

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 18, 2006 - 7:00 P.M.**

A. CALL TO ORDER

Mayor Diaz called the regular meeting of the City Council of the City of Copperas Cove Texas to order at 7:00 pm.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

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

C. ROLL CALL

Bob Reeves (excused absence)
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

Council Member Gallen – Copperas Cove Independent School District is in the process of TAX testing, and I encourage all students to do well!

E. PUBLIC RECOGNITION

1. Proclamation – “National Volunteer Week”. **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation and presented it to Betty Whiteside, of Hill County Community Action. Ms. Whiteside thanked the many volunteers in the community, and gave thanks to the Mayor and City Council for the recognition and proclamation.

2. Proclamation – “Citizens Fire and Public Safety Volunteer Association Day”. **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation and presented it to Cathy Stockman. Rebecca Carion thanked the Mayor and City Council for the recognition and the proclamation on behalf of the Citizens Fire and Public Safety Volunteer Association, and stated that over 3,000 hours of volunteerism had been committed to the City this past year.

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 March 28, 2006, Special Council Meeting, and April 4, 2006, Regular City Council Meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on approving the addendum to the professional services contract with Hearn Engineering in the amount of \$73,100. **Andrea Gardner, Assistant City Manager/Director of Finance**

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

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on Ordinance No. 2006-07 changing the permanent zoning designation for Block 8, of The Meadows Subdivision Phase II from R-2 Two Family to R-3 Multi Family, containing a savings clause and an effective date. **John C. Adel, AICP/City Planner**

John C. Adel, AICP/City Planner gave an overview of agenda item H-1a.

Mayor Diaz opened the Public Hearing.

Speaking for: Jack Purcell, Staff Engineer for the Developer.

Speaking against: None.

Mayor Diaz closed the Public Hearing.

1b. Consideration and action on Ordinance No. 2006-07 changing the permanent zoning designation for Block 8, of The Meadows Subdivision Phase II from R-2 Two Family to R-3 Multi Family, containing a savings clause and an effective date. **John C. Adel, AICP/City Planner**

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

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CHANGING THE PERMANENT ZONING DESIGNATION FOR BLOCK 8, OF THE MEADOWS SUBDIVISION PHASE II FROM R-2 TWO FAMILY TO R-3 MULTI FAMILY, CONTAINING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

I. ACTION ITEMS

1. Consideration and action on authorizing street closures or traffic control during 2006 for the Copperas Cove Chamber of Commerce and Visitors Bureau. **Marty Smith, President, Chamber of Commerce**

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

2. Consideration and action on rescheduling the date of the first regular City Council meeting in July from July 4, 2006, to July 6, 2006. **Pamela J. Russell, City Secretary**

Mayor Pro Tem Gatewood made a motion to approve agenda item I-2. Council Member Stockman seconded the motion, with a unanimous vote, motion carried.

3. Consideration and action on entering into a contract with Bell County Water Control and Improvement District No. 1 for the purchase of one thousand acre feet of System Rate Water from Lake Belton. **Robert M. McKinnon, Water/Wastewater Director**

Robert M. McKinnon, Water/Wastewater Director gave an overview of agenda item I-3.

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

4. Consideration and action on authorizing the City Manager to execute a contract with McLean Construction, Ltd. for construction of the West End Water Project, Bid No. 2003-05-71, in the amount of \$746,746.20. **Robert M. McKinnon, Water/Wastewater Director**

Robert M. McKinnon, Water/Wastewater Director gave an overview of agenda item I-4.

Council Member Gallen made a motion to approve agenda item I-4. Council Member Stockman seconded the motion, with a unanimous vote, motion carried.

5. Consideration and action on Resolution 2006-14 authorizing the submission of a grant application to Texas Department of Transportation through the Hazard Elimination Program (HES) for the purchase and installation of a traffic signal and related activities at the intersection of North Main Street and Avenue B, and authorizing a person to act on behalf of the City in all matters pertaining to the grant. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-5.

Mayor Pro Tem Gatewood made a motion to approve agenda item I-5. Council Member Somera seconded the motion, with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE HAZARD ELIMINATION PROGRAM (HES) FOR THE PURCHASE AND INSTALLATION OF A TRAFFIC SIGNAL AND RELATED ACTIVITIES AT THE INTERSECTION OF NORTH MAIN STREET AND AVENUE B, AND AUTHORIZING A PERSON TO ACT ON BEHALF OF THE CITY IN ALL MATTERS PERTAINING TO THE GRANT.

6. Consideration and action on Resolution No. 2006-16 authorizing a nomination to the Texas Department of Transportation under the Statewide Transportation Enhancement Program for the Copperas Cove Sidewalk Project. ***Ken Wilson, Director of Community Services***

Ken Wilson, Director of Community Services and Gandolph Burrus, Texas Grants Development Services, gave an overview of agenda item I-6.

The City Council gave consensus to approve of Sidewalk Construction Project Option One.

Mayor Pro Tem Gatewood made a motion to approve agenda item I-6. Council Member Gallen seconded the motion, with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AUTHORIZING A NOMINATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION UNDER THE STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM FOR THE COPPERAS COVE SIDEWALK PROJECT.

7. Consideration and action on authorizing the City Manager to enter into an agreement with Linebarger, Goggan Blair & Sampson, LLP. ***Andrea Gardner, Assistant City Manager/Director of Finance***

Andrea Gardner, Assistant City Manager/Director of Finance, Richard Hill and Doug Calame, attorneys for the law firm Linebarger, Goggan Blair and Simpson, LLP gave an overview of agenda item I-7.

Council Member Stockman made a motion to approve agenda item I-7. Council Member Somera seconded the motion, with a unanimous vote, motion carried.

8. Consideration and action on Resolution No. 2006-18 authorizing a collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid by a

municipal court serving the city. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-8.

Council Member Gallen made a motion to approve agenda item I-8. Council Member Harris seconded the motion, with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AUTHORIZING A COLLECTION FEE IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNTS RECEIVABLE SUCH AS UNPAID FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION ORDERED PAID BY A MUNICIPAL COURT SERVING THE CITY.

J. STAFF REPORTS

1. Mentoring Industrious Minds and Educating Students (MIMES Program).
Dennis Haas, Fire Chief

Dennis Haas, Fire Chief reported on the Mentoring Industrious Minds and Educating Students (MIMES). Chief Haas stated the Fire Department had partnered with CCISD to provide 7th students with an opportunity to look into the careers of the Fire and Emergency Medical Service arenas. This will be a full week program, and our staff will be able to provide mentorship, leadership, and team work skills to the students. We look forward to this forthcoming program beginning in June.

Mayor Diaz stated this sounded like an awesome program

2. Water tie in on Avenue D. **Robert McKinnon, Water/Wastewater Director**

Robert McKinnon, Water/Wastewater Director stated the Water/Wastewater Department had tied in a 10 and 12 inch line to provide additional water and pressure to the eastern portion of the city, until the east pump station is built, and then will only be used as a back up should we have problems. This project was completed in house and as always the department did an outstanding job.

City Manager, Steven Alexander stated the Water/Wastewater department had done an outstanding job.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS – None.

M. EXECUTIVE SESSION

1. Pursuant to §551.074 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate the duties and responsibilities of the City Secretary.

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

Mayor Diaz announced the City Council adjourned from the regular meeting to enter into executive session at 8:40 p.m.

Council Member Clayton stated he had filed the appropriate affidavit with the office of the City Secretary to excuse himself from Executive Session item M-2.

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 9:51 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 9:51 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Pamela J. Russell, TRMC, CMC, City Secretary