

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 6, 2006 - 7:00 P.M.**

A. CALL TO ORDER

Mayor Pro Tem Gatewood 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

Council Member, Reeves 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. PUBLIC RECOGNITION

1. Retirement – James Veal, Golf Course Superintendent. Bradi D. Diaz, Mayor

Mayor Pro Tem Gatewood stated: James Veal was hired by the City of Copperas Cove in the Sewer Collection Department on May 12, 1986. He transferred to the Golf Course in September of 1988 as a member of the Ground Crew maintenance team. In September of 1991 James became the Groundskeeper for the Golf Course and in October of 1996 he was promoted to Groundskeeper Foreman. In approximately 1999, Mr. Veal was instrumental in the expansion of the Golf Course when it went from a 9 to an 18 - hole course. In February of 2001 James was promoted to Golf Course Superintendent until he ended his tenure with the city with the submission of his retirement effective May 31, 2006. Mr. Veal acquired 20 years of experience with the City of Copperas Cove and his continued dedication and commitment to the department and City are greatly appreciated. James Veal thanked the Mayor Pro Tem and City Council, and stated his 20 years with the City had been good and some bad, but he had always made it! Mayor Pro Tem, Gatewood presented James Veal with a framed art work. Darrell Eschelmann, Golf Course Pro, also thanked James Veal for his hard work and dedication during his 20 years of employment with the City, and wished him well in his retirement.

2. Presentation and Recognition of Service to the City of Copperas Cove for Pamela J. Megill, City Secretary. Bradi D. Diaz, Mayor

Mayor Pro Tem Gatewood stated: Pamela Megill was hired as the City Secretary by the Mayor and City Council on June 25, 2001. She received her Texas Municipal Clerk Certification on January 18, 2001 and her International City Clerk Certification on April 30, 2004. Prior to serving as the City Secretary, Pam worked in the City Library for 4 years as the Circulation Supervisor and then transferred to the office of the City Manager and worked as the Executive Secretary for a period of 4 years. For the past five years Pam has served effortlessly the Mayor, City Council, and City staff. She has attended and completed several State courses to include the Open Meetings Act, Public Information Act, and Election Law. She has administered 10 elections. Her professionalism and competence as a City Secretary are recognized and greatly appreciated. Her professional certifications and recognitions by state and national City Clerk associations have been a valuable asset and resource to the City of Copperas Cove. Pam is resigning effective June 16, 2006 and will be relocating out of the area. Her continued dedication and commitment to the City are greatly appreciated and will be remembered. Pamela Megill stated: Mayor Bradi Diaz, Current City Council Members, and prior elected officials: Mayor Nauert, and Council Members: Charlotte Heinze, Annabelle Smith and Bud Owsley. It is with much sadness I am leaving the employment of the City of Copperas Cove. I wish to thank each and every one of you for the unfaltering support, guidance, leadership and friendship that you have given me. I also wish to thank the outstanding team of Directors and City Staff I have had the tremendous pleasure of working with over the past several years, to include my invaluable Deputy City Secretary, Lisa Wilson, and most importantly praise and recognition to our City Manager, Steve Alexander, who has been not only my colleague for the past nine years, but also a close and valued friend. Many thanks also to my son, Gavin and daughter, Nicola, for never complaining when their Mom was not home because she was working! I need to give enormous thanks to the Chamber of Commerce Governmental Affairs Committee for matching me up with a most wonderful man at a Military Affairs Cookout – I am now proud to call that man, Todd Megill, my husband! Finally, to My Dear Madam Mayor, Bradi, D. Diaz, who unfortunately could not be here tonight: Ma'm it has been an honor and I can honestly say you were the best boss I have ever had the privilege of working for: An example to us all in professionalism, leadership, dedication and commitment to always do the right thing for the best interests of this City. Thank you.

3. Presentation and Recognition of Service to the City of Copperas Cove for Bradi D. Diaz, Mayor. R. Ray Gatewood, Mayor Pro Tem and Steven J. Alexander, City Manager

Mayor Pro Tem stated this item was pulled from the agenda, due to the absence of Mayor Diaz.

4. Oath of Office – Roger P. O'Dwyer, Mayor. Pamela J. Megill, City Secretary

Pamela Megill, City Secretary administered the Oath of Office to Mayor Roger P. O'Dwyer.

5. Oath of Office – Bob Reeves, Council Member Position One. Pamela J. Megill, City Secretary

Pamela Megill, City Secretary administered the Oath of Office to Council Member Position One, Bob Reeves.

E. ANNOUNCEMENTS

Council Member, James Stockman – Last week was Memorial Day. In order to pay tribute to our veterans and fallen comrades, we had to go to Killeen and Harker Heights. Other than our local veterans organizations (American Legion, and VFW), there was no where in our City for our veterans to pay tribute. I would like to see a memorial and place to pay tribute somewhere in our City; I would like to start a committee to organize this.

