

**City of Alpine
Regular City Council Meeting
Tuesday, September 20th, 2016
5:30 P.M.
Minutes**

- 1. Call to Order, Invocation and Pledge of allegiance to the flags – Mayor Ramos called the meeting to order. The meeting was held in the Council Chambers at 803 West Holland in the City of Alpine, Texas. Virginia Knab gave the invocation. Mayor Ramos led the pledge of allegiance to the flags.**

- 2. Determination of a quorum and proof of notice of the meeting – Mayor Ramos, Councilors Antrim, Salas, Fitzgerald, Escovedo and Stephens were present. City Secretary Taylor said the meeting notice had been posted at 2:00 P.M. September 16th, 2016. City Manager Zimmer, City Secretary Taylor, City Assistant Manager/Finance Director Megan Antrim and Abel Hinojos were also present.**

- 3. Presentations, recognitions and proclamations –**
 - Proclamation for Olivia Ramirez-Ramos, 100th Birthday – Mayor Ramos presented a proclamation to Olivia Ramirez-Ramos in recognition of her 100th Birthday.**

- 4. Reports –**
 - City Mayor’s Report – (A. Ramos, Mayor)**
 - City Manager Report – (E. Zimmer, CM) –**
 - City Manager Zimmer gave the following report:**
 - Update from September 8th Incident(s) and City’s Response**
 - School Responses on Website**
 - Police Chief Issued a Response**
 - Most students at High School were under-age**
 - School Board Meeting – September 21st**
 - Worked with SRSU on relocation for students to Civic Center during that day**
 - Worked with Hospital**
 - Teachers, Law Enforcement, Administrators all to be complimented on their concern for the students and responsiveness**
 - Animal Control Readout**
 - New Ordinance put into place earlier this year addressing: microchipping, shelter of animals and quantity of animals that single residence can own**
 - Calls/Concerns related to stray dogs/loose dogs and barking dogs**
 - Chapter 10 of the City of Alpine Code of Ordinances**
 - City utilizes website to share information (ie – bees, barking dogs, etc...)**

- Data – stats from Animal Control and Dispatch. (Total adoptions – 135, 40 transfers to other shelters/organizations ((Fort Collins Colorado – All Aboard Animal Rescue and Grand Companions and Jethro Homeward Bound Pets)), 144 animals returned to their owners, 105 Feral cat Euthanasias, Sick/Injured Euthanasia 15, Wildlife 25, Dogs 6. As of February 11, 2014, shelter has not had to euthanize a healthy adoptable animal for space. 25 microchips have been done, and 73 private cremations for the public. Dispatch stats are as follows: 25 animal bites, 133 Animals picked up from a trap, 42 requests to borrow a trap, 36 barking dogs, 175 dead animals picked up, 57 injured animals, 38 livestock loose, 100 missing animals, 488 animals running at large, 43 wildlife calls
- **Paving Update-**
 - Public works team seal coating last week and this week (Phelps, Walker, 11th Street)
 - Targeting Carpenter Addition next
 - Jarret Dirt Work starting later this week (Mobilize aggregate and Base, Fighting Buck and Avenue F. to be completed first)
 - Weather has been a factor for us this year.
- **Monthly Financial Readout – (GF Rev, GF Exp, GT NI, W/S/S Rev., W/S/S Exp, W/S/S NI, Airport Rev., Airport Exp., Airport NI, HOT Rev., HOT Exp, HOT NI, Gas Rev., Gas Exp., and Gas NI for 10/14 YTD – 9/16 YTD). Also charts showing GF Results YTD, W/S/S Results YTD, Airport Results YTD, HOT Results YTD and Gas Results YTD)**

City Staff Updates – None

5. Public Hearings –

A. Public Hearing on Ordinance 2016-08-02, amending Zoning Code 20 and 21 (E. Zimmer, CM). There was a comment on the amount of the Conditional Permit Fee.

B. Public Hearing on Ordinance 2016-09-04, amending water rates and sewer rates. (E. Zimmer, CM) – There were no comments from the public.

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 August 16th, August 18th and August 29th, 2016. (A. Ramos, Mayor) –

B. Approve Resolution for closing of a Portion of 5th Street (Hwy 118) between Holland and Avenue E for Artwalk on November 18th and 19th, 2016. (E. Zimmer, CM)

Motion was made by Councilor Salas, by Resolution 2016-09-09 to approve the Council Minutes of August 16th, August 18th, and August 29th, 2016 and approve the Resolution for the closing of a Portion of 5th Street (Hwy. 118) between Holland and Avenue E. for Artwalk on November 18th and 19th. Motion was seconded by Councilor Fitzgerald. Motion unanimously carried.

7. Information or Discussion items –

A. Nancy Antrim, Report on TML meeting. (N. Antrim)- Councilor Antrim made a report concerning the Fort Stockton meeting. She said the speaker was Congressman William Hurd. She said the Congressman gave a political talk. She said they also elected officers for the next year.

B. Interview Municipal Court Judge candidates (E. Zimmer, CM) – Jerry Sotello and Chris Sandefur gave a presentation and were interviewed. Councilor Fitzgerald, Mayor Ramos, Councilor Salas, Councilor Escovedo, Councilor Stephens and Councilor Antrim asked both candidates questions.

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 second and final reading of 2016-08-02, amending Zoning Code, Appendix C, Sections 20 “Conditional Use Permit” and 21 “Zoning and Rezoning Procedures” upon recommendation of Planning and Zoning Commission. (E. Zimmer, CM) – Motion was made by Councilor Salas, by Resolution 2016-09-10, to approve the second and final reading of Ordinance 2016-08-02, amending Zoning Code, Appendix C, Sections 20 “Conditional Use Permit” and 21 “Zoning and Rezoning Procedures” upon recommendation of Planning and Zoning Commission. Motion was seconded by Councilor Antrim. City Manager Zimmer said the amount of the fee would be set at a later Council meeting. Motion unanimously carried.

- 9. Discuss and Consider approving second and final reading of Ordinance 2016-09-04 amending water rates, bulk water rates and sewer rates for the City of Alpine, Texas, Chapter 98 “Utilities”, Section 98-83 (water rates) and Section 98-123 (sewer rates) “Rates Generally”, (b) Water Rates of the Code of Ordinances be amended to reflect new “Water Rates” and “Sewer Rates, and amending Section 98-85, Rates Outside City Limits. (E. Zimmer, CM.) – Motion was made by Councilor Salas by Resolution 2016-09-11, to approve the second and final reading of Ordinance 2016-09-04 amending water rates, bulk water rates and sewer rates for the City of Alpine, Texas, Chapter 98 “Utilities”, Section 98-83 (water rates) and Section 98-123 (sewer rates) “Rates Generally”, (b) Water Rates of the Code of Ordinances be amended to reflect new “Water Rates” and “Sewer Rates”, and amending Section 98-85, Rates Outside City Limits. Motion was seconded by Councilor Fitzgerald. Motion carried unanimously.**
- 10. Discuss and Consider recommendations and approve allocations for Hotel Occupancy Tax Funding for FY 2016/2017. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, by Resolution 2016-09-12 to approve the recommendations and the allocations for Hotel Occupancy Tax Funding for FY 2016/2017. Motion was seconded by Councilor Salas. Motion carried unanimously. The distributions are as follows:**
- 1) 7% Fiscal Fee - \$34,226**
 - 2) Alpine Artwalk - \$20,000**
 - 3) Alpine Tourism - \$145,000**
 - 4) Big Bend Cowboys - \$20,000**
 - 5) Big Bend Ranch Rodeo - \$15,000**
 - 6) Center for Big Bend Studies - \$1,500**
 - 7) Chamber – Visitor Center - \$80,000**
 - 8) Civic Center Remodel - \$75,000**
 - 9) Cowboy Poetry Gathering - \$15,000**
 - 10) Family Crisis Center - \$2,000**
 - 11) Fiesta Del Barrio - \$1,250**
 - 12) Gem and Mineral Show - \$2,000**
 - 13) JackRabbit Reservation - \$6,100**
 - 14) Kiwanis 4th of July - \$3,000**
 - 15) Marfa Film Festival - \$3,000**
 - 16) Museum of the Big Bend - \$35,000**
 - 17) Theatre of the Big Bend - \$20,000**
 - 18) Transpecos Ultra - \$1,000**
 - 19) Visitor Center Rehab - \$5,000**
 - 20) Viva Big Bend - \$8,000**
 - Total - \$492,076**
- 11. Discuss and Consider recommendation for rate increase for ground lease – Motion was made by Councilor Fitzgerald by Resolution 2016-09-13, to approve the recommendation for a rate increase for the Airport ground**

lease at Alpine Casparis Municipal Airport. Motion was seconded by Councilor Escovedo. Councilors Antrim, Salas, Fitzgerald and Escovedo voted in favor. Councilor Stephens abstained due to conflict of interest. Motion carried.

12. Discuss and Consider Mayor's nomination for Council approval for Municipal Court Judge. (E. Zimmer, CM) – Item 12 was moved into Executive Session upon agreement by Council.
13. Discuss and Consider taking action on setting date for Council meeting in December, 2016. (E. Zimmer, CM) – Motion was made by Councilor Stephens, by Resolution 2016-09-14, to set Tuesday, December 6th as the date for the December, 2016 Council meeting. Motion was seconded by Councilor Salas. Motion unanimously carried.
14. Discuss and Consider approval of EMS (Emergency Medical Services) Agreement. (E. Zimmer, CM) – Motion was made by Councilor Stephens, by Resolution 2016-09-15, to approve the EMS (Emergency Medical Services) Agreement and authorize the City Manager to finalize the agreement. Motion was seconded by Councilor Salas. City Manager Zimmer said West Texas Ambulance absolutely wants to serve the city and they have been doing this at a very low rate of pay. He said they are running with 6 folks but we need to get that team up to at least 8 people. He said right now the City and County fund the ambulance service. He said this comes out of our taxpayer dollars. He said their budget has been increased by 10%. He said he knows the hospital district also wants to participate with this. He said we are talking about getting funding up to \$280,000. He said we need more volunteers for this. He said we need to get with Adolfo to get the contract done. Councilor Salas said we do need to bring the personnel numbers up to date. The Council discussed ground transportation services. He said ground transportation is very costly. Cheryl Eakens said people might not understand, in the City, that this does not include ground transport. Mike Scudder talked about Medicare decreases, collections and insurance. He said a lot of the cost is based on averages. Motion unanimously carried.
15. Discuss and Consider approval of gas pricing and agreement with West Texas Gas. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald to table this item until the next meeting. Motion was seconded by Councilor Salas. Motion unanimously carried.
16. Discuss and Consider approval of recommendation of Retail Vendor by City Staff for Electricity Services. (E. Zimmer, CM) – Motion was made by Councilor Fitzgerald, by Resolution 2016-09-16, to approve the recommendation by the City Staff of TXU as the Retail Vendor for Electricity Services. Motion was seconded by Councilor Salas. City Manager Zimmer said this should save us about \$10,000 a year. Motion

unanimously carried.

17. Discuss and Consider approval of RAMP Grant for TxDot Project ID: M172YALPN in the amount of \$30,000. (E. Zimmer, CM) – Motion was made by Councilor Stephens, by Resolution 2016-09-17, to approve the RAMP Grant for TxDot Project ID:M172YALPN in the amount of \$30,000. Motion was seconded by Councilor Fitzgerald. Assistant City Manager/Finance Director Antrim increased the amount of the RAMP Grant by 50% and she was praised for doing that. Motion unanimously carried.

18. Councilmember Comments and Answers –

Councilor Antrim – Thanked everyone for coming. She said the response to the City onr September 8th made her proud.

Councilor Salas – Thanked everyone for being here. She said we were all brought together by the events on September 8th. She thanked Mike Scudder as well and the City Staff and Council working as a team.

Councilor Fitzgerald – Thanked everyone for coming together.

Mayor Ramos – talked about housing the college students on September 8th in the Civic Center. He said the students were well behaved. He said they entertained themselves. He said he was very proud of the city as a whole. He said the first responders all came together.

Councilor Escovedo – said she was glad everyone was here and that everyone came together. She thanked Councilor Salas for texting her when she needed her.

Councilor Stephens – said hats off to the responders.

Motion was made by Councilor Stephens and seconded by Councilor Salas to enter into Executive Session. Motion unanimously carried.

19. Executive Session – Pursuant to Texas Government Code, Section 551.071 (Consultation with Attorney) Pending Litigation.

A. Emily Livingston Scown and Barbara Scown v. the City of Alpine, Texas; Cause No. 2015-03-BO705-CV; in the 394th Judicial District Court, Brewster County, Texas. (“Scown litigation”). (E. Zimmer, CM) -

20. Action after Executive Session –

A. Action, if any, concerning Scown litigation. (E. Zimmer, CM) – Motion was made by Councilor Stephens to take no action on this item. Motion was seconded by Councilor Salas.

12. Discuss and Consider Mayor’s Nomination for Council approval for Municipal Court Judge. (E. Zimmer, CM)

12(A). Action, if any, concerning Mayor’s Nomination for Council approval for Municipal Court Judge. – Mayor Ramos nominated Chris Sandefur for Municipal Court Judge. Motion was made by Councilor Antrim, by

Resolution 2016-09-18, to approve Chris Sandefur as Municipal Court Judge. Motion was seconded by Councilor Stephens. Councilor Antrim and Councilor Stephens voted in favor. Councilor Salas and Councilor Escovedo voted against. Councilor Fitzgerald abstained from voting due to conflict of interest. Mayor Ramos voted in favor of Chris Sandefur to break the tie. Motion carried 3-2. Chris Sandefur will be the new Municipal Court Judge.

19. Adjournment.- There being no further business, meeting was adjourned upon the motion of Councilor Fitzgerald and seconded by Councilor Salas. Motion unanimously carried.

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 September 16th, 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.

Andres "Andy" Ramos, Mayor

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 September 16th, 2016, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Margaret "Molly" Taylor, City Secretary