

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 4, 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 Smith gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

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

Steven J. Alexander, City Manager
Pamela J. Russell, City Secretary
James R. Thompson, Interim City Attorney

D. ANNOUNCEMENTS

Council Member Smith

- The City of Copperas Cove needs a Reliever Route.
- Thank you to the Chamber of Commerce and Downtown Association for participating in the very successful downtown association garage sale.

Council Member Owsley

- Received telephone complaints from residents concerning water problems; a compliment to the city manager for getting involved and correcting the problem.

Council Member Harris

- The City had a good meeting with the commissioners on Wednesday and Thursday of last week.
- Made a public apology to Dr. Acker, CCISD Superintendent for overlooking mentioning his name at the commissioners meeting in Austin. Dr. Acker's support of the City is appreciated.
- Thanks to the police department for a great job with the resources they have. I have confidence the police officers will catch the vandals.

Council Member Clayton

- Condolences to the family of Paul Brooks, longtime resident who recently passed away.

Mayor Nauert

- Mr. Don Bible, a Copperas Cove businessman passed away this evening. Regrets and sympathy from Council.

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 – Stated she was pleased for the new street paving, and said it was beautiful, and the workers had done an excellent job. Mrs. Steele said she was upset about the vandalism, and thinks we should have more police officers.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the May 14, Special Meeting, and the May 21, 2002 Regular City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on authorizing the award of the Bid No. 2002-06-56, Public Works Building Project, and authorizing the City Manager to execute a contract in the amount of \$192,000.00 with PBC General Contractors. **Paul Boyer, City Engineer**

3. Consideration and action on authorizing the award of Bid No. 2002-10-05, Skyline Valley Subdivision Storm Sewer Improvements Project, and authorizing the City Manager to execute a contract in the amount of \$499,766.75 with Ethridge Construction Company. **Paul Boyer, City Engineer**

Council Member Clayton requested item G-1 be pulled from the consent agenda.

Council Member Gallen made a motion to approve consent items 2, and 3. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

1. Consideration and action on approval of minutes from the May 14, Special Meeting, and the May 21, 2002 Regular City Council Meeting. **Pamela J. Russell, City Secretary**

Council Member Clayton said that the Minutes from the May 14, Special Meeting needed an amendment, correcting the spelling of Cromman to Croom.

Council Member Smith made a motion to approve item G-1 with the amendment. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on approval of an easement release, being the south seven feet of a twenty foot water main easement located at 2008 Freedom Lane. **Paul Boyer, City Engineer**

1b. Consideration and action on approval of an easement release, being south seven feet of a twenty foot water main easement located at 2008 Freedom Lane. **Paul Boyer, City Engineer**

Mayor Nauert announced that items H-1a and H-1b were being pulled from the agenda.

I. ACTION ITEMS

1. Consideration and action on approval of Ordinance No. 2002-10 officially adopting the City's revised and updated "Water Conservation and Drought Contingency Plan." **Robert McKinnon, Water/Wastewater Director**

Council Member Heinze made a motion to approve Ordinance No. 2002-10. Council Member Clayton seconded the motion and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2002 - 10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS ADOPTING A CITY WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING NO CULPABLE MENTAL STATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

2. Consideration and action on Resolution No. 2002-15, authorizing the City Manager to execute a Master Advance Funding Agreement with the Texas Department of Transportation relating to the administration of projects funded with federal and state money, and providing an effective date. **Susan Way, Grants Administrator**

Council Member Gallen made a motion to approve Resolution No. 2002-15. Council Member Owsley seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2002-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION RELATING TO THE ADMINISTRATION OF PROJECTS FUNDED WITH FEDERAL AND STATE MONEY, AND PROVIDING AND EFFECTIVE DATE; AND PLEDGING

THAT THE CITY OF COPPERAS COVE WILL COMPLY WITH THE REQUIREMENTS OF THE TEXAS DEPARTMENT OF TRANSPORTATION.

3. Consideration and action on approval of GC Services' Incentives and Performance Agreement and Tax Abatement Agreement. **Carol Mills, Executive Director, CCEDC**

Council Member Owsley made a motion to approve the item as presented. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on Resolution No. 2002-16 approving the application of Section 394.005 Texas Local Government Code, to the City of Copperas Cove, Texas for the purpose of making property within the City eligible for single family housing for persons of low and moderate income, financed by loans made from the proceeds of the Central Texas Housing Finance Corporation, Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae mortgage-backed securities program), Series 2002B. **James R. Thompson, Interim City Attorney**

Council Member Owsley made a motion to approve Resolution No. 2002-16. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2002-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE APPLICATION CHAPTER 394 (THE TEXAS HOUSING FINANCE CORPORATIONS ACT) OF THE TEXAS LOCAL GOVERNMENT CODE, THE CITY OF COPPERAS COVE, TEXAS, FOR THE PURPOSE OF MAKING PROPERTY LOCATED WITHIN THE CITY OF COPPERAS COVE, TEXAS, ELIGIBLE FOR SINGLE FAMILY HOUSING FOR PERSONS OF LOW AND MODERATE INCOME FINANCED BY LOANS MADE FROM THE PROCEEDS OF THE CENTRAL TEXAS HOUSING FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE BONDS (GNMA AND FANNIE MAE MORTGAGE-BACKED SECURITIES PROGRAM), SERIES 2002A.

J. STAFF REPORTS – None.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS – None.

Mayor Nauert adjourned the regular session of the meeting at 7:20 p.m.

M. EXECUTIVE SESSION

1. 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. The expiration of the franchise agreement with Time Warner Entertainment-Advance/Newhouse Partnership.
 - b. Legal matters.

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 of the meeting at 8:57 p.m.

Mayor Nauert announced that Executive Session items were for information purposes only and no action would be taken.

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:58 p.m.

Rodney G. Nauert, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary