

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
SEPTEMBER 16, 2003 - 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 7:21 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Clayton 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, City Attorney (absent)

D. ANNOUNCEMENTS

- Council Member Smith – Wished City Manager, Steven Alexander a Happy Birthday.
- Council Member Heinze – Wished City Manager, Steven Alexander a Happy Birthday
- Mayor Pro Tem Diaz – Reminded everyone of “Operation Pencil Box”, and requested that school supply items be delivered to the Chamber of Commerce. These items will be shipped to 4th ID in Iraq to distribute to Iraqi schools.

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.

Danielle Taylor - 804 Sandy Court. Stated concern that the Solid Waste Department had been unable to pick up brush due to their vehicle being in repair. Ms. Taylor said she was concerned about animals living in stacks of brush that had sat at the curbside for more than three weeks. Ms. Taylor applauded the efforts of the Solid Waste Department employees, and asked the Council if they could do something to help alleviate the situation.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from September 2, 2003 Regular City Council Meeting and September 9, 2003 Special City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon, and Company, P.C. for the 2002-03 fiscal year audit. **Robert Camareno, Assistant City Manager/Director of Finance**

3. Consideration and action on authorizing the City Manager to enter into a contract with the Copperas Cove Independent School District (CCISD) for Policing Services. **Tim Molnes, Police Chief**

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

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on Ordinance No. 2003-25 amending the 2002-03 fiscal year budget for the City of Copperas Cove. **Robert Camareno, Assistant City Manager/Director of Finance**

Robert Camareno, Assistant City Manager/ Director of Finance stated: The 2002-03 budget was adopted on September 10, 2002. According to Section 6.16(b)(1) of the Copperas Cove City Charter, in order for the City Council to amend the current year budget it must first hold a public hearing on the proposed amendments. The Charter also provides a requirement that when fund balance is to be used to fund increases in expenditures that two public hearings be held. This proposed budget amendment will require use of fund balance. This public hearing is the second of the two that are required. One amendment has been identified within the Drainage Utility Fund. The Drainage Utility Fund will need to have an increase in appropriations in the amount of \$60,000 in order to adequately fund the engineering of the Georgetown Road drainage project, the drainage improvements at the golf course discussed at the April 5, 2003 council/staff retreat and other projects that may arise prior to the end of the fiscal year.

Mayor Nauert opened the public hearing.

Speaking For: None

Speaking Against: None

Mayor Nauert closed the public hearing.

1b. Consideration and action on Ordinance No. 2003-25 amending the 2002-03 fiscal year budget for the City of Copperas Cove. **Robert Camareno, Assistant City Manager/Director of Finance**

Robert Camareno, Assistant City Manager/Director of Finance gave an overview of Ordinance No. 2003-25.

Council Member Smith made a motion to approve Ordinance No, 2003-25. Council Member Owsley seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2003-25

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, 2002, AND ENDING ON SEPTEMBER 30, 2003; 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 removing from the table a minor plat identified as Lots 24 through 36, Block 2, House Creek North Subdivision Phase One. *David Lilley, City Planner/CBO*

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

2. Consideration and action on a previously tabled item being a minor plat identified as Lots 24 through 36, Block 2, House Creek North Subdivision Phase One. *David Lilley, City Planner/CBO*

Council Member Diaz made a motion to approve item I-2. Council Member Clayton seconded the motion.

Karin Stevens – 545 Woodland Drive, Coryell County – Stated that the idea of putting commercial properties adjacent to her neighborhood was ludicrous. Ms. Stevens stated that everyone in her neighborhood expected to be annexed, and said that when that happens they will all remember how they have been treated.

Mayor Pro Tem Diaz – Stated that the City Council had provided citizens the opportunity for you to speak passionately and also stated that the developer wanted to provide for some support services for the sub division.

Mrs. Robin Durham – 548 Woodland Drive, Coryell County - Asked that the City Council preserve the residential integrity of her neighborhood, and stated: We are an existing community, allowing commercial business in our neighborhood will affect the resale value of our homes. We have been good neighbors of Copperas Cove.

Council Member, Fred Harris – Everyone who lives in this particular area are good neighbors. I consider myself a leader, and have to make some harsh decisions. I look at what is good for the whole City. The only way to determine what goes in next to your property is to buy up all of the land around your property. The only reason we tabled this

item was because we did not have enough information. We (the Council) vote on what we see as good for the City.

Council Member, John Gallen – Asked for a show of hands from the citizens present at the council meeting if they felt that if the platting is approved, the zoning is approved. Approximately ten people raised their hands. Council Member Gallen stated that this is wrong and explained that the zoning issue would be brought before the Council at a later date. Council Member Gallen also stated that communication needs to be clear and concise.

Council Member, Charlotte Heinze – Stated she received 9 phone calls and letters, and wanted to let the citizens know that she had done the research on this issue, and went to look at the property.

With a unanimous vote, all in favor, motion carried.

3. Consideration and action on Ordinance No. 2003-30 amending Personnel Policy No. 531, Employee Appeal Process. **Kelli Sames, Human Resources Director**

Mayor Nauert announced that agenda item I-3 was pulled from the agenda.

4. Consideration and action on Ordinance No. 2003-29 amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

Council Member Diaz made a motion to approve Ordinance No. 2003-29. Council Member Gallen seconded the motion, Kelli Sames, Human Resources Director stated: City staff is proposing changes to the position listing in several departments for the Fiscal Year 2003/2004 budget. These changes are as follows: Change the title and grade for:

One Executive Secretary to Deputy City Secretary,
Grade 8 to Grade 9;
One Fire Marshal to Fire Inspector,
Grade 17 to Grade 15;
One Engineering Aid to Building Inspector,
Grade 13 to Grade 15;
One Building Department Inspector to Senior Inspector,
Grade 13 to Grade 17;
One Facility Maintenance Supervisor to Facility Maintenance,
Grade 13 to Grade 9; and
One Compost Operator to Compost Supervisor,
Grade 9 to Grade 11.

Reclassify the following positions:

One Assistant Supervisor Municipal Court, Grade 8 to Grade 9;
Two Solid Waste Workers to Solid Waste Drivers, Grade 6 to Grade 7; and
One Sewer Collection Operator III, Grade 10 to Grade 11.

Delete the following positions:

One Fire Marshall, grade 17.

Change the title of:

One Utility Cashier/Customer Service to Meter Reader/Customer Service.

The proposed changes have been discussed with the City Manager, Human Resources Department and Department Directors affected. The respective Directors recommend the changes that are proposed.

With a unanimous vote motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2003-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPEALING THE CURRENT PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

5. Consideration and action on the appointment of two (2) positions to the Board of Directors of Copperas Cove Economic Development Corporation. ***Carol Mills, Executive Director, EDC***

Council Member Owsley made a motion to appoint Fred Chavez to Place Three to serve the term of October 1, 2003 through September 30, 2006, and re-appoint Dan Yancey to Place Four to serve the three year term of October 1, 2003 through September 30, 2006. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on approving the Joint Image Campaign Committee's budget and marketing plan for fiscal year 2003-2004. ***Pamela J. Russell, City Secretary***

Council Member Diaz made a motion to approve item I-6. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on Resolution No. 2003-23 supporting the improvements to the Coryell County/Gatesville Airport. ***Steven J. Alexander, City Manager***

Mayor Nauert announced this item was pulled from the agenda.

8. Consideration and action on Ordinance No. 2003-31 amending the City's "Fee Schedule". **Steven J. Alexander, City Manager**

Council Member Heinze made a motion to approve agenda item I-8, Ordinance No. 2003-31, with the amendment pulling the waiver for the 501c3 organizations. Council Member Harris seconded the motion. City Manager, Steven Alexander stated that the lead sheet on this item indicated a \$15 fee for compost hauling, but the attached fee schedule did not reflect this amount. Council Member Heinze amended the motion to also include the \$15 compost hauling fee. Council member Gallen seconded the amended motion. City Manager, Steven Alexander also stated that the attached fee schedule did not list the Ogletree Pavillion useage fee of \$225 for use of the serving area, and \$175 for use of the facility without the serving area. Mayor Pro Tem Diaz asked for clarification of the amended motion. Council Member Heinze stated to make a motion to approve agenda item I-8, amending the compost hauling from \$12.50 to \$15.00, including the \$175 Ogletree Pavillion useage with out the serving area, and the \$225 Ogletree Pavillion useage with the serving area, and to delete the 501c3 waiver for use of the Civic Center. Council Member Gallen seconded the motion. With a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2003-31

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.

9. Consideration and action on Resolution No. 2003-24 authorizing the transfer of unexpended and unencumbered appropriations, within the 2002-03 fiscal year budget, between departments. **Robert Camareno, Assistant City Manager/Director of Finance**

Council Member Gallen made a motion to approve Resolution No. 2003-24. Council Member Heinze seconded the motion.

Robert Camareno, Assistant City Manager/Director of Finance stated: According to the City's Charter, Section 8.02, the City Council can, at the request of the City Manager, authorize the transfer of unexpended and unencumbered appropriations from one office, department or agency to another. Such transfers must be approved through a resolution.

Council Member Owsley stated: We have a very frugal police department, and I do not agree with the Police Department being penalized for being frugal and the monies should remain in the police department rather than be put it into another department. City Manager, Steven Alexander stated that the "Needs Assessment" agreed upon during the April City Council Retreat was not budgeted, and so the \$49,000 coming from the Police Department will be put into Non-Departmental to pay the projected \$45,000 for the Police Building Needs Assessment study.

In favor: Council Members - Diaz, Clayton, Gallen, Heinze, Harris, Smith.

Against: Council Member Owsley.

With a vote of 6-1 in favor of the motion, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2003-24

A RESOLUTION AUTHORIZING THE TRANSFER OF UNEXPENDED AND UNENCUMBERED APPROPRIATIONS, WITHIN THE 2002-03 FISCAL YEAR BUDGET, BETWEEN DEPARTMENTS IN ACCORDANCE WITH THE CITY OF COPPERAS COVE CHARTER SECTION 8.02.

10. Consideration and action on authorizing the City Manager to enter into an Interlocal Agreement with the Copperas Cove Independent School District to share facilities for recreational purposes. *Linda Tyler, Director of Community Services*

Council Member Harris made a motion to approve item I-10. Council Member Heinze seconded the motion.

Director of Community Services, Linda Tyler, gave an overview of the Interlocal Agreement with the Copperas Cove Independent School District and said that the City of Copperas Cove had the very best relations with this school district, Dr. Acker and his staff, and stated that the School Board had approved this contract at the last CCISD Board Meeting.

With a unanimous vote, motion carried.

J. STAFF REPORTS – None.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS – None.

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 with the City Attorney on PUC Docket 27.179, Application of ONCOR Electric Delivery Company for a CCN for a Proposed Transmission Line in Bell and Coryell Counties.

2. Pursuant to §551.072 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate on the purchase, exchange, lease, or value of real property.

Mayor Nauert closed the regular session of the meeting to adjourn into Executive Session at 8:23 p.m.

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

Mayor Nauert re-opened the regular session of the meeting at 9:23 p.m. Mayor Nauert announced that Executive Session items M-1 and M-2 were for information purposes only, and no action would be taken.

O. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:24 p.m.

Rodney G. Nauert, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary