

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
JANUARY 3, 2006 – 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 Fred Harris 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
Frank D. Somera, Jr.

ALSO PRESENT

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

D. ANNOUNCEMENTS

- City Manager, Steven Alexander, introduced Andrea Gardner, as the new Assistant City Manager/Director of Finance and her family to the City of Copperas Cove and welcomed them to the City of Copperas Cove.

E. PUBLIC RECOGNITION

1. Proclamation – “Cove House Day”. **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation and presented it to the following Cove House Board Members: Frank Somera, Chairman of the Board of the Cove House, Dennis Webster, Vice Chairman, Lola Ross, Secretary, Peggy Thompson, Treasurer, Rev. Gary Hocker, Board Member, Paul Seiler, Board Member, Cynthia Livingston, Manager of the Cove House, John Hall, Assistant Manager. Frank Somera, Board Chairman stated it was a privilege and honor for a day of recognition, and stated on behalf of the Board and the Manager of the Cove House, thanks for all of the support and assistance that has been provided. Cynthia Livingston, Manager stated it had been an honor to serve in this community, and thanked everyone for the wonderful support Cove House had received over the past ten years, and invited everyone to attend the Open House, scheduled for January 14, 2006 at 2:00 p.m.

- E. 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 Citizens forum.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from December 6, 2005, Regular City Council Meeting and December 22, 2005, Special City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on authorizing the City Manager to reject all bids received for the construction of the Fourth Year Sewer Rehab Wastewater Improvement (REBID) Project, Bid No. 2006-03-71. **Bruce Emery, Interim City Engineer**

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

H. PUBLIC HEARINGS

1a. Public Hearing on Ordinance No. 2006-01 changing the zoning designation on Lot 3, Block 4, Cox Subdivision, also identified as 405 A and B Allen Street, from R-1 Single Family Residential to R-2 Two Family Residential. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of agenda item H-1a.

Mayor Diaz opened the Public Hearing.

Speaking for: Mr. Joel Duran, 775 County Road 4807, Copperas Cove.

Speaking against: None.

Mayor Diaz closed the Public Hearing.

1b. Consideration and action on Ordinance No. 2006-01 changing the zoning designation on Lot 3, Block 4, Cox Subdivision, also identified as 405 A and B Allen Street, from R-1 Single Family Residential to R-2 Two Family Residential. **David Lilley, City Planner/CBO**

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

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS CHANGING THE ZONING DESIGNATION ON LOT 3, BLOCK 4, COX SUBDIVISION, ALSO IDENTIFIED AS 405 A AND B ALLEN STREET, FROM R-1 SINGLE FAMILY RESIDENTIAL TO R-2 TWO FAMILY RESIDENTIAL.

2a. Public Hearing on the Final Plat of Wells Ranch Phase 4, including a replat of lots 5, 6 and 17, Block 6, Wells Ranch Phase 3. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of agenda item H-2a.

Mayor Diaz opened the Public Hearing.

Speaking for: Jack Purcell, 1375 W. Avenue D., Copperas Cove, Staff Engineer for the Developer.

Speaking against: None.

Mayor Diaz closed the Public Hearing.

2b. Consideration and action on the Final Plat of Wells Ranch Phase 4, including a replat of lots 5, 6 and 17, Block 6, Wells Ranch Phase 3. **David Lilley, City Planner/CBO**

Council Member Somera made a motion to approve agenda item H-2b. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

3a. Public Hearing on Ordinance No. 2006-02 adopting the 2003 Edition of the International Building Code, establishing modifications to that code, providing a savings clause and declaring an effective date. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of agenda item H-3a.

Mayor Diaz opened the Public Hearing.

Speaking for: None.

Speaking against: None.

Mayor Diaz closed the Public Hearing.

3b. Consideration and action on Ordinance No. 2006-02 adopting the 2003 Edition of the International Building Code, establishing modifications to that code, providing a savings clause and declaring an effective date. **David Lilley, City Planner/CBO**

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

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING THE 2003 EDITION OF THE INTERNATIONAL BUILDING CODE, ESTABLISHING MODIFICATIONS TO THAT CODE, PROVIDING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

I. ACTION ITEMS

1. Consideration and action on Ordinance No. 2006-03 declaring a moratorium on drilling oil and gas wells in the City and accepting applications for oil and gas drilling permits under Chapter 14 of the Code of Ordinances for a period of six (6) months. **James R. Thompson, City Attorney**

James R. Thompson, City Attorney gave an overview of agenda item I-1.

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

2. Consideration and action on awarding the City of Copperas Cove hauling and disposal contract to Waste Management Texas for an initial term of three years, with seven successive one year renewal terms based upon mutual agreement. **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste gave an overview of agenda item I-2.

Council Member Gallen made a motion to approve agenda item I-2. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

1. EDC Financial Report for the month ended October 31, 2005. **Dan Yancey, EDC Board Chairman**

Dan Yancey, EDC Board Chairman gave the Financial Report for the month ended October 31, 2005.

2. EDC Financial Report for the month ended November 30, 2005. **Dan Yancey, EDC Board Chairman**

Dan Yancey, EDC Board Chairman gave the Financial Report for the month ended November 30, 2005.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS

L. ITEMS FOR FUTURE AGENDAS

Mayor Diaz announced the meeting adjourned to enter into executive session at 7:37 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 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 9:28 p.m. and stated that action would be taken on Executive Session item M-1, but Executive Session item M-2 was for information purposes only and no action would be taken on that item.

Council Member Somera made a motion to authorize the Mayor to execute the contract for the Municipal Judge as amended. Council Member Reeves seconded the motion and with a unanimous vote, motion carried.

O. ADJOURNMENT

There being no further business, Mayor Diaz stated the meeting adjourned at 9:29 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Pamela J. Russell, TRMC, CMC, City Secretary