The Military Order of the Purple Heart was successful in getting Interstate 35 dedicated as the Purple Heart Trail. The trail begins in San Antonio and goes all the way up to Oklahoma. At each 100 mile marker there will be a Purple Heart sign. At the junction of Interstate 35 and Highway 190 there is going to be a special marker in place. We are lobbying our Senators and Congressmen to have Highway 190 designated as the Purple Heart bypass.

The Military Order of the Purple Heart will also be dedicating a Purple Heart memorial sometime in August at the new Veterans cemetery.

Mayor Pro Tem, R. Ray Gatewood – Welcome to Mayor O'Dwyer and goodbye to Mayor Diaz and Pam Megill.

Council Member, Fred Harris – The 2006 Music at the Gap begins June 24th, the tickets are \$25 for a season pass, and there is the famous chicken and steak dinner for \$5. For more information please contact the Boys and Girls Club, this is a most successful event, and a round of applause for the Boys and Girls Club.

The Downtown Garage Sales was a success, most of the procedures are given back to the community and I believe the Downtown Association is doing a great job.

Mayor O'Dwyer – On this date in history 62 years ago, on the beaches of Normandy, France, and the greatest invasion ever, "D-Day" took place. There more than 4,000 young American men's life clocks stopped. They fought and gave their lives for a cause stated at Gettysburg on November 19, 1863 by President Lincoln "and that government of the people, for the people shall not perish from the earth". In hopes of honoring those 4,000 plus men, and the other more than 1 million service men and women who have died to uphold that cause; and, for every resident of Copperas Cove especially those currently serving in Afghanistan and Iraq it is my pledge that with the help of God, my term of office as the Mayor of the City of Copperas Cove, Texas will be a government of the people, by the people, and for the people. My thanks and best wishes go to my predecessor and her family. To the City Council and City Staff my door is always open even late at night if need be. To those who voted for or against me, my door is always open even late at night if need be. My heartfelt thanks go to all of

those who believed and supported me. To my wife of more than 46 years who has always stood by my side and been my rock "Honey, I love you". Please get out and get others to vote in the current run-off election. Our City needs to demonstrate to state and national officials that we are a civic minded and concerned community. State and Federal programs are tied to how we express our voices in the legislative process. May God Bless the City of Copperas Cove, the State of Texas, and the United States of America!

- 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.

Sara Barnes – 3010 Grimes Crossing Road. – Spoke in favor of removing the moratorium on oil and gas drilling, and stated she believed the recently annexed areas should have been grandfathered and not included in the present moratorium. Mrs. Barnes stated oil wells would provide much increased revenues to the City.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from April 18, 2006, Regular City Council Meeting, May 13 2006, Special City Council Meeting and May 16, 2006, Regular City Council Meeting. **Pamela J. Russell, City Secretary**

Council Member Stockman made a motion to approve consent item G-1. Council Member Somera seconded the motion, with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on Ordinance No. 2006-13 changing the Zoning Designation at 185 W. Hwy 190, Suite 3, being part of Lot 1, Block 1, Vale Addition, from B-4 Business to B-PC General Business/Private Club. **John C. Adel, AICP/City Planner**

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

Mayor O'Dwyer opened the Public Hearing:

Speaking for: None.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing.

1b. Consideration and action on Ordinance No. 2006-13 changing the Zoning Designation at 185 W. Hwy 190, Suite 3, being part of Lot 1, Block 1, Vale Addition, from B-4 Business to B-PC General Business/Private Club, providing

an effective date and containing a savings clause. **John C. Adel, AICP/City Planner**

Council Member Reeves made a motion to approve Ordinance No. 2006-13. Council Member Clayton seconded the motion, with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-13

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS CHANGING THE ZONING DESIGNATION FOR PROPERTY LOCATED AT 185 W. HWY 190, SUITE 3, BEING A PART OF LOT 1, BLOCK 1, VALE ADDITION, CITY OF COPPERAS COVE, FROM B-4 BUSINESS TO B-PC GENERAL BUSINESS/PRIVATE CLUB; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

2a. Public Hearing on Ordinance No. 2006-14 granting a Special Use Permit for a Restaurant Club at 185 W. Hwy 190, Suite 3, being part of Lot 1, Block 1, Vale Addition. **John C. Adel, AICP/City Planner**

John Adel, City Planner gave an overview of agenda item H-2a.

Mayor O'Dwyer opened the Public Hearing:

Speaking for: None.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing.

2b. Consideration and action on Ordinance No. 2006-14 granting a Special Use Permit for a Restaurant Club at 185 W. Hwy 190, Suite 3, being part of Lot 1, Block 1, Vale Addition, providing an effective date and containing a savings clause. **John C. Adel, AICP/City Planner**

Council Member Clayton made a motion to approve Ordinance No. 2006-14. Council Member Reeves seconded the motion, with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-14

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS CHANGING THE ZONING DESIGNATION FOR PROPERTY LOCATED AT 185 W. HWY 190, SUITE 3, BEING PART OF LOT 1, BLOCK 1, VALE ADDITION, CITY OF COPPERAS COVE, BY GRANTING A SPECIAL USE PERMIT FOR THE SALE

**OF ALCOHOLIC BEVERAGES; PROVIDING A SEVERABILITY CLAUSE;
PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

3a. Public Hearing on Ordinance No. 2006-15 changing the Zoning Designation of Lots 1F and 2A, Block 1, Copperas Cove 190 Business and Industrial Park Phase Two, from R-1 Single Family to B-4 Business. **John C. Adel, AICP/City Planner**

John Adel, City Planner gave an overview of agenda item H-3a.

