

**CITY OF COPPERAS COVE
CITY COUNCIL SPECIAL MEETING MINUTES
APRIL 20, 2004 - 6:00 P.M.**

A. CALL TO ORDER

Mayor Bradi D. Diaz called the special meeting of the City Council of the City of Copperas Cove, Texas to order at 6:00 p.m.

B. ROLL CALL

Robert Reeves
Ray Don Clayton
John F. Gallen
Charlotte Heinze
Fred Harris
Bud Owsley
Annabelle Smith

ALSO PRESENT

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

C. PUBLIC HEARING

1. Public Hearing on a Proposed No Smoking Ordinance No. 2004-11.
James R. Thompson, City Attorney

Mayor Diaz stated that the public hearing would last for one hour, with five minutes total allotted to each citizen that wished to speak. James Thompson, City Attorney gave an overview of the proposed No Smoking Ordinance.

Mayor Diaz opened the Public Hearing.

Speaking For:

Danielle Taylor – 804 Sandy Court, Copperas Cove.
Thomas G. Nickson – 106 Lorna Circle, Copperas Cove.
Jack Widup – 501 Judy Lane, Copperas Cove.
Bob Goodwin – 2006 Babb, Copperas Cove.
Charles Duren – 1016 North 4th Street, Copperas Cove.

Speaking Against:

Annie Hoffpauir – 416 Jeffery Lane, Copperas Cove.
Kenneth Porter – 2120 Taylor Avenue, Copperas Cove.
Shawn Camp - 112 Easy Street, CopperasCove.
Shirley McCaffey – Uptown Lunchroom, 106 Cove Terrace, Copperas Cove.
Diane Steele – 905 North 4th Street, Copperas Cove.
Kenneth Smith - 1305 Hawk Trail, Copperas Cove.
Pamela Bond – 204 Allen Street, Copperas Cove.
Robert Lyle, Sr. – 813 South 25th Street, Copperas Cove.
Bill Waltz – 315 Chestnut Drive, Copperas Cove.

Cliffon R. Carnicorm - 1203 Urbantke, Copperas Cove.
Dale Harder - 306 N. 3rd Street, Copperas Cove.
Carol Golding - 201 Meggs, Copperas Cove.

Mayor Diaz closed the public hearing.

D. ADJOURNMENT

There being no further business, the Special Meeting was adjourned at 6:59 p.m.

Bradi D. Diaz, Mayor Pro Tem

ATTEST:

Pamela J. Russell, TRMC, City Secretary

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 20, 2004 - 7:00 P.M.**

A. CALL TO ORDER

Mayor, Bradi D. Diaz called the regular meeting of the City Council of the City of Copperas Cove, Texas to order at 7:12 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Reeves gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

Bob Reeves
Ray Don Clayton
John Gallen
Charlotte Heinze
Fred Harris
Bud Owsley
Annabelle Smith

ALSO PRESENT

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

D. ANNOUNCEMENTS

Council Member Smith

- Thank you to everyone who assisted with the Copperas Cove 125th Birthday Party celebration, with special thanks to KCCB, Amy Anderson, and Rita Chavez for all of the improvements to the downtown area.

Council Member Owsley

- Noted that most of the citizens that spoke at the public hearing in the Special Meeting this evening had left, and the Council would now be discussing City business.

Council Member Harris

- Appreciation to all of the City workers. We need to pay attention to our Police Department, the police officers are professionals and they need to be paid accordingly. We can not do without a police officer in this City for one minute.

Council Member Heinze

- The Youth YAC summit allows the youth an opportunity to represent Copperas Cove. We have three baseball teams going to Marble Falls tomorrow, and she wanted to thank them for doing such a fine job in representing our City.

Mayor Diaz

- Early Voting for the May 15, 2004 City of Copperas Cove, General Election will begin on Wednesday, April 28th. Early Voting will be held at City Hall from 8 a.m.

thru 5 p.m. daily thru Tuesday, May 11, 2004, with the exception of weekend days. For more information on the City Election contact City Secretary, Pamela Russell.

- An Election Training Program will be held on Monday, April 26, 2004, in the Council Chambers of Copperas Cove City Hall at 5:30 p.m. The election training program is open to the public and free of charge.
- On April 22 the Welcome Home Celebration for Taskforce Ironhorse festivities will take place on Fort Hood, this is an opportunity to give thanks and appreciation to all those who sacrificed for our freedoms. This will be a great day.

E. PUBLIC RECOGNITION - None

F. CITIZENS' 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.

David Landmann, Executive Director of the Chamber of Commerce. – The Chamber has partnered with the Boys and Girls Club to host "Music at Gap". Tickets will be sold at the Chamber and Boys and Girls Club.

Jon Charles, Executive Director, Boys and Girls Club of Coryell County - Music at the Gap will take place on June 25, July 23, and August 13 - all Friday nights. Jon Charles gave an overview of the presenters and performers at the forthcoming festivities.

Diane Steele, 905 N. 4th Street – Stated she was in support of alcohol sales in Copperas Cove, and was concerned about the loss of revenue to the City, especially when residents go to other cities to purchase alcohol they spend tax dollars on many other items too. Alcohol sales would provide us with revenue we desperately need.

Pamela Bond, 204 Allen Street – Asked for the citizens of our community to have faith in democracy. Ms. Bond stated she would like to see community theatre in Copperas Cove and had many ideas on the issue. Stated that her Mother was last seen in New Mexico on April 14, the police department deserves thanks and appreciation for their caring and kindness. Ms. Bond then read a poem she had written.

Lena Marie Fulmer, 402 Preakness – Wanted the citizens and council to know her husband is stationed at Fort Hood for the second time, and she and her husband chose to live in Copperas Cove for the kindness and friendly people, they were thrilled to return to Copperas Cove, and the community that the City is dry.

G. CONSENT ITEMS

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| 1. Consideration and action on approval of minutes from April 6, 2004 Regular City Council Meeting. <i>Pamela J. Russell, City Secretary</i> |
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Council Member Gallen made a motion to approve Consent Item G-1. Council Member Smith seconded the motion and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on a final plat for a two lot subdivision identified as Habitat for Humanity, Phase Two. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO stated: Habitat for Humanity has .552 acres located on Sherry Lane. They had obtained the property with the intent of constructing a habitat home. In reviewing the site they found they could plat the land, extend utilities, and create two buildable sites. The property is located on Sherry Lane, West of 23rd Street. The preliminary plat was approved by the Planning and Zoning on March 1, 2004, and the final plat was approved by a unanimous vote on April 12, 2004.

Mayor Diaz opened the Public Hearing.

Speaking For: Eugene Bower, 213 Chestnut Drive, Copperas Cove

Speaking Against: None.

Mayor Diaz closed the Public Hearing

1b. Consideration and action on a final plat for a two lot subdivision identified as Habitat for Humanity, Phase Two. **David Lilley, City Planner/CBO**

Council Member Heinze made a motion to approve agenda item H1-b. Council Member Harris seconded the motion, with a unanimous vote, motion carried.

2a. Public Hearing on Ordinance No. 2004-13, changing the Zoning Designation for a 1.98 Acre tract in the Ed S. Jones Survey, also identified as 1406 South FM 116, Copperas Cove, from R-1 Single Family to B-4 Business District. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO stated: Mr. Jimmy Clark and Ms. Joan Brown have an agreement whereby Mr. Clark intends to purchase the property under consideration if the zoning is changed. It is Mr. Clark's intention to construct an office complex at the front of the property with possible private interior storage at the rear. It would appear the property has been zoned R-1 since its incorporation into the city, as no records of a zoning change request have been found.

Mayor Diaz opened the Public Hearing.

Speaking For: Jack Purcell – Staff Engineer

Speaking Against: None.

Mayor Diaz closed the Public Hearing

2b. Consideration and action on Ordinance No. 2004-13, changing the Zoning Designation for a 1.98 Acre tract in the Ed S. Jones Survey, also identified as 1406 South FM 116, Copperas Cove, from R-1 Single Family to B-4 Business District. **David Lilley, City Planner/CBO**

Council Member Gallen made a motion to approve Ordinance No. 2004-13. Council Member Owsley seconded the motion, and with a unanimous vote, motion carried.

I. ACTION ITEMS

1. Consideration and action on authorizing the City Manager to enter into an agreement with Dunkin, Sefko & Associates, Inc., for the update of the City of Copperas Cove Comprehensive Plan. **David Lilley, City Planner/CBO**

Council Member Heinze made a motion to approve agenda item I-1. Council Member Smith seconded the motion. David Lilley, City Planner/CBO stated: The Comprehensive Plan for the City of Copperas Cove was completed in April of 1996, by J.T. Duncan & Associates, Inc. Most cities try to review their plan every 5 years to determine if changes should be made. It has been eight years since our plan was adopted and we have seen considerable growth in that time. The City Council has expressed a desire to update the plan.

With a unanimous vote, motion carried.

2. Consideration and action on authorizing the award of Bid No. 2004-08-84, Highway 190 and Wolfe Road Wastewater Improvement Project, and authorizing the City Manager to execute a contract in the amount of \$144,137.00 with Smetana & Associates. **Paul M. Boyer, P.E., City Engineer**

Council Member Owsley made a motion to approve agenda item I-2. Council Member Clayton seconded the motion. Paul Boyer, City Engineer gave an overview of the item.

With a unanimous vote, motion carried.

3. Consideration and action on authorizing the award of Bid No. 2003-21-53, Industrial Park Infrastructure, and authorizing the City Manager to execute a contract in the amount of \$989,919.10 with J & G McLean Construction Co. **Paul M. Boyer, P.E., City Engineer**

Council Member Gallen made a motion to approve agenda item I-3. Council Member Reeves seconded the motion. Paul Boyer, City Engineer gave an overview of the item.

With a unanimous vote, motion carried.

J. STAFF REPORTS

1. Financial Report for the month ended February 29, 2004. **Robert Camareno, Assistant City Manager/Director of Finance**

Robert Camareno, Assistant City Manager/Director of Finance gave the financial report for the month ended February 29, 2004.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Heinze requested a workshop presentation on alcohol elections.

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 Mayor.

Mayor Diaz closed the regular meeting to go into executive session at 8:22 p.m.

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

Mayor Diaz reconvened the regular meeting at 9:13 p.m. Mayor Diaz announced Executive Session item M-1 was for information purposes only, and no action would be taken.

O. ADJOURNMENT

There being no further business, Mayor Diaz stated the meeting adjourned at 9:14 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Pamela J. Russell, TRMC, City Secretary