

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
APRIL 5, 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**

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

**C. ROLL CALL**

**ALSO PRESENT**

Bob Reeves (excused absence)  
Ray Don Clayton  
John Gallen  
James Stockman  
R. Ray Gatewood  
Bud Owsley  
Annabelle Smith

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

**D. ANNOUNCEMENTS**

Council Member Gallen

- Thanked Community Services Director, Ken Wilson for the Round Robin tournament, and stated it was a lot of fun!

Mayor

- Early Voting begins on Wednesday, April 20 and runs through Tuesday, May 3, 2005. All Early Voting will be held at City Hall 8 a.m. through 5 p.m. with extended hours on Thursday April 28th (8 a.m. thru 7 p.m.).
- Election Day to elect Council Member Positions Six and Seven will be held on Saturday, May 7, 2005, 7 a.m. thru 7 p.m., at City Hall.
- An Election Judge/Clerk training program will be held on Monday, April 11, 2005 @ 6:00 p.m. in the City Council Chambers. Any interested citizens are invited to attend this training program.

**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.

Diane Steele – 905 N. 4<sup>th</sup> Street. Mrs. Steele expressed concerns regarding her view of the lack of Code Enforcement in the City.

#### **G. CONSENT ITEMS**

1. Consideration and action on approval of minutes from the March 22, 2005, Regular City Council Meeting. ***Pamela J. Russell, City Secretary***

2. Consideration and action on Resolution No. 2005-10 authorizing and supporting the submission of a grant application to the Assistance to Firefighters Grant Program through the Department of Homeland Security, Office of Domestic Preparedness, in an amount up to \$25,000 for wildfire firefighting gear and SCBA refilling equipment and authorizing the Grants Administrator/Budget Analyst to apply for and to act on behalf of the City in matters related to the application. ***Jeri Denniston, Grants Administrator/Budget Analyst***

3. Consideration and action on Resolution No. 2005-07 authorizing the Police Chief to apply for, reject, alter or terminate a grant through the Electronic Proving Ground (EPG), Special Programs Office, from the Office of National Drug Control Counterdrug Technology Assessment Center (ONDCCP / CTAC) and the Office of Management and Budget (OMB) for obtaining specialized "hi-tech" equipment for law enforcement. ***Jeri Denniston, Grants Administrator/Budget Analyst***

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

The resolution captions read as follows:

#### **RESOLUTION NO. 2005-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE DEPARTMENT OF HOMELAND SECURITY; AUTHORIZING THE GRANTS ADMINISTRATOR / BUDGET ANALYST TO ACT ON BEHALF OF THE CITY OF COPPERAS COVE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT, IF A GRANT IS RECEIVED, THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE DEPARTMENT OF HOMELAND SECURITY.**

#### **RESOLUTION NO. 2005-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE ELECTRONIC PROVING GROUND (EPG) SPECIAL PROGRAMS OFFICE; AUTHORIZING THE POLICE CHIEF TO SUBMIT THE APPLICATION AND THE GRANTS ADMINISTRATOR/ BUDGET ANALYST TO ACT ON BEHALF OF THE CITY OF COPPERAS COVE IN ALL OTHER MATTERS RELATED TO THE**

APPLICATION; AND PLEDGING THAT, IF A GRANT IS RECEIVED, THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE OFFICE OF NATIONAL DRUG CONTROL COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER (ONDCP/CTAC) AND THE OFFICE OF MANAGEMENT AND BUDGET (OMB).

#### H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on a final plat for Heart O'Texas Federal Credit Union Addition. **David Lilley, City Planner**

1b. Consideration and action on a final plat for Heart O'Texas Federal Credit Union Addition. **David Lilley, City Planner**

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

2. Public Hearing on proposed unilateral annexation and service plan. **Paul M. Boyer, P.E., City Engineer**

Mayor Diaz stated the following:

Public Hearing Procedures  
Proposed Annexation  
April 5, 2005 and April 12, 2005

Before we begin, I would like to present an outline of how tonight's public hearing on the proposed unilateral annexation will be run.

