

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
AUGUST 20, 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 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Bradi Diaz 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

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

D. ANNOUNCEMENTS

Council Member Gallen

- School is back in, watch out for the school zones!

Mayor Nauert

- The City of Copperas Cove is accepting applications for vacant positions on the Economic Development Corporation Board, and the Housing Authority Board.

E. PUBLIC RECOGNITION

Presentation of certificates for National Night Out and Kids Day. ***Charlotte Heinze, Council Member and Fred Harris, Council Member***

Cami Peralta, Rachel Amoroso, Tiffany Gonzales, Kristopher Deaton, Bobbie Milner, David Pelebo, Corey Craig, Michael Hickey, Jennifer Tolleson, Joseph Leary, and Carl Boast were recognized with a certificate of appreciation. Council Member Harris, and Council Member Heinze thanked the volunteers for giving to the community.

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.

Lloyd Parton, 515 Creek Street – Requested the City Council review the zoning ordinance that covers Creek Street. Mr. Parton said this street was a main artery to three schools.

George Wilson, 615 Creek Street – Expressed concern for the potential danger of dead trees in Copperas Cove, and recommended that all city ordinances should be scrutinized.

Diane Steel, 905 N. 4th Street – Mrs. Steele complained every budget time was the same old hog wash and that the council would like more money for less service.

Mayor Nauert advised Mrs. Steele of point of order, and told Mrs. Steele she would not be allowed to speak on an item that has been placed on the agenda.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the August 6, 2002 City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on Resolution No. 2002-20 resolving all disputes and claims arising out of the calculation and payment of franchises fees to the City by TXU Electric and TXU Gas. **James R. Thompson, Interim City Attorney**

3. Consideration and action on authorizing the City Manager to execute an Interlocal Agreement with Central Texas Council of Governments for Public Safety Answering Points (PSAPs) maintenance. **Timothy Molnes, Police Chief**

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

The Resolution caption reads as follows:

RESOLUTION NO. 2002-20

COMPROMISE, SETTLEMENT AND RELEASE AGREEMENT

This Compromise, Settlement, and Release Agreement (the "Agreement") is made and entered into as of the date set forth below by and between the City of Copperas Cove (the "City") and TXU Electric Company n/k/a TXU US Holdings Company ("TXU Electric"), TXU Gas Company ("TXU Gas") and TXU Corp. (collectively sometimes referred to as the "TXU Defendants"):

H. PUBLIC HEARINGS/ACTION

1. Public Hearing on City Manager's Proposed Budget for the 2002-2003 fiscal year. **Barbara Gonzales, Assistant City Manager/Director of Finance**

Mayor Nauert opened the Public Hearing.

Speaking For: None.

Speaking Against: Diane Steele, 905 N. 4th Street.
George Wilson, 516 Creek.
Ken Smith, 1305 Hawk Trail.

Mayor Nauert closed the Public Hearing.

I. ACTION ITEMS

1. Consideration and action on setting a proposed tax rate for the 2002-2003 fiscal year, and placing the proposed tax rate on a future agenda as an action item. **Barbara Gonzales, Assistant City Manager/Director of Finance**

Mayor Pro Tem Diaz made a motion to approve the item as presented. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on calling for a Public Hearing on the proposed tax increase for the 2002-2003 fiscal year to be held on September 3, 2002, at City Hall at 7:00 p.m. **Barbara Gonzales, Assistant City Manager/Director of Finance**

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

3. Consideration and action for approval of application for participation in the Texas Short Term Asset Reserve Program (TexSTAR). **Barbara Gonzales, Assistant City Manager/Director of Finance**

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

J. STAFF REPORTS

1. Financial Report for the month ended June 30, 2002. **Barbara Gonzales, Assistant City Manager/Director of Finance**

Barbara Gonzales, Assistant City Manager/Director of Finance gave the financial report for the month ended June 30, 2002. Council Member Harris asked the City Manager if the depletion of the solid waste fund balance had been anticipated. Steven Alexander, City Manager responded yes, and went on to explain that in November of 1999 a document was given to the City Council in an open session workshop that provided a financial forecast. The forecast portrayed a worse picture of the solid waste fund if the City stayed with the same solid waste collection system. Mr. Alexander went on to say that the City had hoped to hold off raising the residential collection rates, but things were pretty tight. Mr. Alexander said that the bulk of the rate increase will go into operations and service that we provide to the public. Mr. Alexander said the City of Copperas Cove had held the same residential rate since 1994. Considering every year employees are awarded pay increases, equipment needs to be replaced, and hauling and disposal rates have increased prior and present City Councils should be commended for holding the rate as long as they have. Council Member Clayton stated he believed our new City Manager is doing the best he can to make the City of Copperas Cove the best it can be, even if that means a rate increase, this is something that has to happen.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Owsley - Workshop on single family dwellings.

Mayor Pro Tem Diaz - Workshop with the EDC after EDC Board member appointments have been made.

Mayor Nauert adjourned the regular session of the meeting at 8:01 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 discuss the duties and responsibilities of the City Manager.

2. 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

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 8:55 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 8:56 p.m.

Rodney G. Nauert, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary