

City of Alpine
Regular City Council Meeting
Tuesday, February 2nd, 2016
5:30 P.M.
Minutes

1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Rangra called the meeting to order. Virginia Knab, from St. James Episcopal Church said the invocation. Mayor Rangra led the pledge of allegiance to the flags.

2. Determination of a quorum and proof of notice of the meeting – Mayor Rangra, Councilors Antrim, Salas, Fitzgerald, Gonzales and Stephens were present. The meeting notice had been posted at 1:45 P.M. on January 29th, 2016. City Manager Zimmer and City Secretary Taylor were also present. City Attorney Adolfo was present remotely.

3. Presentations, recognitions and proclamations –
 - A. Awards for PD. (A. Rangra, Mayor) Mayor Rangra presented awards to Darrell LoSoya from the Police Department. The police department had been awarded \$6,000.00 in special grant money. Darrell said he appreciated the acknowledgement from the City.

 - B. Certificate of Appreciation to Betty Fitzgerald for serving on the parks Board. (A. Rangra, Mayor) – Mayor Rangra presented a Certificate of appreciation to Betty Fitzgerald for her service on the Parks Board.

4. Reports –
 - City Mayor's Report - (A. Rangra, Mayor) – Mayor Rangra said several weeks ago, he signed a letter addressed to the PUC Chair regarding the AT&T outage that we have had last year. He said the letter was mailed to PUC on January 20th, 2016. He said AT&T called him on 1/29, 2/1 and today, 2/2 he had three calls. He said this was a city wide issue and not a personal issue and AT&T was making it a personal issue with settlement offers varying from \$28 to \$100. He said he told the callers to bug off. He said the City of Alpine recognized the problem and approached the PUC suggesting a solution. The City Manager said he will call them in a week or two. Mayor Rangra said he will also call or write AT&T and PUC as well.

City Manager Report – (E. Zimmer, CM) – City Manager Zimmer reported on the following items:

City Staffing and Employment Update

New Employees Hired in last 90 days – 9 FT, 3 PT

Benefits – reviewing for next year

Licensing and Certification programs to help employees perform better

on the job.
Intern Program
Succession Planning
Personnel Policy Draft Update is now complete
-Review Steps

Street Preparation – Upcoming Paving Season

Posted information on website in December with location areas and game-plan for 2016

Public Works team now working on street preparation in order to start Seal coating late March/early April

- Tree trimming, scraping along sides of streets, filling of potholes
- Announce on radio and notes on residents doors – need citizens to help us through this process.

Will work with paving companies through RFP for larger project paving
- full street rebuilds

Timing on Recommendation from EAB

Originally contemplated a recommendation from them late October/early November

Board re-formation took longer than anticipated

Reviewing locations, well depths, water levels, replacement costs

Currently

Dr. Harveson building some statistical models on usage for us

Anticipate reviewing data at March meeting and make recommendation to Council after that juncture

Fire Hydrant Update – Action Plan

Had Fire Department complete the hydrant review during fall season – this will become an annual project

Results posted at last Council meeting

Divided problem hydrants into two groups – one for Water team to Address (23 hydrants) and one for Public works team to address (27 hydrants)

- Public Works team reviewing the hard to open hydrants and ones that have vegetation blocking them
- Water team focused on hydrants with water flow issues
- Not all 50 are inoperable

\$5K in the approved budget this year – will utilize those dollars first on any remediation

Will report out quarterly on progress – in conjunction with normal Quarterly Reporting

Will recommend to Council any additional financial needs post analysis and initial remediation

Showed public WorksTeam Chart showing 27 hydrants and comments.

Showed a video of one of the 27 hydrants that was working.

Showed water team chart showing 27 hydrants and comments.

City Manager Zimmer said we will cross train the water team, parks group, administration and municipal court. He said we only have 63 or 64 people as employees for the City. He said succession is an important component. Councilor Fitzgerald talked about the insurance and said he had spent \$9,000 in the emergency room before. Councilor Gonzales said every year we seem to have a few who will retire. City Manager Zimmer said 30 people could retire. He said they are of retirement age. It was mentioned that perhaps the city should hire people under contract. City Manager said the City is an at-will employer. He said we do have a provision where if an employee has training that the city pays for, they must stay employed with the city for 6 to 12 months. He said for a lot of employees, that works. Councilor Stephens asked if we were competitive in the marketplace. He said we need to maintain competitiveness.

City Staff Updates – None

5. Public Hearings –

A. Public Hearing to obtain citizens questions and comments concerning Ordinance 2016-01-03, an Ordinance setting an expiration date for all City of Alpine checks, 180 days from the date of the issuance of the check. (E. Zimmer, CM) – There was no public comment

B. Public Hearing to obtain citizens questions and comments concerning Ordinance 2016-01-01, an amendment to the Ordinance of the City Council of the City of Alpine, Texas amending the FY 2015/2016 Budget for the City of Alpine, Texas. (E. Zimmer, CM) – Bob Litton said the agenda is not clear. There were no further public comments.

C. Public Hearing to obtain citizens questions and comments concerning Ordinance 2016-01-04, amending Ordinance 2005-6-22, Division 2, Purchasing, Section 2-258 of the Code of Ordinances, prior authorization for payment required. (E. Zimmer, CM) – There was no public comment.

D. Public Hearing to obtain citizens questions and comments concerning Ordinance 2015-07-02, an Ordinance rezoning from R-3 to C-2, Block 9, Section 98, Part of NW/4 1.8771 acres in the City of Alpine, Brewster County, Texas. Property identification/Street Address is 2210 N. Hwy 118 in Alpine, Texas, Rebecca Lewis, Owner. (E. Zimmer, CM) – There was no public comment.

E. Public Hearing to obtain citizens questions and comments concerning Ordinance 2016-01-02, an Ordinance of the City Council of the City of Alpine, Texas placing one stop sign at the corner of W. Uvalde and N. Middle School Drive and placing four yield signs at 1) W. Eagle Pass Street and N. 15th St. 2) W. Eagle Pass Street and North 16th Street 3) W. Uvalde

Street and N. 15th Street and 4) W. Uvalde Street and N. Middle School Drive, all to regulate traffic, as recommended by Chief Scown. (E. Zimmer, CM) - There was no public comment

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 Minutes of January 19th, 2016. (A. Rangra, Mayor) –

Motion was made by Councilor Salas, by Resolution 2016-02-02 to approve Item 6A of the Consent Agenda as presented. Motion was seconded by Councilor Gonzales. Motion unanimously carried.

7. Information or Discussion items –

A. Discuss and review proposed language for Alpine Country Club Lease. Current lease set to expire March 1, 2016. (E. Zimmer, CM) - City Manager Zimmer said a couple of weeks ago we talked about this lease coming up, effective March 1, 2016. He said we are leasing this property for \$2.00 per year. He said they are to maintain the property. He said they are asking for exclusive right of the property. He said it is important that they maintain the property and if they do not we will maintain it and bill them. He said we are updating the language to do a couple of things. He said in 2002 the City allowed the golf course to take over operating the well that is on Brown Street and Fighting Buck. He said the Country Club uses the well to do fresh watering on the South half of the golf course. He said concerning the Country Club, West of the Creek, everything to the west is owned by the City. He said the City also owns a portion of the 9th hole, a portion of the fairway and up to the edge of the 8th green. He said the church owns a significant portion of the property running north. He said the Country Club owns the rest of the 9th green, the pool area, the putting green and the #1 T-Box and most of the building. He said it gets a little convoluted on the ownership. He said the Country Club needs to work on fixing this. He said he talked to the general manager of the Country Club and it needs to be straightened up. He said there are things that need to be dealt with and there needs to be single ownership of the property. He said the Country Club board has a meeting on the 16th and we want them to look at the lease language. He said the City Attorney is okay with the lease. He said he was sorry that the maps did not make their way into the packets for the

Council members. He said these were the actual overlay maps of the Country Club property. He said from a City perspective, we need to understand the layout. He said he thinks it is important for the City to have a back-up plan if necessary. Councilor Fitzgerald said the lease is very good. Councilor Stephens said under section 4, where it says 180 days from 2002. The City Manager said it was a 2002 commitment but he should have put 180 days from today. Councilor Gonzales asked if the affluent tank was metered. City Manager Zimmer said they only fill the affluent tank when we cannot return water. He said this lease is for the Country Club to pay the City Ordinance rates. Councilor Gonzales said they have the right to use the well but they do not own the well. City Manager Zimmer said they are required to maintain the well and we can take it back with Council authority after 72 hours notice. Mayor Rangra talked about the house that was owned by a third party. He asked if the City would buy the property. He asked if we had a survey of the property. City Manager Zimmer said the Country Club owns the portion that is on the East side of the creek by the Club House. He said part of the building and the parking lot are actually owned by an individual. He said the Country Club before it was the Country Club was actually park area. City Manager Zimmer said there was a survey. Councilor Gonzales asked if the survey was part of the maps. The City Manager said the maps were from the appraisal district and there was also an aerial map. Mayor Rangra said he understands most of the information we get from the Appraisal District is not accurate. He said we need to know what the boundaries are. He said we should have a survey done so we know who owns the land.

B. Information from the City Manager regarding the fire hydrants that are outside the city limits: At the far West side along FM 1703 where it turns north (3) and highway 118 south, outside city limits (2) to mention a few. (J. Gonzales) – Councilor Gonzales said (3) and (2) referred to fire hydrants. He said the information he is seeking is about the fire hydrants on 1703. He said they are a mile and one half away (one mile away) so they are in the ETJ. He asked “what is our policy on that”. He said he has heard the builder has to buy the fire hydrant. The City Manager said if a developer wants to attach themselves to the city infrastructure, they have to follow our subdivision rules. Councilor Gonzales asked how the fire hydrants managed to get over there. He said they are brand new* and he thought they should be used for replacements for the ones that are not working here. (*Councilor Stephens reported on 2-17-16 that the fire hydrants were determined to be over 10 years old).The City Manager said anyone outside the city limits can petition for water service. He said they could also request a fire hydrant but they would have to pay 100% of the costs. Councilor Gonzales asked if the hydrants outside of the city limits were metered. City Manager Zimmer said we could meter them, but if people take water from them that would be a criminal offense. Councilor Gonzales said he does not have a problem being there on 1703 especially

with the pipeline going through but normally you attach a meter to it before they start using it. He said if they do not have a meter on it, people could take water out of it. The City Manager said they could do that anywhere in town and it is criminal to do that. Councilor Gonzales asked why the fire hydrants were put out there. The City Manager said we have a lot of out of city customers that pay one and one half times the rate. He said the cost of a fire hydrant outside the city were paid for 100% by the city. He said he could not understand the agenda item. Councilor Gonzales said the City Manager mentioned that we do not want to give anything away and we certainly do not want to give anything away. Councilor Stephens asked if these were really new fire hydrants. The City Manager said he would see what he could find out about these. Mayor Rangra said it would be good to know if the Council approved this or the Utilities Director authorized this. Councilor Stephens said any fire hydrant outside the city limits is paid for 100% by the property owner. Mayor Rangra said we have to account for our water losses.

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, or own businesses or property in the City limits of Alpine, will be allowed to speak if there is time available.)

8. **Discuss and Consider approving first reading of Animal Ordinance 2015 -11-01, an Ordinance of the City of Alpine, Texas, Amending Chapter 10, Code of Ordinances – Animals, Article I and Article II. (E. Zimmer, CM) –** City Manager Zimmer said our Animal Advisory board met several times to discuss these items that came up from an Animal Control perspective and from citizens from the community. He said some of the bigger items were microchipping and feral cats. He said the Advisory Board did recommend these changes. Councilor Stephens said the requirements for the dog houses look to be new requirements and they are pretty stringent requirements. He said he is concerned and is struggling with those requirements. He said there is also a requirement for the number of animals that the people can have. He said he also struggles with those requirements. City Manager Zimmer said we are looking at how to create a shelter so an animal can be out of the weather for wind, rain, sun, snow and ice. He said the Animal Advisory Board came to these conclusions. He said this is obviously for dogs that are kept outside. He said we had a dog perish in the past few months from heat exhaustion. Councilor Stephens said we have a number of substandard dog houses in the city. He said he does not think that is what the city is about. He said he is trying to avoid that and that is why he asked the question. City Manager Zimmer said if

you are going to own a pet, you need to commit to taking care of that pet. Councilor Antrim said she had a problem with the mandatory microchipping unless the city is going to provide that as a service. City Manager Zimmer said the city will do this for \$15 per pet. He said the local vets cost \$60 to have it done. He said we do have a lot of feral cats. He said they can get into yards and if people want to be responsible for these cats, they can microchip the feral cats. He said if people want to own a pet, how do they commit to pet ownership. Councilor Antrim said she sees a value of microchipping but there are hundreds of animals in the city that have not been microchipped. She asked if upon the passage of the ordinance a new animal would need to be microchipped. City Manager Zimmer said it was the Animal Advisory Board's hope that everyone would bring their animal in to be microchipped. Councilor Fitzgerald asked if the dog houses and microchipping would be grandfathered. City Manager Zimmer said we cannot get into anyone's back yard and what we rely on is a report from the neighbors about a pet. Mayor Rangra said we should use the word "encourage". City Manager Zimmer said if you put the word encourage in an ordinance you might as well not have it. Mayor Rangra said you have to make the ordinances people friendly. He said we have to have faith in the public. He said there are a lot of problems in this document. Councilor Salas said our citizens need to know that our pets require the same if not more than a child. She said he hates to see a dog chained up all the time. Mayor Rangra said if people are not taking care of their pets, the Enforcement person has the authority to take care of that situation. He said a lot of people cannot afford \$15 to microchip a pet. City Manager Zimmer said we could have the Animal Advisory Board Chairman to come to the meeting to talk about the suggestions in this ordinance. Motion was made by Councilor Stephens, by Resolution 2016-02-03, to table this item, the first reading of Ordinance 2015-11-01, to provide an opportunity to have a workshop between the Animal Advisory Board and the Council members that wish to attend the meeting and then bring the information to the Council. Motion was seconded by Councilor Salas. Bob Litton said the agenda item was not worded correctly. Carl Fleming asked how many pets was mentioned in the ordinance. He said it used to be 5. City Manager Zimmer said it used to be 5 but now it is 6. He also talked about his Experience with feral cats. He suggested that this ordinance be put on the website for the public to look at. Motion carried, 5-0.

9. Discuss and Consider approving 2nd and final reading of Ordinance 2016-01-03, an Ordinance setting an expiration date for all City of Alpine checks, 180 days from the date of issuance of the check. (E. Zimmer, CM) - Motion was made by Councilor Stephens, by Resolution 2016-02-04, to approve the second and final reading of Ordinance 2016-01-03. Motion was seconded by Councilor Salas. Motion unanimously carried, 5-0.
10. Discuss and Consider approving 2nd and final reading of Ordinance 2016

-01-01, an amendment to the Ordinance of the City Council of the City of Alpine, Texas amending the FY 2015/2016 Budget for the City of Alpine, Texas. (E. Zimmer, CM) – Motion was made by Councilor Stephens, by Resolution 2016-02-05, to approve the 2nd and final reading of Ordinance 2016-01-01, an amendment to the Ordinance of the City Council of the City of Alpine, Texas. Motion was seconded by Councilor Fitzgerald. Carl Fleming asked if this ordinance pertained to the Airport and the Civic Center and was told that it did. Councilors Antrim, Salas, Fitzgerald and Stephens voted in favor. Councilor Gonzales voted against. Motion carried.

- 11. Discuss and Consider approving the 2nd and final reading of Ordinance 2016-01-04, Amending Sec. 2-258, of the Code of Ordinances, prior authorization for payment required. (E. Zimmer, CM) – Motion was made by Councilor Antrim, by Resolution 2016-02-06, to approve the 2nd and final reading of Ordinance 2016-04-01. Motion was seconded by Councilor Salas. Councilors Antrim, Salas, Fitzgerald and Stephens voted in favor. Councilor Gonzales abstained from voting. Motion carried.**

- 12. Discuss and Consider appointing new Councilmember to serve as City Liaison for the County and nominate new City Elected Official to represent the City on the County Appraisal District Board. (R. Stephens) - Mayor Rangra said he would break this item into two items 12-A and 12-B. Councilor Fitzgerald volunteered to serve as the liaison for the County. Councilor Stephens said this was not to be an immediate replacement but a nomination to be Councilor Gonzales replacement when his term is over. Mayor Rangra said as explained by Councilor Stephens, Fitz has volunteered. Motion was made by Councilor Stephens, by Resolution 2016-02-06, for Councilor Fitzgerald to serve as City liaison to the County as an understudy and be Councilor Gonzales replacement upon the end of Councilor Gonzales term. Motion was seconded by Councilor Salas. Joseph Goldman made a comment about the new wording and Mayor Rangra said the wording can be changed a little as long as it does not change the meaning. Joseph Goldman said this follows Robert's Rules of Order. Mayor Rangra said the presiding officer can change the wording as long as it does not change the structure of the item. Motion carried unanimously. Comments were also made by Dale Christopherson and Commissioner Luc Novovitch. Item 12 (B) Motion was made by Councilor Fitzgerald, by Resolution 2016-02-07, to nominate Councilor Stephens as the new City Elected Official to represent the City on the County Appraisal District Board. Motion was seconded by Councilor Salas, Motion carried 5 -0.**

- 13. Discuss and Consider approving the first reading of Ordinance 2015-07-02, an Ordinance rezoning from R-3 to C-2, Block 9, Section 98, part of NW/4 1.8771 acres in the City of Alpine, Brewster County, Texas. Property identification/Street Address is 2210 N. Hwy 118 in Alpine, Texas. Rebecca**