Mayor O'Dwyer opened the Public Hearing:

Speaking for: None.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing.

3b. Consideration and action on Ordinance No. 2006-15 changing the Zoning Designation of Lots 1F and 2A, Block 1, Copperas Cove 190 Business and Industrial Park Phase Two, from R-1 Single Family to B-4 Business, providing an effective date and containing a savings clause. **John C. Adel, AICP/City Planner**

Council Member Gallen made a motion to approve Ordinance No. 2006-15. Council Member Somera seconded the motion, with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2006-15

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS CHANGING THE ZONING DESIGNATION FOR LOTS 1F AND 2A, BLOCK 1, COPPERAS COVE 190 BUSINESS AND INDUSTRIAL PARK PHASE TWO, CITY OF COPPERAS COVE, FROM R-1 SINGLE FAMILY RESIDENTIAL TO B-4 BUSINESS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

I. ACTION ITEMS

1. Consideration and action on Resolution No. 2006-25 amending the rules for the City of Copperas Cove Revolving Loan Program. **Andrea Gardner, Assistant City Manager/Director of Finance**

Council Member Harris made a motion to approve Resolution No. 2006-25. Council Member Gallen seconded the motion, with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-25

A RESOLUTION CHANGING THE RULES FOR THE REVOLVING LOAN FUND AS THEY APPLY TO NON-PROFITS FOR THE PURCHASE OF EQUIPMENT.

2. Consideration and action on Resolution No. 2006-24 authorizing Cities Aggregation Power Project, CAPP, to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2007; authorizing the Mayor or other designated city official to sign a contract with CAPP for the City of Copperas Cove's 2007 and 2008 electricity needs; and committing to budget for energy purchases in 2007 and 2008 and to honor the City of Copperas Cove's commitments to purchase power for its electrical needs in 2007 and 2008 through CAPP. **Andrea Gardner, Assistant City Manager/Director of Finance**

Council Member Somera made a motion to approve Resolution No. 2006-24. Council Member Reeves seconded the motion, with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2006-24

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2007; AUTHORIZING THE MAYOR OR OTHER DESIGNATED CITY OFFICIAL TO SIGN A CONTRACT WITH CAPP FOR THE CITY OF COPPERAS COVE'S 2007 AND 2008 ELECTRICITY NEEDS; AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2007 AND 2008 AND TO HONOR THE CITY OF COPPERAS COVE'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2007 AND 2008 THROUGH CAPP.

J. STAFF REPORTS

1. Financial Report for the month ended April 30, 2006. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave the Financial Report for the month ended April 30, 2006.

2. Report on tourism funds from Hotel-Motel Tax: 1st Quarter 2006. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Mayor O'Dwyer announced this item was pulled from the agenda.

3. Water/Wastewater Projects Update. **Robert McKinnon, Water/Wastewater Director**

Robert McKinnon, Water/Wastewater Director gave an update on current Water/Wastewater projects.

4. Professional Achievement Personnel. **John C. Adel, AICP, City Planner**

John C. Adel, City Planner publicly recognized Dan Taylor, Building Inspector for recently passing the State Plumbing License test.

5. Update on Recycling Program. **Mike Mundell, Solid Waste Superintendent**

Mike Mundell, Solid Waste Superintendent gave an update of the recycling program and stated that the City Council's authorization to purchase new equipment due to the old equipment being very outdated has proven to be a great improvement to the recycling program. The Solid Waste Department has initiated several advertising programs to raise awareness to participate in the recycling program; to include hosting tours at the Recycling Center for elementary school children. Mike Mundell thanked the City Council for their support.

6. Presentation on Keep Copperas Cove Beautiful (KCCB). **Sylvia Rhoads, Executive Director, KCCB**

Sylvia Rhoades, Executive Director of Keep Copperas Cove Beautiful gave an overview of the KCCB program and events. Ms. Rhoades stated she was happy to be part of the KCCB committee, and hoped to have a positive impact. City Manager, Steven Alexander stated he believed Sylvia Rhoades would do a great job for KCCB.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member, Bob Reeves stated the oil and gas moratorium item will be brought to the City Council Regular meeting on June 20, 2006.

M. EXECUTIVE SESSION

1. Pursuant to 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 O'Dwyer announced the City Council would adjourn from the regular meeting to enter into executive session at 8:21 p.m.

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

Mayor O'Dwyer announced the City Council had reconvened at 8:56 p.m., and that Executive Session item M-1 was for information purposes only, and no action would be taken.

O. ADJOURNMENT

There being no further business, Mayor O'Dwyer stated the meeting adjourned at 8:57 p.m.

Roger P. O'Dwyer, Mayor

ATTEST:

Jane Lees, CMC, City Secretary