

City of Alpine
Regular City Council Meeting
Tuesday, November 3, 2020
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 Big Bend Telephone Conference Room 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 Curry, Councilor Olivas, Councilor Betty Fitzgerald, Councilor Escovedo, Councilor Stephens and Mayor Ramos were present. City Secretary, Cynthia Salas reported that the agenda was posted at 5:00 P.M. on October 30, 2020. City Manager Erik Zimmer and City Attorney Rod Ponton, attended at Big Bend Telephone Conference Room City Secretary, Cynthia Salas, was absent.
3. Public Comments (limited to 3 minutes per person) –
4. Presentations, Recognitions and Proclamations – (A. Ramos, Mayor) – None
5. Reports – Copies of the charts presented during the meeting are posted on the City website at <https://www.cityofalpine.com/Alpine%20City%20Council%20-%20CM%20Report%203-17-2020.pdf>

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

City Attorney's Report –

- Update on current matters

City Manager Report –

- Coronavirus Update

City Staff Updates – None

6. Public Hearings – None
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being discussed separately unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 October 20, 2020. (E. Zimmer, City Manager)
2. Discuss, consider making recommendation to City Council concerning a Conditional Use Permit application for outside dining (Taste & See). Property Identification/Address is 116 N. 5th, Alpine, TX 79830. Legal description Lot 7, Block 4, Addition OT. Property owner is Loft Holding LLC. (E. Zimmer, City Manager)

3. Discuss, consider making recommendation to City Council concerning a Conditional Use Permit application for outside dining (Century Bar & Grill). Property Identification/Address is 209 E. Holland Ave., Alpine, TX 79830. Legal description is Lot 1, Block 6, Addition OT. Property owner is Holland Investors LLC. (E. Zimmer, City Manager)
4. Discuss, consider making a recommendation to City Council concerning a Conditional Use Permit application for outside dining (Judy's Bread & Breakfast). Property Identification/Address 113 W. Holland Ave., Alpine, TX 79830. Legal description is Lot 2, Block 5. Property owner is Bill Ivey/Rod Ponton. (E. Zimmer, City Manager)
5. Discuss consider making a recommendation to City Council concerning a Conditional Use Permit application for outside dining (Cedar Coffee). Property Identification/Address is 121 E. Holland Ave., Alpine, TX 79830. Legal description is IE/2 of lot 14, Addition OT. Front Street Books. Property owner is Margaret Anne Callaway. (E. Zimmer, City Manager)
6. Discuss consider making a recommendation to City Council concerning a Conditional Use Permit application for outside dining (Santanas). Property Identification/Address is 300 E. Holland Ave. Legal description is Block 122, Addition OT. Property ID 12340, Alpine, TX 79830. Property owner is Santana Celso Cruz. (E. Zimmer, City Manager)
7. Discuss, consider making a recommendation to City Council concerning a Conditional Use Permit application for outside dining (Scoops Creamery). Property Identification/Address is 106 Sul Ross Ave., Alpine, TX 79830. Legal description is Lot 7.6, Block 16 Addition FEE. Property owner is Sandra Koteland. (E. Zimmer, City Manager)
8. Discuss, consider making a recommendation to City Council concerning a Conditional Use Permit application for outside dining (Old Gringo Biker Bar and Grill). Property Identification/Address is 101 W. Ave. E., Alpine, TX 79830. Legal description is Lot 1, Block 16, Addition OT. Property owner is Dannica Investments LLC. (E. Zimmer, City Manager)

Motion was made by Councilor Stephens, by Resolution 2020-11-01 to approve the consent agenda as presented including the Conditional Use Permits for outside dining for Century Bar & Grill, Taste and See, Judy's Bread & Breakfast, Cedar Coffee, Santanas, Scoops Creamery, and Old Gringo Biker Bar & Grill. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

8. Information or Discussion items –

1. Discussion on Order of meeting on November 17, 2020 to move up canvassing and swearing in to right after Public Comments. (E. Zimmer, City Manager)
2. Discussion of Resolution 2020-11-06, a request from Alpine Country Club for consideration of reducing water rates for their facility. (R. Stephens, City Council)

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 2020-11-01, an Ordinance of the Enterprise Zone for Big Bend Regional Medical Center. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-02, on the first reading of Ordinance 2020-11-01, an Ordinance of the Enterprise Zone for Big Bend Regional Medical Center. Motion was seconded by Councilor Escovedo. Motion failed.

