

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
JANUARY 15 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 7:03 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council member Fred Harris gave the Invocation and led 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
Pamela Russell, City Secretary
Jim Thompson, Interim City Attorney

D. ANNOUNCEMENTS

Council member Harris

- Will be attending the Martin Luther King Jr. observance in Killeen, January 21.
- The next home to be built by Habitat for Humanity will be built by women.
- Nine students have been hired to work at the teen center. The teen center will offer plenty of things to do for kids ages 3-20.
- The YMCA sent a volunteer to New York to help with the 9-11 crisis.
- Request media attend MLK events.

Council member Clayton

- Asked the City Manager to explain the Clarence Rawlins issue that was brought to the Council's attention during citizen's forum at the last council meeting.

City Manager, Richard Torres

- The City had received a complaint from the father of a 14 year-old boy who was arrested. The Copperas Cove Police Department had conducted an thorough internal investigation into the Clarence Rawlins matter, and the NAACP had given input. There were no findings of wrong doing on the part of the Copperas Cove Police Department or the officers involved in the case. The matter is now closed.

Council member Clayton

- "Good job" to the Police Department.

E. PUBLIC RECOGNITION

1. Proclamation – Copperas Cove Citizens Police Academy Alumni Day

Mayor Nauert, congratulated the Citizens Police Academy Alumni, and presented the proclamation to Bob Oates, Copperas Cove Police Academy Alumni member. Council member Gallen, Council member Smith, and Police Chief Molnes all expressed gratitude to the Alumni Association for all the many hours of volunteering.

2. Honorary Citizenship – Daisaku Ikeda, President of “Soka Gaskkai International”, and his wife, Kaneko Ikeda. These awards will be accepted by Mr. Martin Bonner on behalf of Daisaku Ikeda, and his wife, Kaneko Ikeda.

Martin Bonner, member of the Killeen Soka Gagi International, accepted the honorary citizenship awards, and gave a brief explanation of the Soka Gaskkai International organization.

3. Employee Retirement - John d’Emery, Waste Water Department
- John Pequinot, Municipal Utilities

Mayor Nauert presented both retiring employees with a framed piece of art, and thanked them for their years of service to the City.

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.

No one spoke at Citizen’s Forum.

G. CONSENT ITEMS

1. Consideration and action on a waiver of fees for the use of the Civic Center by the Muscular Dystrophy Association for the annual MDA Lock-Up Benefit. **Richard Torres, City Manager**

2. Consideration and action authorizing the City Manager to execute a contract with the Copperas Cove Youth Recreation Committee (CCYRC) to conduct and administer youth baseball and softball leagues in Copperas Cove. **Linda Tyler, Parks and Recreation Director**

3. Consideration and action on authorizing the City Manager to execute an Interlocal Cooperative Agreement with the City of Temple, Texas to produce the Central Texas Senior Games in March 2002. **Linda Tyler, Parks and Recreation Director**

4. Consideration and action on Resolution No. 2002-03 creating a Youth Advisory Committee. **Richard Torres, City Manager**

Council member Gallen made a motion to approve consent items 1, 2, 3, and 4. Council member Owsley seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2002-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE
CREATING A YOUTH ADVISORY COMMISSION.**

H. PUBLIC HEARINGS/ACTION

1a. 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, stated that this was the second public hearing of the two public hearings required for this ordinance. Speaking Against: Frank DiMuccio 2314 E. Hwy 190. Said the agenda should have specified what the budget amendment was for. Mr. DiMuccio asked why all the savings from the automation are not being used to purchase the new truck.

1b. Consideration and action 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**

Council member Harris made a motion to approve Ordinance No. 2002-02. Council member Smith seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption reads as follows:

ORDINANCE NO. 2002-01

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2001, AND ENDING ON SEPTEMBER 30, 2002; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

I. ACTION ITEMS

1. Consideration and action on the purchase of a Mack truck chassis with McNeilus auto reach collection body. **Richard Davis, Solid Waste Director**

This item was pulled from the agenda.

