

City of Alpine

**Regular City Council Meeting
Tuesday, June 6, 2017, 5:30 P.M.**

Minutes

1. Call to Order, Invocation, and Pledge of Allegiance.

The meeting was called to order at 5:30 PM, the invocation was led by Josh Steuve, and the Pledge of Allegiance was led by Mayor Andy Ramos.

2. Determination of a Quorum and Proof of Notice of City Council Meeting.

A quorum was determined and proof of notice was posted at 11:00 AM on June 2, 2017 by City Secretary, Kalea Cotton.

In attendance – Mayor Ramos, Rick Stephens, Lucy Escovedo, Cynthia Salas, Maria Curry, City Manager, Erik Zimmer, and City Secretary, Kalea Cotton.

Not in attendance – Jim “Fitz” Fitzgerald – excused absence.

3. Presentations, Recognitions and Proclamations - NONE

4. Reports -

City Mayor’s Report – (A. Ramos, Mayor) –

Mayor Ramos congratulated all of the recent graduates, and thanked the teachers and parents for their role in all of the student’s lives. He stated that some would go into the Military, workforce, and to college. He wished them the best in their endeavors, and stated that they were all great kids, and they will make Alpine proud.

City Manager Report – (E. Zimmer, City Manager) –

Paving Update

- Progress in Carpenter Addition
 - Approaching completion
- Will address Sul Ross Avenue next
- Followed by 7th Street between Brown Ave and Ft. Davis Ave
- RFQ went out for streets between Holland and Sul Ross Avenue in downtown corridor

- No attendees to pre-bid meeting yesterday

Mural(s) Update

- Grant for mural on water tank at Kokernot Park
 - Jan Mueller, Patsy McWilliams and team working on final design and implementation
- Styllé Read working on design for mural facing south at Civic Center
 - Will need to make some adjustments to surface to get good adhesion
 - Budget in this fiscal year

Adopt-A-Spot Program Update

- Renewed interest in program with new participants
 - Railroad Park: general clean up and re-vegetation, contemplation of use of caboose
 - Kokernot Park Pool – new vegetation around perimeter of pool, new furniture
- Continue to encourage others to be a part of the program – great way to make an impact in our community

AEP Transmission Line Update

- Driving out to Ft. Stockton you can see much of their replacement work
- Following same route as before with exception in close proximity to Animal Shelter – map on next slide
 - New route is designed to avoid some of the structures
- Goal is increased reliability

Landfill Update

- Recent media coverage on activities at Landfill
- TDS Representative Jay Howard has been asked to reach out individually to Elected Officials in effort to communicate
- Offending company has been 'banned' from use of the City of Alpine landfill
- City of Alpine does receive a portion of the revenues tied to individuals and companies taking trash and debris to the landfill

City Staff Updates – NONE

5. Public Hearings –

- A. Public Hearing to obtain citizens views and comments concerning Julie Cobos' application for a zoning change from, R-2 to R-4 to allow for a manufactured home. Physical address is the corner of East Murphy Avenue and South Phelps Street. Legal description is Berkeley Addition, Block 1, Lots 13 and 14. Agent is John Carpenter.

Gerri Davis – Ward 4 – Ms. Davis owns property on Murphy St. and S. Phelps. Ms. Davis stated that she feel there are enough or too many manufactured homes in Alpine, and the City does not need to add to it. She also stated that she is fearful that if the zoning change is approved it could lower value on her property.

Johnny Carpenter – Ward 5 – Agent – Mr. Carpenter stated that the property has been on the market for three years, and the rezoning will help sale. He asked that the Council would approve the request.

6. Consent Agenda – (Minutes, Financial reports, Department written reports, board appointments, etc.) –

- A. Approve Council Minutes of May 9, 2017 and May 22, 2017 (E. Zimmer, City Manager)
- B. Appointment of Rawles Williams - Planning and Zoning - Ward 1 (M. Curry, City Council)

A motion was made by Councilman Stephens to approve the Council minutes of May 9, 2017 and May 22, 2017, and to appoint Rawles Williams to serve of the Planning & Zoning Commission, representing Ward 1. The motion was seconded by Councilwoman Salas. There was no discussion, and the motion passed unanimously with a vote of 4-0.

7. Information or Discussion items –

- Review of all boards, commissions, and grievance committee members. (R. Stephens, City Council, E. Zimmer, City Manager)

Councilman Stephens stated that the intent of this item on the agenda was to talk about the Council's role and responsibilities to properly staff the boards and commissions. Stephens explained that the Ordinance states that the members on the boards and commissions will serve the same term and the City Council member who appointed them. He stated that a Chairperson should be appointed for each organization. He proposed to put a Resolution on the agenda for June 20, 2017, for each of the Chairpersons' to come back to the City Council members with their insights. He suggested having a Special Meeting and/or a workshop to offer training to newly appointed members of boards and

commissions for help with understanding the City of Alpine Charter, rules, and their responsibilities.