2. Discuss, consider, and take appropriate action on Resolution 2020-11-03 for the renovation of the Old Schoolhouse. (E. Zimmer, City Manager)- Motion was made by Councilor Stephens, by Resolution 2020-11-03, for the renovation of the Old Schoolhouse. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
3. Discuss, consider, and take appropriate action for approval of City Attorney’s September 2020 invoice. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-04, for approval of City Attorney’s September 2020 invoice. Motion was seconded by Councilor Escovedo. Councilor Escovedo and Councilor Betty Fitzgerald voted to approve. Councilor Curry, Councilor Olivas, and Councilor Stephens voted against. Motion was 3 to 2. Motion failed.
4. Discuss, consider making recommendation to City Council concerning a Conditional Use Permit application for a rezoning from a C-1 to a R-4 for a mobile home. Property Identification/Address is 2607 West Hwy 90. Legal description is Block 9, Section 29 G.H. & S.A.R.R., Abstract 3991, Alpine, TX 79830. Property owner is Arvind Gandhi Ang Texas. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-05 concerning a Conditional Use Permit application for a rezoning from a C-1 to a R-4 for a mobile home. Property Identification/Address is 2607 West Hwy 90. Legal description is Block 9, Section 29 G.H. & S.A.R.R., Abstract 3991, Alpine, Tx 79830. Property owner is Arvind Gandhi Ang Texas. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
5. Discuss, consider making recommendations to City Council concerning a Conditional Use Permit application for a nonconforming use of structures and premises, and nonconforming characteristics of use. Property Identification/Address is 1107 N. 7th Alpine, TX 79830. Legal description North, Block 25, Lot 1-8. Property owner is Rhonda Cole. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-08 concerning a Conditional Use Permit application for a nonconforming use of structures and premises, and nonconforming characteristics of use. Property Identification/Address is 1107 N. 7th Alpine, TX 79830. Legal description North, Block 25, Lot 1-8. Property owner is Rhonda Cole. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
6. Discuss, consider making recommendations to City Council concerning a Special Use Permit application to add 25 machines to his game room business. Property Identification/Address 204 W. Murphy St. Alpine, TX 79830. Legal description OT Block 56, Lot 10 & 11, Little Mexico Café. Property owner is Travis Prausa. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-09 concerning a Special Use Permit application to add 25 machines to game room business. Property Identification/Address 204 W. Murphy St. Alpine, TX 79830. Legal description OT Block 56, Lot 10 & 11, Little Mexico Café. Property owner is Travis Prausa. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
7. Discuss, consider, and take appropriate action to approve Resolution 2020-11-07, the Region 19 Interlocal agreement for the Utility Department to utilize Region 19 as a Co-op and utilize their cooperative purchasing agreement. (E. Zimmer, City Manager) – Motion was made by Councilor Stephens, by Resolution 2020-11-07 to approve Resolution 2020-11-07, the Region 19 Interlocal agreement for the Utility Department to utilize Region 19 as a Co-op and utilize their cooperative purchasing agreement. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
8. Discuss, consider, and take appropriate action on proposed projects and projected costs for improvements of facilities at Lujan Baseball Field (Part of Centennial Park) in Ward 2. (R. Olivas, City Council) – Motion was made by Councilor Olivas, by Resolution 2020-11-10 on proposed projects and projected costs for improvements of facilities at Lujan Baseball Field (Part of Centennial Park) in Ward 2. Motion was seconded by Councilor Escovedo. Motion unanimously carried.
9. Discuss, consider, and take appropriate action amending the City of Alpine Ordinance, removing Chapter 10 Animals 10-41b, and adding it to Section 10-59, Animals in vehicles. (M. Curry, City Council) – Motion was made by Councilor Curry, by Resolution 2020-11-11 amending the City of

Alpine Ordinance, removing Chapter 10 Animals 10-41b, and adding it to Section 10-59, Animals in vehicles. Motion was seconded by Councilor Escovedo. Motion unanimously carried.

10. Discuss, consider, and take appropriate action to determine whether or not to continue to engage Rod Ponton as the City Attorney for the City of Alpine. The engagements that Rod Ponton has as the City Attorney for other cities in West Texas is impacting Alpine's ability to take actions on key issues that required attorney action. (R. Stephens, City Council) – Motion was made by Councilor Stephens, by Resolution 2020-11-12 to determine whether or not to continue to engage Rod Ponton as the City Attorney for the City of Alpine. The engagement that Rod Ponton has as the City Attorney for other cities in West Texas is impacting Alpine's ability to take actions on key issues that required attorney action. Motion was seconded by Councilor Curry. Councilor Curry and Councilor Stephens voted for. Councilor Olivas, Councilor Betty Fitzgerald, and Councilor Escovedo voted against. Motion was 3 to 2. Motion failed.

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

11. Executive Session - Pursuant to Texas Government Code 551.071 Consultation with Attorney on a matter for which it is the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct conflict with this Chapter and requires discussion of the item in closed session), and 551.071(consultation with attorney regarding potential or contemplated claims against the City) Pursuant to Texas Government Code 551.074 – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. – None

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)

12. Action – Executive Session – None

I certify that this notice was posted at 5:00 P.M. on October 30, 2020, 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:

Cynthia Salas, City Secretary

I, Cynthia Salas, City Secretary, do certify that this notice was posted at 5:00 P.M. on October 30, 2020, and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Cynthia Salas, City Secretary