

City of Alpine
REGULAR CITY COUNCIL MEETING
Tuesday, November 5, 2024 – 4:00 PM
Minutes

1. **WORKSHOP MEETING - 4:00 P.M.**

City workshops are open to the public for comments throughout the workshop meeting.

Mayor Pro Tem Rick Stephens called the workshop meeting to order at 4:00 P.M.

City Council Members Present:

Mayor Catherine Eaves *Arrived late*
Councilor Reagan Stone *Virtually*
Councilor Darin Nance
Councilor Rick Stephens
Councilor Eva Martinez

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Darrell Losoya, Chief of Police
Eddie Molinar, Director of Public Works
Johnny Marquez, Interim Utilities Director
Randy Guzman, Director of Gas Utility
Robert Rücker, Building Official
Jessica Isley, Code Enforcement Officer

Not Present:

Councilor Lucy Escovedo

Others Present: None.

- A. Comprehensive Plan Discussion. (M. Antrim, City Manager)

AJ Fawver, AICP, CNU-A, CPM, Community Consulting Leader, Verdunity, presented to the City Council regarding comprehensive planning for cities.

2. **CALL TO ORDER - REGULAR MEETING - 5:30 P.M.**

Mayor Catherine Eaves called the meeting to order at 5:30 P.M. The meeting was held at City Council Chambers located at 803 West Holland Avenue and via Zoom Videoconference in the City of Alpine, Texas. Mayor Eaves led the pledge of allegiance to the flags.

- A. Pledge of Allegiance to the United States Flag.
B. Pledge of Allegiance to the Texas Flag.
C. Determination of a Quorum and Proof of Notice of the Meeting.

City Council Members Present:

Councilor Reagan Stone
Councilor Darin Nance
Councilor Lucy Escovedo
Councilor Rick Stephens
Mayor Catherine Eaves
Councilor Eva Martinez

City Staff and Stakeholders Present:

Megan Antrim, City Manager
Geoffrey R. Calderon, City Secretary
Cynthia Trevino, City Attorney
Elizabeth Lewis, City Judge
Darrell Losoya, Chief of Police
Robert Rücker, Building Official
Abel Hinojos, Airport Supervisor

Alicia Fernbaugh, Municipal Court Clerk
Jessica Isley, Code Enforcement Officer

Not Present:

Others Present: 4 other attendees.

Mayor Eaves announced that a quorum of the City Council was present at the City Council Chambers and City Secretary, Geoffrey Calderon, reported that the meeting agenda was posted by 2:00 P.M. on November 1, 2024.

3. **PUBLIC COMMENTS.**

Each person in attendance who desires to speak to the City Council on an item on the agenda shall speak during this section. A Public Comment Card must be filled out and turned in to the City Secretary at least 5 minutes prior to the start time of the meeting. The Public Comment Card may be filled out at www.cityofalpine.com/councilcomments. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. Please note that the City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Council from deliberating or taking action on an item not listed on the agenda. City Staff may ask commenters clarifying questions, respond with facts, and explain policy.

4. **PUBLIC HEARINGS.**

At this time, the Mayor will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the City Council. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.

Open (5:31 P.M.)

- A. Public Hearing to obtain citizen views and comments regarding Replat 2024-11-01, an application for replat which would allow the applicant, Family Crisis Center of the Big Bend, to reflect the updated ownership of a recently purchased unimproved alleyway on the subject property. The subject property is located at 402 E. Gallego Avenue and is legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the alley, Block 71 of the Original Town of Alpine. The property owner of record is Family Crisis Center of the Big Bend, inc. The parcel ID of the subject property is 12236. The current zoning classification of the property is R-2 Two Family District. If the replat is approved the zoning classification of the subject property will be R-2 Two Family District.

Public Comments: None.

- B. Public Hearing to obtain citizen views and comments regarding Special Use Permit 2024-11-01, an application for special use permit to allow the applicant, Benjamin Garcia as a tenant through an existing license or permit (Brews & Hues - (BG) Wine and Malt Beverage Retailer's Permit), to provide beer and wine sales at the subject property for a newly established business, Viva Cow Dog & Cafe. The subject property is located at 215 E. Holland Avenue. The property owner of record is Jason Sullivan. The parcel ID of the subject property is 11798.

Public Comments: None.

- C. Public Hearing to obtain citizen views and comments regarding Variance 2024-11-01, an application for a variance which would allow the applicant, Ni Feng Li and Xiudan Lin c/o Carol Morrow, to establish a variance to the setback requirements of the subject property. The acceptable setback is typically 12.5 feet from a structure to the property line. This variance would allow the subject property 0 feet of setback from the structure to the property line, which typically does not meet the requirements for a residential corner under the city's code. The subject property is located at 513 N. 16th Street and is legally described as Lots 7 and 8, Block 8, Hamilton Addition to Alpine as shown on subdivision plat files in Envelopes B6 and B7, Plat Records of Brewster County, Texas. The property owner of record is Ni Li Feng and Xiudan Lin. The parcel ID of the subject property is 10625. The current zoning classification of the property is R-2 Two Family District. If the variance is approved the zoning classification of the subject property will be R-2 Two Family District.

Public Comments: None.

Close (5:34 P.M.)

5. PUBLIC PRESENTATIONS.

A. Presentations & Recognitions

B. Proclamations

- i) Proclamation of Municipal Courts Week November 4-8, 2024

Mayor Catherine Eaves presented the Municipal Courts Week Proclamation to the Honorable Elizabeth Lewis, Municipal Judge, and Alicia Fernbaugh, Municipal Court Clerk.

C. Community Interest Items

- i) Mayor Announcements

- ii) City Manager Announcements

- iii) Council Member Announcements

6. CHANGES TO POSTED AGENDA.

NOTICE: *The City Council reserves the right to change the order of business at any time during the meeting. To change the order of business a motion, a second, and a majority vote is required.*

- A. **Items to be continued or withdrawn.** Items may be continued to the next City Council meeting or withdrawn from consideration during this agenda. Items to be continued or withdrawn require a motion, a second, and a majority vote.

No items were continued or withdrawn.

- B. **Items to be removed from the Consent Agenda for separate discussion.** Items may be withdrawn from the consent agenda by a simple request by the Mayor or any City Council member. Items removed from the consent agenda will be considered in the *Items Removed from the Consent Agenda* portion of the meeting directly after approval of the items not requiring separate discussion.

Councilor Darin Nance removed item A. Councilor Reagan Stone removed item D.

- C. **Action items to be added to the consent agenda.** Adding action items to the consent agenda must be requested by the Mayor or any City Council member and requires a motion, a second, and a majority vote.

No action items were added to the Consent Agenda.

- D. **Time-Sensitive Items.** The Mayor, any City Council Member, or a member of City Staff may, by simple request, ask that time-sensitive items be considered during that section.

No items were added to the Time-Sensitive Items section.

7. **TIME SENSITIVE ITEMS.**

8. **CONSENT AGENDA.**

- A. Approval of the October 15, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)
- B. Approval of the appointment of Mateo Mares to the Place 4 position on the Music Advisory Board. (R. Stone, City Council)
- C. Approval of Resolution 2024-11-01, a resolution approving the City of Alpine credit card policy. (M. Antrim, City Manager)
- D. Approval of Resolution 2024-11-02, a resolution adopting a policy prohibiting the installation or use of Tiktok on City devices or for use of that application for official related business pursuant to Texas Senate Bill 1893. (M. Antrim, City Manager)

RESOLUTION 2024-11-03: On a motion by Councilor Rick Stephens and Councilor Reagan Stone to approve item B and item C, the City Council unanimously adopted the motion.

9. **ITEMS REMOVED FROM THE CONSENT AGENDA.**

- A. Approval of the October 15, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

RESOLUTION 2024-11-04: On a motion by Councilor Darin Nance and seconded by Councilor Rick Stephens to approve item A with the amendment that Cynthia Trevino is the City Attorney who attended the October 15th meeting, the City Council unanimously adopted the motion.

- D. Approval of Resolution 2024-11-02, a resolution adopting a policy prohibiting the

installation or use of Tiktok on City devices or for use of that application for official related business pursuant to Texas Senate Bill 1893. (M. Antrim, City Manager)

RESOLUTION 2024-11-05: Councilor Reagan Stone made a motion to remove 'official related business' from item B. The motion was not seconded. The motion died due to lack of a second.

RESOLUTION 2024-11-06: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve, the City Council voted to adopt the motion with all members voting in favor, excluding Councilor Stone who voted against adoption of the motion.

10. **REPORTS & PRESENTATIONS.**

Presentations are limited to 6 minutes each. A bell will ring when the 6-minute timeframe has been reached. If further time is needed the presentation may be extended an additional 4 minutes at the discretion of the presiding officer. After the initial period and extension have passed, the presentation may be extended further by a motion, a second, and a majority vote of the City Council.

11. **INFORMATION OR DISCUSSION ITEMS.**

- A. Discuss the use of Edlink18 as a Managed Service Provider (MSP) for IT Services for the City of Alpine. (D. Nance, City Council)
- B. Discuss making possible updates to the political sign ordinance, up to and including requirements under state law and applicable regulations that can be made regarding the placement of political signs within City limits. (R. Stone, City Council)
- C. Discussion regarding a possible error that needs to be corrected in Ordinance 2024-08-01, an ordinance implementing restrictions regarding non-contiguous zoning, or spot zoning. (C. Eaves, Mayor)
- D. Discuss the Office of the City Manager Administrative Directives and Department Standard Operating Procedures. (M. Antrim, City Manager)
- E. Presentation on Employee Compensation Study by Evergreen. (M. Antrim, City Manager)

Mayor Eaves called a 5-minute break. (7:15 P.M.)

Meeting resumed. (7:20 P.M.)

12. **ACTION ITEMS.**

Action items are to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).

