

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
MARCH 20, 2001 - 7:00 P.M.**

**A. CALL TO ORDER**

Mayor Rodney G. Nauert called the regular meeting of the City Council of the City of Copperas Cove, Texas to order at 7:00 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Council member John Gallon led the Invocation and the Pledge of Allegiance.

**C. ROLL CALL**

Bradi D. Diaz  
Ray Don Clayton  
John F. Gallen  
Charlotte Heinze  
Fred Harris  
Bud Owsley  
Annabelle Smith

**ALSO PRESENT**

Richard Torres, City Manager  
Mary Boone, City Secretary  
Sara Hartin, City Attorney

**D. ANNOUNCEMENTS**

Council member Smith

- Reminded citizens of the City Wide Cleanup.
- Thanked CCISD for the opening of Lea Ledger Auditorium on March 10<sup>th</sup>.
- Announced the Political Forum for political candidates would be held on April 12<sup>th</sup>.
- Congratulated LaVada Posey for the Exchange Club employee of quarter.
- Reminded citizens of Cove Day in Austin on March 28<sup>th</sup>.

Council member Owsley

- Announced a National Day of Prayer event would take place on May 3<sup>rd</sup> in the Council Chambers from noon until 1 p.m. He stated it would be a non-denominational event.

Mayor Pro Tem Harris

- Commented on the article in the Killeen Daily Herald. He stated the reporter did not quote him correctly on the issue concerning the grievance committee.

- Announced the Cove Leader Press would be honoring the Good News Makers on March 30<sup>th</sup> at Turkey Creek. They were Annie Hoffpauir, Bill French, and Rick Schwend.
- Stated he would be attending a meeting on Friday with the Texas Department of Transportation with EDC Executive Director Carol Mills, City Manager Richard Torres, and City Engineer Paul Boyer to discuss by pass.

Council member Heinze

- Thanked the High School for inviting Council to grand opening of Auditorium.
- Updated Council on the lighting for the signs at entryways of the city.
- Stated the Boys and Girls Club would be sponsoring a carnival from March 22<sup>nd</sup> through April 1<sup>st</sup>
- Announced early voting would begin on April 18<sup>th</sup>.

Council member Gallen

- Stated Library Book Discussions were taking place at the Library and to check the schedule.
- The Friends of the Library would be holding a book sale on May 12<sup>th</sup>.

Council member Clayton

- Announced the City Employees would be having a health fair on March 30<sup>th</sup>.

Council member Diaz

- Thanked CCISD for the dedication of Ledger Auditorium.
- Reiterated the upcoming Cove Day event in Austin.

**E. PUBLIC RECOGNITION**

1. Proclamation – National Library Week

Mayor Nauert presented a proclamation for National Library Week, April 1 through April 7, 2001 to Library Director Peg Fleet and Friends of the Library member John Gallen.

2. Proclamation – Celebrate Exchange Week

Mayor Nauert presented a proclamation to the two local Exchange Clubs for Celebrate Exchange Week March 25<sup>th</sup> through 31<sup>st</sup> in Copperas Cove.

**F. CITIZEN'S FORUM** citizens are allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

Dianne Steele – 905 N 4<sup>th</sup> – expressed concerns about not organizing a grievance committee.

Justyn Williams - 1703 Pleasant Lane – spoke about the local Bat Conservation Project. He stated he was working for toward the protection of the local bat population. He stated he was having a problem doing the research because of the local curfew ordinance.

## **G. CONSENT ITEMS**

1. Consideration and action on approval of minutes from March 6, 2001 Regular City Council Meeting. **Mary Boone, TRMC, City Secretary**
2. Consideration and action on the purchase of a shelving system for the new municipal court facility from Sytek, Inc. in the amount of \$13,031. **Phyllis Jacobs, Municipal Court Clerk**
3. Consideration and action on an “Order of Election” calling a Special Election for proposed amendments to the Charter of the City of Copperas Cove to be held on May 5, 2001 and approving Ordinance No. 2001-08 outlining the election process. **Mary Boone, TRMC, City Secretary**
4. Consideration and action on authorizing the City Manager to enter into a contract with Dolph S. Moten to reimburse the City for water rights (CCN) obtained for Skyline Valley South, Phase Two. **Paul M. Boyer, P.E., City Engineer**
5. Consideration and action on authorizing the City Manager to enter into a contract with Kempner Water Supply Corporation to obtain water service rights (CCN) for Skyline Valley South, Phase Two. **Paul M. Boyer, P.E., City Engineer**
6. Consideration and action on Resolution No. 2001-09 – supporting the construction of a proposed US 190 reliever route in the City of Copperas Cove. **Richard Torres, City Manager**
7. Consideration and action on authorizing the street closures of Avenue E from 1<sup>st</sup> Street to 2<sup>nd</sup> Street and Main Street from Avenue D to Avenue F for the Copperas Cove Downtown Association 2001 annual events: Garage Sale – June 2; National Night Out – August 4; Halloween – October 31; and Krist Kindl Markt – November 30 through December 2, 2001. **Richard Torres, City Manager**