2. Discussion on Ordinance No. 2001-20. Adopted December 4, 2001.
Council members Clayton, Owsley, and Heinze

Clint Crockett, 2428 E. HWY 190, Copperas Cove – Thanked God and the City Council for allowing him to speak. Mr. Crockett said he had a meeting with the City Manager December 17th, and said the City Manager had granted him a 60 - day grace period. Mr. Crockett said he thought he should be allowed a grandfather clause, as he had owned and operated Cove Jewelry for the past 20 years. Mr. Crockett also said that direct alarm monitoring was not available in this area.

Mr. Michael Goodwin – 604 Clara. Mr. Goodwin said he was speaking to show support for Mr. Crockett, and for his grandfather plea.

Mr. Michael McDonald – Said he was considered an expert in the field of installation and maintenance of alarm systems. He said he had been told that Mr. Crockett had many false alarms. The cause of Mr. Crockett's many false alarms were due to Mr. Crockett being a bit slow to turn off the alarm, and suggested the delay period extended.

Council member Clayton – Said the alarm ordinance has been passed, and we do want the responsibility of the alarms on the police service. The citizens of Copperas Cove do not need to be responsible for monitoring alarms.

Council member Owsley – Said that the alarm ordinance was one of the best ordinances we have ever passed and approved. We even had a committee, to put this ordinance together, and we also held two public hearings. Council member Owsley also stated that he believed each individual home owner or business owner should be responsible for monitoring their own alarms. The City should not be in the business of monitoring alarm systems. Mr. Owsley also stated the “Good Old Boy” system we had 17 years ago is not in effect any longer.

Council member Heinze – Said she just wanted to let Mr. Crockett have an opportunity to talk to the City Council as a whole.

Council member Harris – Said he thought the Council should not be discussing this issue, as the ordinance has already passed, but went on to say he thought the ordinance was fine, we had plenty of input from the citizens that were on the alarm ordinance committee. Council member Harris did comment that the section that addresses the “Class C misdemeanor” perhaps could be modified, but as a whole he agrees with the ordinance.

Mayor Pro Tem Diaz – Said she thought the ordinance should stand, and see how it works, and then, if there is a problem, then we can go back and look it again.

Council member Gallen – Said the alarm ordinance committee did the job they were asked to do. There were two opportunities for citizens to speak at the Public Hearings. Citizens were on the Committee, so was the Police Chief. Council member Gallen went on to say he thinks the committee did the best job they could. It is a done deal, if it does not work, then we'll go back and look at it again.

J. STAFF REPORTS

1. Financial Report for the month ended November 30, 2001. **Steven J. Alexander, Assistant City Manager/Director of Finance.**

Steven Alexander gave an overview of the financial report for the month ended November 30, 2001.

2. Central Texas Senior Games, and the Dip, Dive and Splash event. **Linda Tyler, Parks and Recreation Director**

Linda Tyler, Parks and Recreation Director said that four cities had organized the Central Texas Senior Games event for adults 50 years and over. There will be a wide variety of activities to be held in all four cities. The Polar Bear Club will be holding the second annual "Dip, Dive and Splash" on February 2nd at the City Park pool. This is a fun event! For more information contact the Parks and Recreation Department.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS - None

L. ITEMS FOR FUTURE AGENDAS

- Council Member Diaz - Library Briefing.

Mayor Nauert closed the regular session at 8:20 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 discuss hiring a City Manager.

3. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the terms of employment for the Interim City Manager.

4. Pursuant to §551.071 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to consult and seek the advice of its attorney concerning:

- a. City of Copperas Cove vs. TXU.

5. Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate the lease of real property owned by the City to the Boys and Girls Club of Coryell County, Inc.

6. Pursuant to §551.071 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to consult and seek the advice of its attorney regarding legislation.

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 10:08 p.m.

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.

Mayor Pro Tem Diaz made a motion to increase the salary of the City Secretary by 3.2%. Council member Clayton seconded the motion, and with a unanimous vote, motion carried.

Mayor Nauert announced that executive session items M-2, M-3, M-4, M-5, and M-6 were for information purposes only.

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 p.m.

Rodney G. Nauert, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary