

**City of Alpine**  
**Regular City Council Meeting**  
**Tuesday, June 1, 2021**  
**5:30 P.M.**  
**Minutes**

1. **Call to Order, and Pledge of allegiance to the flags** – Mayor Ramos called the meeting to order. The meeting was held at the City Council Chambers and via zoom conference in the City of Alpine, Texas. Mayor Ramos led the pledge of allegiance to the flags.
2. **Determination of a quorum and proof of notice of the meeting** – Councilor Judy Stokes, Councilor Chris Rodriguez, Councilor Sara Tandy, Councilor Martin Sandate, and Councilor Jerry Johnson attended at the City Council Chambers. Interim City Manager Megan Antrim and Interim City Secretary Geoffrey Calderon attended at the City Council Chambers. Interim City Secretary, Geoffrey Calderon reported that the agenda was posted at 2:00 P.M. on May 28, 2021.
3. **Public Comments** (limited to 3 minutes per person) – Chris Mueller, Laura Gold, Rick Stephens, Sara Blair.
4. **Presentation, Recognitions, and Proclamations** – (A. Ramos, Mayor) – None
5. **Reports** – Copies of the charts presented during the meeting are posted on the City website at [www.cityofalpine.com/cmreports](http://www.cityofalpine.com/cmreports).

**City Mayor’s Report** – (A. Ramos, Mayor) – None

**City Attorney’s Report** – None

**City Manager Report** –

- Alpine School Remodel Update
- Swimming Pool
- Budget Process
- Staffing

**City Staff Updates** – None

**6. Public Hearing** –

- Public Hearing to obtain citizen’s view and comments on one animal permit for 4 horses and 10 steers located at 1909 W. Mosley Loop, Alpine, Texas, 79830. Applicant is Justin Claiborne.

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being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for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.)

1. Approval of minutes from City Council meeting on May 18, 2021. (M. Antrim, Interim City Manager)
2. Approval of minutes from City Council meeting on May 24, 2021. (M. Antrim, Interim City Manager)
3. Approval of 1<sup>st</sup> and 2<sup>nd</sup> Quarterly Investment Reports. (M. Antrim, City Council)

**Councilor Rodriguez requested to move item one (1) from the normal sequence of the Consent Agenda. Motion was made by Councilor Johnson, by Resolution 2021-06-01, to approve items two (2) and three (3) on the consent agenda. Motion was seconded by Councilor Rodriguez. Motion unanimously carried.**

**Motion was made by Councilor Rodriguez, by Resolution 2021-06-02, to approve the May 24, 2021 minutes with an amendment to reflect a presentation under the Mayor report to recognize Rick Stephens for his years of service to the City Council and to amend the vote on the action taken to terminate Erik Zimmer's employment contract to reflect Councilor Rodriguez' and Councilor Johnson's vote against the termination. Motion was seconded by Councilor Stokes. Motion unanimously carried.**

#### **8. Information or Discussion items –**

1. Discuss Wastewater Treatment Facility current aerator project (M. Antrim, Interim City Manager)
2. Outdoor Lighting Ordinance presentation by Bill Wren (M. Antrim, Interim City Manager)

#### **9. 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.) after being called upon by Mayor or Mayor Pro Term. 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.) –

1. Discuss, consider, and take appropriate action on the first reading of Ordinance 2021-05-06, an ordinance amending Chapter 23 – City Council, Article II – Rules of Procedure to the Alpine Code of Ordinances (C. Rodriguez, City Council) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-03, to discuss, consider, and take appropriate action on the first reading of Ordinance 2021-05-06 an ordinance amending Chapter 23 – City Council, Article II – Rules of Procedure to the Alpine Code of Ordinances. Motion was seconded by Councilor Stokes. Motion unanimously carried.
2. Discuss, consider, and take appropriate action on the second and final reading of one animal permit for 4 horses and 10 steers. Horses and steers will be located at 1909 W. Mosley Loop, Alpine, Texas, 79830 (C. Rodriguez, City Council) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-04, to discuss, consider, and take appropriate action on the second and final reading of one animal permit for 4 horses and 10 steers. Horses and steers will be located at 1909 W. Mosley Loop, Alpine, Texas. Motion was seconded by Councilor Johnson. Motion unanimously carried.

3. Discuss, consider, and take appropriate action to appoint a Mayor Pro Tem (M. Antrim, Interim City Manager) – Motion was made by Councilor Stokes, by Resolution 2021-06-05, to appoint a Mayor Pro Tem. Motion was seconded by Councilor Johnson. Motion unanimously carried.

Motion was made by Councilor Rodriguez, by Resolution 2021-06-07, to appoint Jerry Johnson as Mayor Pro Tem. Motion was seconded by Councilor Sandate. Motion unanimously carried.

4. Discuss, consider, and take appropriate action on WTG Gas Contract, including the relocation of the City gates (M. Antrim, Interim City Manager) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-08, to discuss, consider, and take appropriate action on the WTG gas contract including the relocation of City gates. Motion was seconded by Councilor Sandate. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. Motion failed.

Motion was made by Councilor Johnson, by Resolution 2021-06-09, to table the West Texas Gas contract including the relocation of City gates. Motion was seconded by Councilor Sandate. Motion unanimously carried.

5. Discuss, consider, and take appropriate action to approve Resolution 2021-06-06 regarding WTG gas rates (M. Antrim, Interim City Manager) – Motion was made by Councilor Johnson, by Resolution 2021-06-10, to take appropriate action to approve Resolution 2021-06-06 regarding West Texas Gas rates. Motion was seconded by Councilor Tandy. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. Motion failed.

