

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
DECEMBER 6, 2005 – 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 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Gatewood gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

Bob Reeves
Ray Don Clayton
John Gallen
James Stockman
R. Ray Gatewood
Fred Harris (absent)
Frank D. Somera, Jr.

ALSO PRESENT

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

D. ANNOUNCEMENTS

- Council Member Stockman – Happy Christmas and Happy New Year to everyone.
- Mayor Pro Tem Gatewood – There is now a Bible Institute in Copperas Cove called the Bethesda Bible Institute, which is a fully accredited Junior College level education, for more information and Spring Semester details, please call 547-3455.
- Mayor Diaz - A Merry Christmas and Safe New Year to all of our citizens.

E. PUBLIC RECOGNITION

1. Recognition – “Austaco, Taco Bell”. **Bradi D. Diaz, Mayor**

Mayor Diaz read a letter of recognition, congratulating the Copperas Cove Taco Bell for having raised over \$5,000; the most money out of 70 Taco Bell locations in Central Texas for the Leukemia & Lymphoma Society. Accepting the letter was: Karen Sueoka - Copperas Cove General Manager, Jonnie Lowry - District Manager, Jane Sierra-Special Events Manager – Leukemia and Lymphoma Society, Caleb Stirling - Marketing Coordinator- Austaco. Mayor Diaz wished the Taco Bell group continued success.

2. Presentations – “Donations to the Blue Santa Program”. **Kelly Dix, Executive Secretary**

Kelly Dix, Chairman - 2006 Blue Santa Committee thanked all donators to the Blue Santa program and stated that a total of \$630 and six large cases of toys and three bicycles were collected during the Christmas Parade and the Tri County Toy Run this past weekend. The following Civic Organizations and Businesses were recognized for their contributions to the program:

ALTRUSA - \$250, Wal Mart – \$1,000, and the Noon Exchange Club - \$525.

Kelly Dix gave appreciation to the groups making these generous donations and stated that so far 345 children had already been listed to receive gifts from the Blue Santa Program.

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.

No one spoke at Citizen's Forum.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from November 15, 2005, Regular City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on award of Bid No. 2006-01-42 to Philpott Motors, LTD for the purchase of three (3) police pursuit vehicles for \$26,239 per unit. **Tim Molnes, Police Chief**

3. Consideration and action on approving the purchase of a 2006 Ford Taurus from Philpott Motors, LTD through Houston-Galveston Area Council of Governments (H-GAC) Cooperative purchasing program in the amount of \$16,067.61. **Tim Molnes, Police Chief**

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

H. PUBLIC HEARINGS

1a. Public Hearing on Application of Lometa Exploration Corporation to drill for oil within the corporate limits of the City of Copperas Cove. **James R. Thompson, City Attorney**

James R. Thompson, City Attorney gave an overview of Agenda item H-1a.

Mayor Diaz opened the Public Hearing.

Speaking for: None.

Speaking against: None.

Mayor Diaz closed the Public Hearing.

1b. Consideration and action on authorizing the Mayor to issue a drilling permit on the Application of Lometa Exploration Corporation to drill for oil within the corporate limits of the City of Copperas Cove. **James R. Thompson , City Attorney**

Mayor Pro Tem Gatewood made a motion to approve agenda item H-1b. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

I. ACTION ITEMS

1. Consideration and action on authorizing the City Manager to execute a contract change order in the amount of \$29,763.52 with Woodard Construction for completion of the 2005 Street Hot Mix Asphaltic Concrete (HMAC) Overlay Project. **Bruce Emery, Interim City Engineer**

Bruce Emery, Interim City Engineer gave an overview of agenda item I-1.

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

2. Consideration and action on authorizing the City Manager to reject the bid for the construction of the Fourth Year Sewer Rehab Wastewater Improvement (REBID) Project, Bid No. 2006-03-71, in the Base Bid amount of \$503,204.35, Alternate Bid amount of \$100,836.95, and Total Bid amount of \$604,041.30. **Bruce Emery, Interim City Engineer**

Mayor Diaz announced agenda item I-2 had been pulled from the agenda.

3. Consideration and action on Ordinance No. 2005-34 denying Atmos Energy Corporation's request for an annual Gas Reliability Infrastructure Program Adjustment for calendar year 2004 in Copperas Cove. **Steven J. Alexander, City Manager**

Steven J. Alexander, City Manager gave an overview of Ordinance No. 2005-34.

Council Member Clayton made a motion to approve agenda item I-3. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2005-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, DENYING ATMOS ENERGY CORPORATION'S REQUEST FOR AN

ANNUAL GAS RELIABILITY INFRASTRUCTURE PROGRAM ADJUSTMENT FOR CALENDAR YEAR 2004 IN COPPERAS COVE.

J. STAFF REPORTS

1. Financial Report for the month ended September 30, 2005. **Christine Julius, Interim Director of Finance**

Jeri Denniston, Budget Analyst/Grants Administrator gave the Financial Report for the month ended September 30, 2005.

2. Financial Report for the month ended October 31, 2005. **Christine Julius, Interim Director of Finance**

Jeri Denniston, Budget Analyst/Grants Administrator gave the Financial Report for the month ended October 31, 2005.

3. Report on tourism funds from Hotel-Motel Tax: 3rd Quarter 2005. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Marty Smith, President of the Copperas Cove Chamber of Commerce gave a report on tourism funds from Hotel-Motel Tax for the 3rd Quarter in 2005.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS

L. ITEMS FOR FUTURE AGENDAS

Council Member, Clayton requested the Oil and Gas Ordinance be placed on a future agenda. Consensus was given by the City Council.

Mayor Diaz announced the meeting adjourned to enter into executive session at 7:53 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 evaluation of the Municipal Judge.

2. Pursuant to §551.087 of the Open Meetings Act. *Tex. Gov't Code*, council will meet in Executive Session for deliberations regarding Economic Development Negotiations. (1) *to discuss or deliberate regarding commercial or financial information that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.*

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

Mayor Diaz announced the meeting reconvened at 10:31 p.m., and stated 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, Mayor Diaz stated the meeting adjourned at 10:31 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Pamela J. Russell, TRMC, CMC, City Secretary