- First, I will read the item
- Staff will then present the service plan and any other relevant information
- Council may ask questions of staff at this time
- I will then open the public hearing where individuals will have the opportunity to discuss the proposed unilateral annexation, the Service Plan and any requested changes to the Service Plan. Speakers will be asked to approach and state their name and address for the record. If you are speaking on a particular Tract, you might also mention the Tract number.
- Each person will be given 10 minutes to speak. I will signal the speaker when two minutes remain.
- All comments shall be germane to the subject matter of the public hearing and the Mayor with input from the Council shall determine relevance. (*City Council Rules of Order and Procedures*)
- Council is permitted to ask questions of the speaker or each other during the public hearing after being recognized by the Mayor. Interaction with the speaker should be limited and there will not be ongoing dialog. (*City Council Rules of Order and Procedures*)
- If a speaker poses a question to Council or staff that either feel can be answered immediately may do so. If a question is posed that needs further research or has an extensive answer, that question will be noted and a written response will be provided. If no answer is available that information will be provided as well.

- All participants in these proceedings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Please respect those who are speaking and limit unnecessary audience conversation or outbursts. We do understand that for some, this is an emotional issue.
- These guidelines were drafted using the City Council's Rules of Order and Procedures.

Paul M. Boyer, P.E., City Engineer gave an overview of agenda item H-2, and stated this was the first of two required public hearings, and the second public hearing would be held on April 12, 2005.

David Lilley, City Planner discussed each individual tract proposed for annexation and the accompanying service plans.

Mayor Diaz opened the public hearing.

The following citizens spoke on the Proposed Annexation issues:

Sam Tratt – 406 Myra Lou, Copperas Cove.

Bob Brooks – 207 County Road 4436, Kempner.

Kevin Weck – 415 CR 4932, Kempner.

D. J. Campbell, 210 RR 4936, Kempner.

Ray Laird – 2759 Fushia Road (Bradford Oaks).

Diane Steele – 905 N. 4<sup>th</sup> Street, Copperas Cove.

Elizabeth Laird – 2759 Fushia Road (Bradford Oaks).

Rodney Barnes - 3010 Grimes Crossing Road.

Barbara Gividen - 111 Easy Street, Copperas Cove. Mrs. Gividen gave thanks to Mayor Pro Tem Owsley for his assistance in having a property in Copperas Cove put onto the City sewer system; that had previously been on a septic tank.

Susan Dick – 712 Skyline, Copperas Cove.

Les Ledger – 3130 FM 113 – Deer Flats.

Sam Tratt – 406 Myra Lou, Copperas Cove.

Mayor Diaz closed the public hearing.

**I. ACTION ITEMS**

1. Consideration and action on authorizing the City Manager to execute an Inter-Local Agreement between the City of Copperas Cove and Central Texas Council of Governments for a household hazardous waste clean-up event. **Amy Anderson, Recycling Coordinator**

Amy Anderson, Recycling Coordinator, gave an overview of agenda item I-1. Council Member Gallen made a motion to approve agenda item I-1. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on authorizing the City Manager to enter into an agreement with the Kempner Water Supply Corporation (KWSC) for the purchase of Certificate of Convenience and Necessity (CCN) and facilities within the KWSC CCN. **Steven J. Alexander, City Manager**

Steven J. Alexander, City Manager, gave an overview of agenda item I-2. Council Member Gatewood made a motion to approve agenda item I-2. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

**J. STAFF REPORTS**

1. EDC Financial Report for the month ended February 28, 2005. **Carol Mills, EDC Executive Director**

Carol Mills, EDC Executive Director, gave the financial report for the month ended February 28, 2005.

**K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.**

**L. ITEMS FOR FUTURE AGENDAS – None.**

Mayor Diaz announced the City Council would adjourn from the regular meeting to enter into executive session at 8:34 p.m.

**M. EXECUTIVE SESSION**

1. 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 has received from a business prospect 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 City Council had reconvened at 8:59 p.m., and stated that Executive Session item M-1 was for information only, and no action would be taken.

**O. ADJOURNMENT**

There being no further business, Mayor Diaz stated the meeting adjourned at 8:59 p.m.

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Bradi D. Diaz, Mayor

ATTEST:

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Pamela J. Russell, TRMC, CMC, City Secretary