**Council member Owsley requested items G3 and G4 be removed. Council member Gallen requested item G2 be removed.**

Council member Gallen made the motion to approve Items G1, G5, G6, & G7 as presented. Mayor Pro Tem Harris seconded the motion and with a unanimous vote, motion carried.

**G-2 Consideration and action on the purchase of a shelving system for the new municipal court facility from Sytek, Inc. in the amount of \$13,031. Phyllis Jacobs, Municipal Court Clerk**

Council member Heinze made the motion to approve the purchase of a shelving system for the new municipal court facility from Sytek, Inc. in the amount of \$13,031. Council member Diaz seconded the motion.

Council member Gallen explained he wanted this item pulled not because he was against the purchase, but because he had been made aware the police department was in need of a similar system. He wanted to see if there could be a price break if two systems were purchased.

Mayor Pro Tem Harris stated the city needed to look into automated equipment and go to paperless processes.

Following the discussion, council voted unanimously to purchase a shelving system for the new municipal court facility from Sytek, Inc. in the amount of \$13,031

**G-3 Consideration and action on an “Order of Election” calling a Special Election for proposed amendments to the Charter of the City of Copperas Cove to be held on May 5, 2001 and approving Ordinance No. 2001-08 outlining the election process. Mary Boone, TRMC, City Secretary**

Council member Heinze made the motion to approve “Order of Election” calling a Special Election for proposed amendments to the Charter of the City of Copperas Cove to be held on May 5, 2001 and approving Ordinance No. 2001-08 outlining the election process. Council member Gallen seconded the motion.

Council member Owsley noted Council discussed the Charter Amendments for 45 minutes during a workshop on March 13<sup>th</sup>. He also stated citizens had approached him concerned about the amendments only appearing as one item on the ballot. He requested City Secretary Mary Boone explain how the amendments would appear on the ballot.

She stated that there would be a total of 32 amendments on the ballot. She stated, by state law, each individual change must be voted on separately.

***Following the explanation, council voted unanimously to approve the "Order of Election" calling a Special Election for proposed amendments to the Charter of the City of Copperas Cove to be held on May 5, 2001 and approving Ordinance No. 2001-08 outlining the election process.***

**G-4 Consideration and action on authorizing the City Manager to enter into a contract with Dolph S. Moten to reimburse the City for water rights (CCN) obtained for Skyline Valley South, Phase Two. Paul M. Boyer, P.E., City Engineer**

Council member Heinze made the motion to approve authorizing the City Manager to enter into a contract with Dolph S. Moten to reimburse the City for water rights (CCN) obtained for Skyline Valley South, Phase Two. Council member Diaz seconded the motion.

Council member Owsley asked if future contracts should include late fees.

CH asked Paul about the financial impact statement

City Manager Richard Torres stated there had been no problems with the contracts in the past. City Attorney Sara Hartin stated future contracts could include late fees.

***Following the discussion, council voted unanimously to approve authorizing the City Manager to enter into a contract with Dolph S. Moten to reimburse the City for water rights (CCN) obtained for Skyline Valley South, Phase Two.***

## **H. PUBLIC HEARINGS/ACTION**

1a. Public Hearing on Ordinance No. 2001-11 – a request to rezone Lots 3 and 10, Fabian Addition (locally known as 105 Lyons and 108 Highway Avenue) from R-1 (Single Family Residential) to B-4 (Business). <b>Wayne Herrington, City Planner</b>
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Speaking in favor of:

Shelly suttoneeny – owner – for a 6 bay shop

Speaking against:

None

- 1b. Consideration and action on Ordinance No. 2001-11 – a request to rezone Lots 3 and 10, Fabian Addition (locally known as 105 Lyons and 108 Highway Avenue) from R-1 (Single Family Residential) to B-4 (Business).  
**Wayne Herrington, City Planner**

Mayor Pro Tem Harris made the motion to approve Ordinance No. 2001-11 as presented. Council member Owsley seconded the motion and with a unanimous vote, motion carried.

