

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
JANUARY 8, 2002 - 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 7:02 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Owsley gave the Invocation and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

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

Richard Torres, City Manager
Pamela Russell, City Secretary
Jim Thompson, Interim City Attorney

D. ANNOUNCEMENTS

Council member Smith

- Wished everyone a safe and Happy New Year.

Council member Owsley

- After an absence, due to medical reasons, Council member Owsley said it was good to be back, and thanked the Mayor and Council member Clayton for the many phone calls. He also thanked the Mayor Pro Tem for the floral arrangement, and thanked the City Secretary for keeping him informed of City business during his absence.
- Wished Council member Clayton a Happy 50th Birthday.

Council member Heinze

- Wished Council member Clayton a Happy Birthday.

Council member Gallen

- Encouraged citizens to participate in the 2nd Annual "Dip Dive and Splash" event at the City pool, Saturday, February 2, 2002 @ noon.

E. PUBLIC RECOGNITION - None.

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.

Diane Steele - 905 N. 4th Street - Concerned about residents continuously leaving trash containers in the street. She also stated she did not think the police should be searching for missing trash containers.

Mike Goodwin – 604 Clara – In reference to the Ordinance that regulates alarm systems in Copperas Cove, Mr. Goodwin said he had a few concerns. He stated he did not agree with the ordinance, as it tries to remove a system that has been in place for years. He said an ordinance did need to be implemented, but more research done on this.

Clarence Rawlins – Killeen – Stated he was upset that his 14 year-old son was hand cuffed and arrested, by the Copperas Cove Police Department, at a CCHS game, during the arrest, his sons' new jacket was torn. He was told his son was trespassing, and the police officer denied Mr. Rawlins the right to get his son. Mr. Rawlins said he thought the Police over-reacted.

Roger O'Dwyer – 1703 Highland - Informed the Council and citizens that the VFW had a poster competition, for grades K thru 4th grade, the posters had been taken to the Veterans hospital for the patients. Mr. O'Dwyer said he was saddened at the loss of Mr. Richard West, who he had known in the military and had also worked as a photographer for the Killeen Daily Herald for a number of years.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from December 4, 2001 Regular City Council Meeting. **Pamela Russell, TRMC, City Secretary**

2. Consideration and action on authorizing the City Manager to execute a Standard Operating Procedures and Budget Agreement with the Joint Image Campaign for developing a marketing plan with defined objectives, target market, and evaluation measurements. **Pamela Russell, City Secretary**

3. Consideration and action on authorizing the City Manager to enter into a depository agreement with National Bank. **Steven Alexander, Assistant City Manager/Director of Finance**

4. Consideration and action on Resolution No. 2002-01, authorizing and supporting the submission of a grant application to the Criminal Justice Division, Office of the Governor, for Juvenile Accountability Block Grant in the amount of \$9,371. **Susan Way, Grants Administrator**

The Resolution caption reads as follows:

RESOLUTION NO. 2002-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, STATE OF TEXAS; AUTHORIZING THE GRANTS ADMINISTRATOR TO ACT ON BEHALF OF THE CITY OF COPPERAS COVE IN ALL MATTERS RELATED TO THE APPLICATION; AND

PLEDGING THAT THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE CRIMINAL JUSTICE DIVISION.

5. Consideration and action on Resolution 2002-02, authorizing and supporting the submission of a grant application to the Texas Department of Transportation for a Statewide Transportation Enhancement Program Grant in the amount of \$30,000. **Susan Way, Grants Administrator**

The resolution caption reads as follows:

RESOLUTION NO. 2002-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE GRANTS ADMINISTRATOR TO ACT ON BEHALF OF THE CITY OF COPPERAS COVE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE TEXAS DEPARTMENT OF TRANSPORTATION.

6. Consideration and action on awarding Bid No. 2001-27-75 for annual required fire extinguisher service and inspection for 215 City owned fire extinguishers to Southern Fire and Safety. **Bruce Woods, Fire Chief**

Council member Clayton requested this item, G-6 be removed from the consent agenda.

7. Consideration and action on rejecting all bids on Re-Bid No. 2001-26-44 City pertaining to the sale of various City owned construction materials. **Bruce Woods, Fire Chief**

Council member Clayton requested this item, G-7 be removed from the consent agenda.

8. Consideration and action on authorizing the City Manager to sign an Interagency Agreement between the City of Copperas Cove and Bell County which supports the existing grant application with the Criminal Justice Division of the Office of the Governor, State of Texas, in funding for the Central Texas Narcotics Task Force. **Tim Molnes, Police Chief**

9. Consideration and action on authorizing the City Manager to enter into Police Sub-station Agreement with Wal-Mart Stores, Inc. **Tim Molnes, Police Chief**

Council member Heinze and Mayor Pro Tem Diaz requested this item, G-9 be removed from the consent agenda.