- A. Approve Replat 2024-11-01, an application for replat which would allow the applicant, Family Crisis Center of the Big Bend, to reflect the updated ownership of a recently purchased unimproved alleyway on the subject property. The subject property is located at 402 E. Gallego Avenue and is legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and the alley, Block 71 of the Original Town of Alpine. The property owner of record is Family Crisis Center of the Big Bend, inc. The parcel ID of the subject property is 12236. The current zoning classification of the property is R-2 Two Family District. If the replat is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)

RESOLUTION 2024-11-07: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve, the City Council unanimously adopted the motion.

- B. Approve Special Use Permit 2024-11-01, an application for special use permit to allow the applicant, Benjamin Garcia as a tenant through an existing license or permit (Brews & Hues - (BG) Wine and Malt Beverage Retailer's Permit), to provide beer and wine sales at the subject property for a newly established business, Viva Cow Dog & Cafe. The subject property is located at 215 E. Holland Avenue. The property owner of record is Jason Sullivan. The parcel ID of the subject property is 11798. (M. Antrim, City Manager)

RESOLUTION 2024-11-08: On a motion by Councilor Reagan Stone and seconded by Councilor Rick Stephens to approve Special Use Permit 2024-11-01, the City Council unanimously adopted the motion.

- C. Approve Variance 2024-11-01, an application for a variance which would allow the applicant, Ni Feng Li and Xiudan Lin c/o Carol Morrow, to establish a variance to the setback requirements of the subject property. The acceptable setback is typically 12.5 feet from a structure to the property line. This variance would allow the subject property 0 feet of setback from the structure to the property line, which typically does not meet the requirements for a residential corner under the city's code. The subject property is located at 513 N. 16th Street and is legally described as Lots 7 and 8, Block 8, Hamilton Addition to Alpine as shown on subdivision plat files in Envelopes B6 and B7, Plat Records of Brewster County, Texas. The property owner of record is Ni Li Feng and Xiudan Lin. The parcel ID of the subject property is 10625. The current zoning classification of the property is R-2 Two Family District. If the variance is approved the zoning classification of the subject property will be R-2 Two Family District. (M. Antrim, City Manager)

RESOLUTION 2024-11-09: On a motion by Councilor Rick Stephens and seconded by Councilor Lucy Escovedo to approve, the City Council unanimously adopted the motion.

- D. Approve moving forward with a Bike Lane on Avenue B from N Harrison St to N Hancock Dr. (D. Nance, City Council)

RESOLUTION 2024-11-10: On a motion by Councilor Darin Nance and seconded by Councilor Rick Stephens to approve, the City Council unanimously adopted the motion.

- E. Approve transferring \$10,000 from the Texas Class Reserve Account - Fire account to be provided to the Alpine Emergency Services Board for a total of \$50,000 for FY 2024-2025. (M. Antrim, City Manager)

RESOLUTION 2024-11-11: On a motion by Councilor Rick Stephens and seconded by Councilor Eva Martinez to approve, the City Council unanimously adopted the motion.

13. **EXECUTIVE REPORTS.**

Executive reports are limited to 10 minutes each. The City Council may hold a discussion during this

section regarding any item listed on the agenda. No action may take place regarding report items, unless specified on the agenda.

City Mayor Report

City Manager Report

14. **CITY COUNCIL MEMBER COMMENTS.**

RESOLUTION 2024-11-12: On a motion by Councilor Rick Stephens and seconded by Councilor Reagan Stone to recess into executive session, the City Council unanimously adopted the motion. (7:37 P.M.)

15. **EXECUTIVE SESSION.**

NOTICE: *The City Council reserves the right to reconvene, recess, realign, change the order of business, or adjourn into Executive Session at any time during the course of the meeting prior to adjournment, to discuss any item listed above, as authorized by 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 551.087 (development).*

A. Personnel Matters § 551.074, Texas Government Code

1. Update on filling Director of Finance and Director of Utilities positions including actions, timeline and hiring strategies to get key positions filled. (R. Stephens, City Council)

RESOLUTION 2024-11-13: On a motion by Councilor Rick Stephens and seconded by Councilor Reagan Stone to move into open session, the City Council unanimously adopted the motion. (8:04 P.M.)

16. **ACTION AFTER EXECUTIVE SESSION.**

- A. Action, if any, concerning any of the items listed in executive session. (M. Antrim, City Manager)

RESOLUTION 2024-11-14: On a motion by Councilor Rick Stephens and seconded by Councilor Reagan Stone to ask the City manager to update the Director of Utilities position, to remove the licensing requirement and add 'extensive project management skills' in order for the City Manager to fill the role, the City Council unanimously adopted the motion.

17. **ADJOURN.**

Meeting adjourned at 8:05 P.M.

APPROVED:

ATTEST:

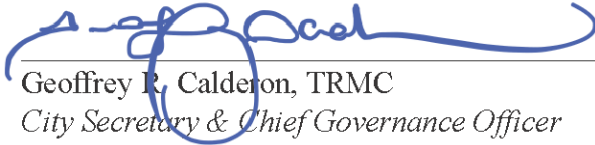
Catherine Eaves, *Mayor*

Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

CERTIFICATION

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at www.cityofalpine.com pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on November 1, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

WITNESS MY HAND AND SEAL
this 1st day of November, 2024.



Geoffrey R. Calderon, TRMC
City Secretary & Chief Governance Officer

