

**City of Alpine  
Regular City Council Meeting  
Tuesday, April 19th, 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. Jo Beth McLeod gave 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, Fitzgerald, Gonzales and Stephens were present. Councilor Salas was absent. The meeting notice had been posted at 2:00 P.M. on April 15th, 2016. City Manager Zimmer and Finance Director Megan Antrim were present. City Secretary Taylor was absent.**
  
- 3. Presentations, recognitions and proclamations –**
  - A. Presentation of camera to City by 83<sup>rd</sup> District Attorney, Rod Ponton – The District Attorney, Rod Ponton, presented a camera to Chief Scown from a grant that was used to obtain high end cameras. DA Ponton said he had been to training to assist in the prosecution of sexual assault and domestic violence cases. The Mayor accepted the camera on behalf of the Chief of Police.**
  - B. Certificate of Appreciation for Eddie Molinar – Mayor Rangra said Eddie did a lot of work, oversaw, organized and saved us time and money. There have been several good comments about the new Civic Center. Mayor Rangra read a certificate. He said Eddie has worked for the City for 35 years.**
  - C. Safe Digging Month Proclamation - Mayor Rangra read the proclamation and Erik Alvarez accepted the proclamation on behalf of the Gas Department.**
  - D. Sexual Assault Awareness and Prevention Month Proclamation – Mayor Rangra read the proclamation and Mary Jo Martin and others accepted the proclamation.**
  
- 4. Reports –**
  - City Mayor’s Report - (A. Rangra, Mayor) – Mayor Rangra said he spent the morning discussing topics with the State Representative.**
  - City Manager Report – (E. Zimmer, CM) – City Manager Zimmer reported on the following items:**
    - Paving Schedule and Materials Update – Targets for first weeks of sealcoating – City Manager Zimmer said for this paving schedule we are using crushed limestone and it will look different. He said we are**

also using CRS2, not MSR2. He said we have sent out an RFQ for the street project.

- **Electronic Recycling results** - City Manager Zimmer said a lot of high school kids collected 21.5 tons of garbage. He said bulky trash and the Texas Trash Off is a great time of the year for volunteerism.
- **Far West Texas Regional Water Planning Meeting from April 7, 2016 – April 7<sup>th</sup>** will be the date for the Far West Texas Regional Water Planning Meeting in Clint. He said there will be a public meeting to be held in Alpine and we will advertise heavily. He said they are looking at June 2<sup>nd</sup> for the date.
- **Monthly Financial Reporting** – City Manager Zimmer said 95% of the tax revenue is in. He said we paid the quarterly payments from the enterprise fund in April. He discusses water, sewer and sanitation plan, licensing, hiring a Utilities Director. He discussed the airport, purchase, crack repair. He discussed HOT and the Civic Center remodel. He also discussed the quarterly reports in April for the Visitor Center. He discussed gas. He said the revenue is down from last year. He said this is due to warmer weather and a lower rate. He discussed the auditors and investments. There are no major changes in holding the Airport funds to collect interest.

Councilor Stephens asked how Round 5 will affect Alpine. He said primarily to look at wells and make sure the regional plans are implemented. He said to look at the rural aspect, the area is self-sustaining. He said we will look at the movement of water out of the area. He said the goal is to protect the sources of water and prevent movement of water. Erik said he attended his first regional meeting. He said attending gives Alpine a broader view.

**City Staff Updates** – None

**5. Public Hearings** – 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 March 1<sup>st</sup>, March 15<sup>th</sup> and March 29<sup>th</sup>, 2016.**  
**(A. Rangra, Mayor)** – Motion was made by Councilor Gonzales, by

Resolution 2016-04-01, to approve the Council Minutes of March 1<sup>st</sup>, March 15<sup>th</sup> and March 29<sup>th</sup>, 2016. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried, 5-0.

**7. Information or Discussion items –**

**A. Provide an update and discuss the key items of the Brewster County Central Appraisal District Board of Directors meeting on April 19, 2016. (R. Stephens) - Mayor Rangra said it had been discussed amongst the council and a decision was made last year. Rick said he attended the meeting (CAD) and they discussed approving Gibson, Ruddock as auditors. He said they also discussed a budget workshop to approve and discuss. He said the primary discussion was about the Appraised values for last year @300 million this year . He said property values are up and the City can expect 134 thousand for next year.**

**B. Monthly update on joint City-County activities by City liaison. (J. Gonzales) – Councilmember Gonzales said he was not able to attend the meeting. It will be rescheduled since both Julian and Cynthia. Julian and Fitz were both going on vacation.**

**C. Quarterly Visitor Center Readout by Chamber Executive Director. (E. Zimmer, CM) - Mayor Rangra said we need more visitors to spend their money here. He said he had spoken with a couple about Alpine.**

**D. Quarterly EMS Readout with West Texas Ambulance. (E. Zimmer, CM) – Mike Scudder was present. Mike said he went over the report provided in the Council packets. It was discussed that calls depend on the weather. He reviewed the type of calls, Medicare, insurance, self-pay, indigent, air ambulance, reviewed the number of calls and number of billable patients.**

**E. Quarterly Municipal Court Readout with Judge Eve Trook. (E. Zimmer, CM) There are a number of details that have not been reported. Judge Trook talked about magistrating, warrants, family violence, rights and bail.**

**F. Discuss 2015-2016 Auditors report submitted to City Council and accepted by City Council on March 29, 2016. Also auditors findings and responses. (J. Gonzales) Councilor Gonzales said he wanted to table this item. He said the Council has already accepted the auditor’s report.**

**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 taking action on SEP recommendation from City Manager on TCEQ Enforcement Order, Docket No. 2016-0317-MWD-E. Enforcement Case No. 51940 (E. Zimmer, CM) - Mayor Rangra shared a copy of a letter regarding high BOD (Biological Oxygen Demand) levels and the worksheet was included in the packet. City Manager Zimmer said with TCEQ there are two options, to pay and accept the fine or a SEP which must meet or exceed the level of the fine. The bar screen was already previously discussed with Virgil and going to be mechanized. The plant gets a heavy amount of debris and does not have adequate oxygen. The City Manager recommended submitting an application to install the mechanized bar screen. He said this is critical and will improve the sewage coming in and will help with BOD's. The City Manager said we re-implemented BEF bacteria back into the plant which is designed to eat grease. He said the number one problem is grease thrown down sinks and the bar screen will help with that. He said that TCEQ approval takes 60 to 180 days so we are probably looking at next year's budget. We would have to do the amendment this year. Motion was made by Councilor Fitzgerald, by Resolution 2016-04-02, to take action on the SEP recommendation from the City Manager on the TCEQ Enforcement Order, Docket No. 2016-0317- MWD-E. Enforcement Case No. 51940 and apply for the SEP. Motion was seconded by Councilor Salas. Councilor Fitzgerald said if we have the money we might as well fix this. Councilor Gonzales said there had been a letter dated March 24<sup>th</sup>, giving us 30 days to reply concerning this violation and fine. He said the time is getting close. City Manager Zimmer said he will respond to this letter tomorrow and instead of the fine we will provide the SEP. Joseph Goldman asked what the fine was, when did it take place and why was it not acted upon? City Manager Zimmer said we had two successive BOD's and this was the normal course of action. Motion carried. All in favor. 5-0.**
- 9. Discuss and Consider approval of first reading of Traffic Ordinance 2016 - 04-01, regarding intersection at 5<sup>th</sup> St. and Murphy plus adjacent parkways. (C. Salas/E. Zimmer, CM) – Councilor Salas said she was concerned about the traffic on 5<sup>th</sup> and Murphy. She said the streets are not wide enough for parking on both sides and the traffic coming and going. She said Chief Scown did a survey but there were only a few responses. She said she wanted this put on the agenda since she was concerned and wanted to make it safer for traffic and pedestrians. Motion was made by Councilor Salas, to approve the first reading of Traffic Ordinance 2016-04-01, regarding the intersection at 5<sup>th</sup> Street and Murphy plus adjacent parkways. Motion was seconded by Councilor Fitzgerald. Councilor Stephens said he struggled with both sides being closed and would not support the ordinance as written. Councilor Fitzgerald said it can be a nightmare on 5<sup>th</sup> Street. Councilor Gonzales said in one of the**

properties, the trailer has been removed and they have closed in the area with a fence, so they no longer have a parking area and they are parking in the street on 5<sup>th</sup> Street. He said he is inclined to agree with doing only one side. Mayor Rangra asked what side. Councilor Gonzales said it would be the West side with no parking. Councilor Stephens said he agreed. Councilor Salas said she guessed we could re-look at this. City Manager said this was on the South side of Murphy and asked what about the North side? Mayor Rangra said Councilors Stephens and Gonzales are in favor of the West side. Councilor Stephens said we should have no parking on the West side, on South Murphy and leave the East side for people to park. Councilor Salas said she wanted to see no parking in front of Printco. Councilor Antrim suggested a sign saying no parking and to close the area near the Raspa. Carl Fleming said the parking is bad at times, on Saturdays especially because of the Farmers Market. He suggested that on 5<sup>th</sup> all the way to Holland, we should have no parking. He said the Farmer's Market is the biggest problem. Betse Esparza said they own Printco and they do not have a problem with signage but they are under contract with Fed Ex for deliveries and they need the front area for them to park. Liz Sibley said she submitted her opinion and everyone is on the same page. She said there should not be parking by Raspa and on the West Side. She said the East side could still have parking and we might need a four way stop. Mayor Rangra said we need to make some changes. Motion was made by Councilor Salas to table this Ordinance until the changes could be made. Motion was seconded by Councilor Fitzgerald. Mayor Rangra said we need to add wording about the signs. Motion carried unanimously, 5-0.

10. **Discuss and Consider authorizing City Manager to accept West Texas HIDTA (High Intensity Drug Trafficking Area) grant award (G16SW0009) for the Alpine Police Department in support of Alpine Multi-Agency Task Force Initiative. (E. Zimmer, CM) - City Manager Zimmer said that we had discussed the HIDTA program in a previous meeting. Motion was made by Councilor Stephens, by Resolution 2016-04-03, for the City Manager to accept the West Texas HIDTA grant award in the amount of \$125,470 for the Alpine Police Department in support of the Alpine Multi-Agency Task Force Initiative. Motion was seconded by Councilor Gonzales. Motion carried unanimously, 5-0.**
  
11. **Discuss and Consider first reading of Animal Ordinance 2015-11-01, amending Chapter 10 of the Code of Ordinances – Animals, Article I and Article II. (N. Antrim) – Councilor Antrim said the Animal Advisory Board met to discuss changes and no one from the public came to give their input. She said some of the provisions the Ordinance contained were noise pollution – barking dogs, shelter for animals, micro-chip (animals that were picked up will be micro-chipped) and feeding of feral cats – owners responsibility, vaccinations and neutering. Councilor Gonzales**

had a question about the number of pets. Councilor Antrim said 3 dogs, 3 cats, 3 reptiles or any combination and no more than 6 individual pets. Councilor Fitzgerald said he had a friend who was a scientist who had multiple snakes. Councilor Stephens suggested an addition about dropping off pets after hours only with the Animal Officer. He said he thought we needed clearer wording to give a clearer idea for after hours. Jennifer Stewart said they have an officer on call 24-7. It was suggested that information be added to the website as to who to call. Councilor Gonzales asked about feral cat calls. Jennifer said there were not as many calls and that the feral cats were usually euthanized. Councilor Gonzales asked who was going to enforce this ordinance. Jennifer said they were doing their best to enforce it and the ordinance assists in that. One citizen said that there was an open area on the west side and lots of dogs run around and bark a lot. He asked if there was an ordinance concerning that. City Manager Zimmer said there was an Ordinance and it was on the website. Motion was made by Councilor Antrim, by Resolution 2016-04-04 to approve the first reading of Animal Ordinance 2015-11-01, amending Chapter 10 of the Code of Ordinances – Animals, Article I and Article II. Motion was seconded by Councilor Salas. Carl Fleming said the Ordinance used to say 5 pets and now it says 6. He said we need something in the paper about this so it is not a surprise to the people. Angela Bermudez asked if there was another way to notify owners about their pets and asked if we could put it on face book. Motion carried unanimously, 5-0.

12. Discuss and Consider adopting Resolution denying AEP – Texas North Company – DCRF Rate Case Filing – AEP – Texas North Company is seeking an increase in distribution revenues of \$16,414,394. (E. Zimmer, CM) - Mayor Rangra said the word denying will be changed to opposing in the Resolution, and read the Resolution. Motion was made by Councilor Stephens, by Resolution 2016-04-05, to adopt a Resolution denying AEP – Texas North Company – DCRF Rate Case Filing – AEP – Texas North Company who is seeking an increase in distribution revenues of \$16,414.394. Motion was seconded by Councilor Salas. Motion carried unanimously, 5-0.

13. Councilmember Comments and Answers –

Councilor Stephens – said it is nice to have a full house.

Councilor Gonzales – agreed and said it was nice to have the number of people who are interested in what we are doing.

Councilor Fitzgerald – thanked the people for coming and introduced Kevin from his ward who was in attendance at the meeting tonight.

Councilor Salas – thanked everyone for coming and said she had her first

**meeting with the library. She encouraged everyone to go back to Sul Ross on Thursday when Rick will be presenting awards.**

**Councilor Antrim – thanked everyone and especially those who shared reports with us**

**Mayor Rangra – said thanks for coming and staying with us till the end.**

**Motion was made by Councilor Salas to enter into Executive Session. Motion was seconded by Councilor Stephens. Motion carried. The Council entered into Executive Session at 7:49 P.M.**

- 14. Executive Session – Pursuant to Texas Government Code, Section 551.071, Consultation with Attorney**  
**A. Update on Scown Litigation, Cause No. 2015-03-B0705-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)**

**Councilor entered back into open session at 7:58 P.M.**

- 15. Action after Executive Session –**  
**A. Action, if any, concerning Scown Litigation. (E. Zimmer, CM) – Motion was made by Councilor Stephens to take no action concerning the Scown litigation. Motion was seconded by Councilor Fitzgerald. Motion carried unanimously, 5-0.**
- 16. 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 2:00 P.M. on April 15th, 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.

---

Rick Stephens, Mayor Pro Tem

Attest:

---

Margaret "Molly" Taylor, City Secretary

I, Margaret "Molly" Taylor, City Secretary, do certify that this notice was posted at 2:00 P.M. on April 15th, 2016, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

---

Margaret "Molly" Taylor, City Secretary