Motion was made by Councilor Tandy, by Resolution 2021-06-11, to amend the resolution included in the City Council Packet to be titled Resolution 2020-06-06. Motion was seconded by Councilor Stokes. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. Motion failed.

Motion was made by Councilor Tandy, by Resolution 2021-06-12, to amend the resolution included in the City Council Packet to be titled Resolution 2021-06-06. Motion was seconded by Councilor Stokes. Motion unanimously carried.

Motion was made by Councilor Johnson, by Resolution 2021-06-13, to table Resolution 2021-06-06. Motion was seconded by Councilor Stokes. Motion unanimously carried.

6. Discuss, consider, and take appropriate action to appoint Interim City Attorney (M. Antrim, Interim City Manager) – Motion was made by Councilor Rodriguez, by Resolution 2021-06-14, to discuss, consider, and take appropriate action to appoint an Interim City Attorney. Motion was seconded by Councilor Tandy. Motion unanimously carried.

Motion was made by Councilor Tandy, by Resolution 2021-06-15, to move item 6 from Action Items to Executive Session pursuant to Texas Government Code Section 551.074. Motion was not seconded. Motion lost.

Motion was made by Councilor Tandy, by Resolution 2021-06-16, to appoint Rod Ponton as Interim City Attorney. Motion was seconded by Councilor Stokes. Councilor Stokes, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted for. Councilor Rodriguez voted against. Motion passed 4 to 1.

7. Discuss, consider, and take appropriate action to authorize the Interim City Manager to advertise for the position of City Manager, City Secretary, City Attorney, and Director of Utilities (M. Antrim, Interim City Manager) – **Motion was made by Councilor Johnson, by Resolution 2021-06-17, to take appropriate action to authorize the Interim City Manager to advertise for the position of City Manager, City Secretary, City Attorney, and Director of Utilities. Motion was seconded by Councilor Sandate. Councilor Stokes, Councilor Rodriguez, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted against. Motion failed.**

**Motion was made by Councilor Rodriguez, by Resolution 2021-06-18, to table the item to authorize the Interim City Manager to advertise for position of City Manager, City Secretary, and Director of Utilities until a workshop takes place where the Council can verify job descriptions and expectations. Motion was seconded by Councilor Johnson. Motion unanimously carried.**

8. Discuss, consider, and take appropriate action to authorize the Interim City Manager to work with department heads to hire open positions for recycle tech, court clerk, and field workers in the Streets and Water Departments (M. Antrim, Interim City Manager) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-19, to discuss, consider, and take appropriate action to authorize the Interim City Manager to work with department heads to hire open positions for recycle tech, court clerk, and field workers in the Streets and Water Departments. Motion was seconded by Councilor Stokes. Councilor Stokes, Councilor Tandy, Councilor Sandate, and Councilor Johnson voted in favor. Councilor Rodriguez voted against. Motion carried 4 to 1.**

9. Discuss, consider, and take appropriate action to approve TCEQ Agreed Order, Docket No. 2021-0015-MWD-E concerning licensing violations at the City of Alpine Waste Water Treatment plant and administrative penalty in the amount of \$10,020 (M. Antrim, Interim City Manager) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-20, to discuss, consider, and take appropriate action to approve TCEQ Agreed Order, Docket No. 2021-0015-MWD-E concerning licensing violations at the City of Alpine Waste Water Treatment plant and administrative penalty in the amount of \$10,020. Motion was seconded by Councilor Stokes. Motion unanimously carried.**

10. Discuss, consider, and take appropriate action to approve Special Use Permit Applications for: (M. Antrim, Interim City Manager)

- a. Short Term Rental Special Use Permit for 509 S. 5<sup>th</sup> Street. Owners of record are Don & Martha Coats.

- b. Short Term Rental Special Use Permit for 604 E Gallego Avenue. Owner of record is Robert Howard.

**Motion was made by Councilor Rodriguez, by Resolution 2021-06-21, to discuss, consider, and take appropriate action to approve Special Use Permit Applications for:**

- a. Short Term Rental Special Use Permit for 509 S. 5<sup>th</sup> Street. Owners of record are Don & Martha Coats.

- b. Short Term Rental Special Use Permit for 604 E Gallego Avenue. Owner of record is Robert Howard.

**Motion was seconded by Councilor Sandate. Motion unanimously carried.**

10. City Council Member Comments and Answers – No discussion or action may take place.

**(7:44 P.M.) Motion was made by Councilor Rodriguez, by Resolution 2021-06-22, to move into Executive Session for an update on pending litigation regarding the Creswell Suit. Motion was seconded by Councilor Sandate. Motion unanimously carried.**

11. Executive Session –

1. Update on Pending litigation – Creswell Suit – TML assigned legal council (M. Antrim, Interim City Manager)

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 Pursuant to Texas Government Code 551.071 (consultation with an 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)

**(8:07 P.M.) Motion was made by Councilor Rodriguez, by Resolution 2021-06-23, to move into Regular Session. Motion was seconded by Councilor Johnson. Motion unanimously carried.**

12. Action – Executive Session

1. Update on Pending litigation – Creswell Suit – TML assigned legal council (M. Antrim, Interim City Manager) – **Motion was made by Councilor Rodriguez, by Resolution 2021-06-24, to take no action. Motion was seconded by Councilor Sandate. Motion unanimously carried.**

I certify that this notice was posted at 2:00 P.M. on May 28, 2021 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.

**ATTEST:**

\_\_\_\_\_  
Andres "Andy" Ramos, Mayor

\_\_\_\_\_  
Geoffrey R. Calderon, Interim City Secretary

I, Geoffrey R. Calderon, do certify that the notice of the above meeting was posted at 2:00 P.M. on May 28, 2021, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

\_\_\_\_\_  
Geoffrey R. Calderon, Interim City Secretary