City Manager, Erik Zimmer stated that the Grievance committee was established to help an employee that has some level of concern with their job responsibilities and/or direction with their supervisor. Meeting with the Grievance committee is the last step of the process, and the employee would need to contact the City Secretary to meet with the committee. Employees are not allowed to grieve a task; the complaint would need to be some level of discrimination or retaliation. The Grievance committee consists of three members; someone from the Alpine community, a City Council member, and a member of City of Alpine staff. Mr. Zimmer stated that the Council will need to be prepared to name those three individuals at the June 20, 2017 meeting. Mr. Zimmer recommended Robert Polanco as the City of Alpine staff member, due to him not having any direct reports, he is an ex-marine, and he deals with tough situations on a week to week basis.

Councilman Stephens proposed that the Resolution would have the following three items included:

1. It will discuss key items
2. It will set a date for training
3. It will request board and commission members to reach out to City Council members to give insight.

Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. –

8. First Reading of Ordinance 2017-06-01 amending the Natural Gas Ordinance 2012-03-02, adjusting rates for Excess Flow Valve (EFV) installations and late fee schedule. (E. Zimmer, City Manager)

City Manager, Erik Zimmer gave a statement of facts regarding the new EFV, he explained that if a meter is replaced by City of Alpine staff, it would have the new EFV, if a citizen requested a EFV, it would require the City to assess the fee. The second part of the ordinance relates to the City trying to mirror the water disconnect/reconnect fee.

A motion was made by Councilman Rick Stephens to accept the first reading of Ordinance 2017-06-01 amending the Natural Gas Ordinance 2012-03-02, adjusting rates for Excess Flow Valve installations and late fee schedule. The motion was seconded by Councilwoman Cynthia Salas. Councilman Stephens asked City Manager Zimmer if the fee was for a disconnection. Zimmer responded saying that it is a late fee, which will be issued after the 25th of each month. Also, that Megan Antrim and he would like to start providing a list of late customers to the council on a monthly basis. After no further discussion the Council voted unanimously to approve the motion with a vote of 4-0.

9. Discuss and consider first reading concerning Julie Cobos' application for a zoning change from, R-2 to R-4 to allow for a manufactured home. Physical address is the corner of East Murphy Avenue and South Phelps Street. Legal description is Berkeley Addition, Block 1, Lots 13 and 14. Agent is John Carpenter. (E. Zimmer, City Manager)

A motion was made by Councilman Rick Stephens to approve the first reading concerning Julie Cobos' application for a zoning change from, R-2 to R-4 to allow for a manufactured home. Physical address is the corner of East Murphy Avenue and South Phelps Street. Legal description is Berkeley Addition, Block 1, Lots 13 and 14. Agent is John Carpenter. The motion was seconded by Councilwoman Cynthia Salas. Councilman Stephens stated that he assumed this application was to provide zoning consistency, and that the three other lots abutting the one in question were already zoned as an R-4. After no further discussion, the Council was called to vote on the item. The motion passed with a vote of 3-1.

10. Discuss and consider changing the July 4, 2017 meeting to July 6, 2017 to accommodate for the Independence Day Holiday. (E. Zimmer, City Manager)

A motion was made by Councilwoman Cynthia Salas to accept changing the July 4, 2017 meeting to July 6, 2017 to accommodate for the Independence Day Holiday. The motion was seconded by Councilwoman Lucy Escovedo. The motion passed unanimously with a vote of 4-0.

11. Discuss and approve nomination for City Council representative on the Animal Advisory Board. (M. Curry, City Council)

A motion was made by Councilman Rick Stephens to approve the nomination of Maria Curry, Councilwoman, Ward 1, being the City Council representative on the Animal Advisory Board. The motion was seconded by Councilwoman Cynthia Salas. The motion passed 3-0, with Maria Curry abstaining from the vote.

12. Discuss and consider approving the amended amount for compensation to the City for the value of the portion of Bird Street in Kokernot Heights Addition, between Lot 23 at 1010 N. Bird Street and Lot 230, at 1002 N. Loop Road, located in Alpine, Texas, for permanent closure, due to encroachment. (E. Zimmer, City Manager)

City Manager, Erik Zimmer introduced the agenda item regarding the amended amount for the street closure in Kokernot Heights, by saying that the appraisal was originally priced at \$32,000.00, but that included half of the street adjacent to the Werckles' residence. The following information was received by Council:

- Original Appraisal – 28,171 sq. ft. at \$1.15/sq. ft. = \$32,000.00
- Byrd Street – 4,858 sq. ft.
- 60' Wide Road – 23,313 sq. ft. / 2 = 11,657 sq. ft.
- Plat – Kokernot – 16,552.8 sq. ft.

- .27 acres – 11,761.2 sq. ft.
- .11 acres – 4,791.6 sq. ft.
- Total of 16,552 sq. ft. x \$1.15/sq. ft. = \$19,000.00

With the new information received the new amount to be approved would be \$19,000.00.

Councilman Rick Stephens stated that he had spoken with Mr. Carpenter (agent for Beulah Kokernot), and that he would like City Council to table this item due to another appraisal being ordered.

Johnny Carpenter (agent) stated that he would like to withdrawal his request to table the item, and he asked Council to approve the new amended amount.

A motion was made by Councilman Rick Stephens to approve the amount of \$19,000.00 for compensation to the City for the value of the portion of Bird Street in Kokernot Heights Addition, between Lot 23 at 1010 N. Bird Street and Lot 230, at 1002 N. Loop Road, located in Alpine, Texas, for permanent closure, due to encroachment. The motion was seconded by Councilwoman Cynthia Salas. There was no discussion and the Council voted to approve the motion unanimously with a vote of 4-0.

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

Councilor Stephens – Thank you for coming, we will go into executive session and I ask that you please stay for the duration after executive session.

Councilor Escovedo – Thank you to Mayor Ramos, for coming by my work.

Councilor Salas – Thank you for coming and supporting what we do. I met a lady at the train depot from Spain, and she stated that Alpine, Texas was one of prettiest places to visit. She stated that Alpine is now more pretty and cleaner as she has recently visited.

Councilor Curry – Thank you for coming.

Mayor Ramos – Thank you for attending, stick around and come back. Thank you to TXDOT for the signs coming into Alpine, I feel that surrounding cities will now start to be envious.

A motion was made Councilman Stephens to go into Executive Session, pursuant to Texas Government Code Section 551.071 (consultation with attorney), and Section 551.074 (personnel matters). The motion was seconded by Councilwoman Lucy Escovedo. The motion passed unanimously 4-0.

The City Council of Alpine entered into Executive Session at 6:24 PM.

14. Executive Session – Pursuant to Texas Government Code Section 551.071 (consultation with attorney), and Section 551.074 (personnel matters)

- A. 90 day performance and compensation review for Kalea Cotton, City Secretary. (E. Zimmer, City Manager)
- B. City Manager, Erik Zimmer employment contract and annual review. (R. Stephens, City Council)

15. Action after Executive Session –

- A. Take action, if any, concerning 90 day performance and compensation review for Kalea Cotton, City Secretary. (E. Zimmer, City Manager)

A motion was made by Councilman Rick Stephens to propose an approved assessment as discussed with City Manager, Erik Zimmer, and propose that Kalea Cotton, City Secretary's salary be raised by \$3,000.00. The motion was seconded by Cynthia Salas. The motion passed unanimously with a vote of 4-0.

- B. Take action, if any, concerning City Manager, Erik Zimmer employment contract and annual review. (R. Stephens, City Council)

A motion was made by Councilman Rick Stephens to propose an approved assessment as discussed and a review of 59 cities with a range of 5,000 to 10,000 citizens where in 2015 the average salary for City Manager's was \$115,000.00, and in 2016 the average salary for City Manager's was \$124,345.00. Councilman Stephens proposed that the City Manager, Erik Zimmer's salary be raised to \$124,500.00. The motion was seconded by Councilwoman Cynthia Salas. Mayor Andy Ramos started the discussion stating that the City Manager has turned this City around, he is in the limelight, and has made Keep Alpine Beautiful an accomplishment, and he stated that he would like to see the Council go with the recommendation. Councilman Rick Stephens stated that the maximum salary for the data mentioned before is \$280,000.00, and the minimum salary is \$60,000.00.

Oscar Cobos – Ward 5 – Mr. Cobos stated that he did not want to be negative but he had heard that the City Manager was leaving, and asked if his contract was available. He also posed a question to Councilman Stephens asking why Stephens was the only Councilmember who has brought the City Manager's contract and salary to the Council. Mr. Cobos also asked what the amounts were for the last two raises given to Mr. Zimmer were.

Councilman Stephens asked the City Attorney if he was obligated to answer the questions Mr. Cobos presented. City Attorney Adolfo Ruiz replied no stating that due to Mr. Cobos' questions not pertaining to the item being discussed on the agenda, the Council is not obligated to answer any questions.

Mr. Cobos then asked if the City staffed an Assistant City Manager at \$95,000.00 a year. He also stated that Mr. Zimmer and he were not on the same page on many items such as, pipeline, water, bidding, and airport issues.

Councilwoman Salas called a point of order citing that the statements made by Mr. Cobos were not on topic.

Mr. Cobos stated that he feels that if the City was more transparent, more people would participate in the meetings.

Mayor Ramos called for a vote. The motion passed unanimously 4-0.

16. ADJOURNMENT

A motion was made by Councilwoman Salas to adjourn the meeting. The motion was seconded by Councilwoman Escovedo.

The meeting was adjourned at 7:45 PM

Andres "Andy" Ramos
Mayor, City of Alpine