Lewis, Owner. (E. Zimmer, CM) – City Manager Zimmer said this request had previously been before the Planning and Zoning Commission and the Council. He said the Planning and Zoning Commission did vote to approve this rezoning 4-1 at their last meeting and this is the first reading of the Ordinance. Motion was made by Councilor Fitzgerald, by Resolution 2016-02-08, to approve the first reading of Ordinance 2015-07-02, an Ordinance rezoning from R-3 to C-2, Block 9, Section 98, part of NW/4 1.8771 acres in the City of Alpine, Brewster County, Texas, Rebecca Lewis, Owner. Motion was seconded by Councilor Salas. Councilor Gonzales asked if Rebecca Lewis had to pay the filing fees again in order for this item to be heard again before the Planning and Zoning Commission and the Council. City Manager Zimmer and City Secretary Taylor said she had to pay the filing fees again. Motion carried unanimously 5-0.

- 14. Discuss and Consider approving the 2nd and final reading of Ordinance 2016-01-02, an Ordinance of the City Council of the City of Alpine, Texas placing one stop sign at the corner of W. Uvalde and N. Middle School Drive and placing four yield signs at 1) W. Eagle Pass Street and N. 15th Street 2) W. Eagle Pass Street and North 16th Street 3) W. Uvalde Street and N. 15th Street and 4) W. Uvalde Street and N. Middle School Drive, all to regulate traffic, as recommended by Chief Scown. (E. Zimmer, CM) - Motion was made by Councilor Antrim, by Resolution 2016-02-09, to approve the 2nd and final reading of Ordinance 2016-01-02. Motion was seconded by Councilor Gonzales. Motion carried 5-0.**
- 15. Discuss and Consider plan approval for Centennial Park Restroom project as required by grant through Texas Department of Agriculture (TDA) – (E. Zimmer, CM) – Councilor Salas asked where the actual location of the restrooms would be. City Manager Zimmer said they would be in the old alleyway, south of the basketball courts, just outside the fence. Changing the toilet and sinks to steel instead of porcelain was discussed because of vandalism. City Manager Zimmer said he would request that the toilet and sinks be made of steel instead of porcelain to prevent vandalism. Motion was made by Councilor Fitzgerald, by Resolution 2016-02-01 to approve the plan approval for the Centennial Park Restroom project and approve the Resolution with the Public Restroom Company as required by grant through Texas Department of Agriculture (TDA). A heated discussion followed after comments were made by Danny Rojo against Councilor Stephens, between Mr. Rojo and Councilor Stephens. Angela Bermudez made comments that she was glad that the restrooms were finally coming to fruition. Motion carried 5-0.**
- 16. Discuss and Consider directing the City Manager to divert funds needed to replace or repair all the inoperable fire hydrants and install fire hydrants on East Avenue F from 118 South to Ferguson Street. (J. Gonzales) – Councilor Gonzales said we need to do something for the safety of our**

citizens. He said he was glad Erik was busy with this. He showed the council and public a map designating which fire hydrants were operational and which ones were not. He also pointed out areas on the map where he felt we needed fire hydrants. He said we needed an updated list from the fire department. He said the list the Council was presented was from 2011. City Manager Zimmer said that 2011 list has been updated. Angela Bermudez asked if all the fire hydrants had been checked. City Manager Zimmer said they had been. He said putting out new fire hydrants may not be easy. He said we need certain sized water lines to put in fire hydrants. Motion was made by Councilor Gonzales to table this item. Motion was seconded by Councilor Salas. Motion carried unanimously.

17. **Council Member Comments And Answers –**
Councilor Antrim – said we addressed a number of important issues at this meeting. She thanked the citizens for their attendance.
Councilor Salas – said she agreed with Councilor **Antrim**. She thanked Betty and the police department for their work.
Councilor Fitzgerald – said he saw more people here tonight and thanked them for their attendance.
Councilor Gonzales – said he likes seeing everyone here and that shows they care about our city. He said he looks forward to getting our fire hydrants repaired.
Councilor Stephens - Councilor Stephens thanked everyone for being here and said if you need information, go to City Hall.
Mayor Rangra – thanked everyone and hopes that everyone found that their questions had been addressed.
18. **Executive Session – None**
19. **Action after Executive Session – None**
20. **Adjournment** – There being no further business, meeting was adjourned.

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 1:45 P.M. on January 29th, 2016, pursuant to Texas Open Meetings Act. (Texas Vernon's Annotated Civil statutes, section 551.043 Texas Government Code.) 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.

Dr. Avinash Rangra, Mayor

Attest:

Margaret “Molly” Taylor, City Secretary

I, Margaret “Molly” Taylor, City Secretary, do certify that this notice was posted at 1:45 P.M. on January 29th, 2016, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret “Molly” Taylor, City Secretary