## I. ACTION ITEMS

1. Consideration and action on an Agreement between the City of Copperas Cove and the Copperas Cove Industrial Foundation for the sharing of costs associated with the construction of the proposed U.S. 190 Reliever Route Access Road from the existing U.S. 190 to the Old Copperas Cove Road. **Richard Torres, City Manager**

Mayor Pro Tem Harris made the motion to approve an agreement between the City of Copperas Cove and the Copperas Cove Industrial Foundation for the sharing of costs associated with the construction of the proposed U.S. 190 Reliever Route Access Road from the existing U.S. 190 to the Old Copperas Cove Road. Council member Diaz seconded the motion and with a unanimous vote, motion carried.

2. Consideration and action on Resolution No. 2001-08 – authorizing the City Manager to submit a grant application to the Economic Development Administration for the purpose of requesting Federal assistance in the development of the Copperas Cove Industrial Park. **Richard Torres, City Manager**

Council member Owsley made the motion to approve Resolution No, 200108 as presented. Council member Gallen seconded the motion.

Mayor Pro Tem Harris asked where the City was with the land exchange. Executive Director of the Copperas Cove Economic Development Corporation Carol Mills stated it should be done in May. She also stated it would then be sent to FORCECOM in Washington D.C. for approval.

Mr. Torres explained the City had committed \$1,000,000 to the Texas Department of Transportation. The money that be used for the construction of an access road that would extend from Hwy 190 to the Old Copperas Cove Road. The City and the Industrial Foundation would split the cost. The intention of the land trade will be to use 2/3 of the land to develop into industrial property.

**Following the discussion, council voted unanimously to approve Resolution No. 2001-08 as presented.**

3. Consideration and action on removing Ordinance No. 2001-01 Animals and Fowl, from the table. **Sara Hartin, City Attorney**

Council member Diaz made the motion to remove Ordinance No. 2001-01 from the table. Council member Heinze seconded the motion and with a unanimous vote, motion carried.

4. Consideration and action on Ordinance 2001-01 – adopting a new Chapter 3, Code of Ordinance, City of Copperas Cove, Animals and Fowl. **Sara Hartin, City Attorney**

Council member Owsley made the motion to approve Ordinance No. 2001-01 as presented. Council member Clayton seconded the motion and with a unanimous vote, motion carried.

Council member Gallen thanked the committee for their work fine-tuning the ordinance.

5. Consideration and action on Ordinance No. 2001-12 – amending the City Fee Schedule. **Richard Torres, City Manager**

Council member Diaz made the motion to approve Ordinance No. 2001-12 as presented. Council member Gallen seconded the motion and with a unanimous vote, motion carried.

6. Consideration and action on an amendment to a previous agreement between the City of Copperas Cove and the Copperas Cove Economic Development Corporation for the land exchange between the City and Fort Hood. **Richard Torres, City Manager**

Council member Owsley made the motion to approve an amendment to a previous agreement between the City of Copperas Cove and the Copperas Cove Economic Development Corporation for the land exchange between the City and Fort Hood. Council member Diaz seconded the motion and with a unanimous vote, motion carried.

Council member Heinze asked for an explanation on the extension of the agreement. Mrs. Hartin stated the term of the agreement had expired. Staff recommended the extension for another two years. Hopefully the trade will be completed within the next two years so further extensions would not be needed.

## **J. STAFF REPORTS**

## **K. REPORTS OF ADVISORY COMMITTEES AND BOARDS**

## **L. ITEMS FOR FUTURE AGENDAS**

Council member Owsley

- **Workshop** - Ordinance for alarm systems - Council concurred.
- **Workshop** - Transportation ordinance (Taxi) – Council concurred.

Mayor Pro Tem Harris

- **Workshop** - Bingo Ordinance to limit bingo halls on Hwy.190 - Council concurred.

Council member Heinze

- **Workshop** – Organizations wanting money guidelines - Council concurred.

Council member Gallen

- **Workshop** - Citizen focus groups to get them involved - Council concurred.

Council member Diaz

- **Workshop** – Review and updated of Comprehensive Plan - Council concurred.

**M. EXECUTIVE SESSION**

**N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION**

**O. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:20 p.m.

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Rodney G. Nauert, Mayor

ATTEST:

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Mary Boone, TRMC, City Secretary