Council member Smith made a motion to approve consent items 1, 2, 3, 4, 5, and 8 as presented. Council member Gallen seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on awarding Bid No. 2001-27-75 for annual required fire extinguisher service and inspection for 215 City owned fire extinguishers to Southern Fire and Safety. **Bruce Woods, Fire Chief**

Mayor Pro Tem Bradi Diaz made the motion to approve consent item G-6, Council member Heinze seconded the motion. A discussion followed, with questions posed to Fire Chief Woods. Council member Clayton stated he thought this service could be performed in-house by Fire Department personnel rather than contract the service to the outside. Fire Chief Woods stated he believed it was more cost effective to contract this service.

For the motion: Council members: Diaz, Gallen, Heinze, Harris and Smith. Against the motion: Council members: Clayton, and Owsley. With 5 voting for, and 2 voting against, motion carried.

7. Consideration and action on rejecting all bids on Re-Bid No. 2001-26-44 City pertaining to the sale of various City owned construction materials. **Bruce Woods, Fire Chief**

Mayor Pro Tem Diaz made the motion to approve consent item G-7, as presented, Council member Harris seconded the motion. A discussion followed, with questions posed to Fire Chief Woods. With a unanimous vote, motion carried.

9. Consideration and action on authorizing the City Manager to enter into Police Sub-station Agreement with Wal-Mart Stores, Inc. **Tim Molnes, Police Chief**

Mayor Pro Tem Diaz made a motion to approve consent item G-9, as presented. Council member Heinze seconded the motion. Council member Heinze asked Terry McGath, Wal-Mart store manager to provide the citizens with some information and insight into the Police Sub-Station agreement. Terry McGath also noted that this office space will be provided free of charge. With a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public Hearing on Ordinance No. 2002-01 amending the 2001-02 fiscal year budget for the City of Copperas Cove. **Steven J. Alexander, Assistant City Manager/Director of Finance.**

Speaking For: Steven Alexander, Assistant City Manager/Director of Finance. Steven Alexander, Assistant City Manager stated that this was the first of two public hearings required for a budget amendment.

Speaking Against: None

I. ACTION ITEMS

1. Consideration and action on the appointment of an Election Judge and an Alternate Election Judge to serve for the 2002 City elections. **Pamela Russell, City Secretary**

Mayor Nauert announced that Jackie LaMont had withdrawn her name from the list of applicants to be considered for the two election positions. Mayor Pro Tem Diaz made the motion to appoint Mary Howell as the Election Judge and Janie French as the Alternate Election Judge to serve for the 2002 city elections. Council member Owsley seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on Ordinance No. 2002-02 amending the City's "Fee Schedule". **Richard Torres, City Manager**

Council member Diaz made a motion to approve Ordinance No. 2001-02. Council member Gallen seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption reads as follows:

ORDINANCE NO. 2002-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE FEE SCHEDULE FOR THE CITY OF COPPERAS COVE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

J. STAFF REPORTS

1. Financial Report for the month ended October 31, 2001. **Steven J. Alexander, Assistant City Manager/Director of Finance.**

Steven Alexander gave an overview of the financial report for the month ended October 31, 2001.

2. Update on the progress of Joe's Road Improvement Project. **Paul Boyer, City Engineer**

Paul Boyer, City Engineer said the only stumbling block on the improvement plans for Joe's Road was getting the right of way from the Railroad Company, but the preliminary plans of the road design would be available in the near future. Mr. Boyer added that the City would be looping a water line, and providing sewer along Wolfe Road.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS - None

L. ITEMS FOR FUTURE AGENDAS

- Council Member Clayton – Thanked Jackie LaMont for all the years she served as the Election Judge.

Mayor Nauert closed the regular session at 7:54 p.m.

M. EXECUTIVE SESSION

1. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate on the evaluation of the City Secretary.

2. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate on:

- a. Employment of the City Manager.
- b. Appointment of Interim City Manager.

3. Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate on the potential purchase of Railroad property in the downtown area.

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

Mayor Nauert reopened the regular session at 8:55 p.m.

Mayor Nauert said that Executive Session items M-1, and M-3 were for information only, and no action was to be taken.

2. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate on:

- a. Employment of the City Manager.
- b. Appointment of Interim City Manager.

Council member Clayton made the motion to accept the resignation of City Manager, Richard Torres, and to appoint Steven Alexander, Assistant City Manager/Director of Finance to the position of Interim City Manager, to be effective February 8, 2002. Council member Gallen seconded the motion, and with a unanimous vote, motion carried.

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:57 p.m.

Rodney G. Nauert, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary