNEYMAN ELECTRICIAN UNDER THE GENERAL SUPERVISION OF A MASTER ELECTRICIAN AND RESIDENTIAL INSTALLATIONS REQUIRE A LICENSED RESIDENTIAL WIREMAN OR GREATER UNDER THE GENERAL SUPERVISION OF A MASTER ELECTRICIAN. (J. Fitzgerald)
15. Discuss and Consider first reading of Ordinance 2014-11-04 for stop sign placement on Means and Avenue I. (E. Zimmer, CM)
16. Council Members Comments -

**17. Executive Session - Pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney regarding pending litigation) and 551.072 (Deliberations about real property)**

**A. Scown Litigation Update regarding pending litigation** Civil Action No. PE-14-CV-00057-RAJ; Emily Livingston Scown and Barbara Scown v. The City of Alpine, Texas; in the United States District Court for the Western District of Texas, Pecos Division and Cause No. 2014-04-B0564-CV; Emily Livingston Scown and Barbara Scown v. The City of Alpine, Texas; In the 394<sup>th</sup> Judicial District Court of Brewster County, Texas **(E. Zimmer, CM)**

**18. Action- Executive Session –**

**A. Take action, if any, regarding Scown Litigation. (E. Zimmer, CM)**

**19. Adjournment –**

**NOTICE: The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.086 (economic development.)**

I certify that this notice was posted at 5:30 P.M. on October 31, 2014, Pursuant to Texas Open Meetings Act (Texas Government Code Section 51.043). This facility is wheelchair accessible and accessible parking space is available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (432)837-3301 or fax (432)837-2044 for further information.

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Margaret "Molly" Taylor, City Secretary