

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
AUGUST 15, 2006 – 7:00 P.M.**

**A. CALL TO ORDER**

Mayor Roger P. O'Dwyer called to order the regular meeting of the City Council of the City of Copperas Cove, Texas, at 7:24 p.m.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor O'Dwyer gave the Invocation and led the Pledge of Allegiance.

**C. ROLL CALL**

**ALSO PRESENT**

Bob Reeves  
Larry D. Sheppard  
John Gallen  
James Stockman  
R. Ray Gatewood  
Fred Harris  
Frank D. Somera, Jr.

Steven J. Alexander, City Manager  
James R. Thompson, City Attorney  
Jane Lees, City Secretary

**D. ANNOUNCEMENTS**

- Council Member Gatewood:

He reminded everyone that the 4<sup>th</sup> Annual Community-Wide Women's Prayer Gathering is coming up in September.

- Council Member Reeves:

Stated that school started on Monday and asked everyone to keep an eye out for the kids in the school zones and watch your speed. Also, football will be starting soon and he encouraged everyone to get out and support the Dawgs.

- Mayor O'Dwyer:

He announced a Public Meeting next Tuesday, August 22, 2006 at 6:30 p.m. in the Civic Center. The meeting will be held by TxDOT to inform the public on the proposed north access bypass that will connect Tank Destroyer Blvd. to FM 116 and U.S. 190. He urged everyone in the City to attend this meeting.

**E. PUBLIC RECOGNITION**

1. Proclamation: "Care Givers Appreciation Day," September 13, 2006. **Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation and presented it to Wilma Bilyeu. Ms. Bilyeu said that the Angel Care Regional Respite program will be open every Wednesday at the Grace United Methodist Church, beginning September 13, 2006. She said she appreciates the proclamation and thanked the Mayor.

2. Proclamation: "Alcohol and Drug Addiction Month," September 2006.  
**Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation. No one was present to accept the proclamation.

Proclamation: "Code Compliance Month," September 2006. **Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation and presented it to Fire Chief Dennis Haas. Chief Haas thanked the Mayor and council for the proclamation and stated that this is the second year for "Code Compliance Month" and he appreciates the support shown by the Council and the community. He announced that a new Code compliance video is now airing on Channel 10 through the month of September. Brochures are available as well. He stated that last year the City managed over 800 violations. Ninety percent of those violations were handled by the residents themselves, and the City appreciates their efforts.

- 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 North 4<sup>th</sup> St., stated that she is concerned when city employees use city vehicles to take their children to school. City Manager, Steve Alexander, said that the City has been asked about this before. He said a memo will be sent to the Council on this subject.

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

1. Consideration and action on approval of minutes from August 1, 2006.  
**Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from August 8, 2006.  
**Jane Lees, City Secretary**

3. Consideration and action on approving the Joint Image Campaign Committee's budget and marketing plan for fiscal year 2006-2007. **Steven J. Alexander, City Manager**

4. Consideration and action on approval to purchase a 2007, Ford F-450 Truck with Service Body and Lift Crane from Philpot Motors, Port Neches, Texas, using Buy Board pricing in the amount of \$45,029.00. **Robert M. McKinnon, Director of Water/Wastewater**

Council Member Gallen made a motion to approve consent items G-1, G-2, G-3 and G-4. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

Council Member Sheppard made a motion to move Agenda Items J-1 and J-2 to before Item H. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

## **J. STAFF REPORTS**

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| 1. Report of taxable property values. <b><i>Jerry Hogg, Chief Appraiser, Coryell County Appraisal District</i></b> |
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Jerry Hogg, Chief Appraiser, Coryell County Appraisal District presented a general overview of the property value report, discussed the Comptroller over site responsibilities and spoke briefly about mineral valuation. The appraisal district represents nine jurisdictions within Coryell County. The District has some properties that overlap into Coryell County, as well as some properties that overlap into other Counties. He said that the District corresponds with five bordering counties. The mission of District is to serve the jurisdictions and provide a good accurate appraisal roll. Taxable value has increased annually, from \$682 million in 2003 to \$907 million in 2006. The City will have over \$1 billion in taxable value within two years. New taxable value, which is mostly residential, comes to a historical high of \$54 million. The average market value of residential property increased 8.8 percent, which is consistent with the surrounding communities.

During discussion, Council Member Harris asked Mr. Hogg why a tax appraisal office is not located in Copperas Cove. Mr. Hogg stated that his office is comprised of 10 employees and he said that it is very hard to coordinate a small office when you are separated. He said that there were two employees located here in Copperas Cove and his assessment of that situation was that it was not efficient and closed the office. When the office was closed, additional phone lines were added to Gatesville office, maintaining the Copperas Cove phone number so that citizens here could call the same number and receive help. His office provides a tax appraiser at the County Annex office on Fridays, but the person is not always there. He said he has discussed this problem with his staff and with people here in Copperas Cove and hopes to be able to offer additional staff time in the office here soon.

Council Member Reeves asked about Mr. Hogg's statement that the high homestead cap was not good, but the low cap was better and asked him if the \$9 million was high, low, or in-between. Mr. Hogg said he would characterize that figure as being somewhere in-between, although it is on the high side and he would personally like to see that number a lot lower. Council Member Reeves asked Mr. Hogg what an ideal number would be. Mr. Hogg said the ideal number would be zero, because it is preferable to not have a cap. He explained that a cap means that before the value was raised, they were more than 10 percent too low. We should not be that low; we should be much closer to market value.

Mayor O'Dwyer asked Mr. Hogg where a person could go to see the findings that he spoke of in his presentation. Mr. Hogg said to go to the Comptroller's website and look under property taxes to view the Property Value Study (PVS) for our County. Mr. Hogg said that what makes the appraisal districts performance important, besides uniformity,

is if you have market value as a benchmark and you treat everybody equally, then most taxpayers don't mind paying their fair share. This is the primary goal of an appraisal district, but the performance has not been well in prior years. He mentioned that school district funding goes on probation, with the threat of losing funding, unless those performance numbers change. Several school districts in this county have been on probation. He stated that if the 2005 valuation been poor, those districts would have lost funding. This was prevented because we had a good report for 2005, but that threat is always there. The district needs to have good performance on a consistent basis to make sure we have good uniform values. Mr. Hogg also stated that the website also posts the annual report and the appraisal standards review.

2. Update on area transportation projects. **Richard Brown, Area Engineer for Coryell and Hamilton Counties, TxDOT**

Richard Brown, Area Engineer for Coryell and Hamilton Counties, Texas Department of Transportation (TxDOT) stated that presently in Coryell County there are 581 miles of TxDOT roads, of which 38.7 miles are located in Copperas Cove. There are three contracts under construction. The first project is a contract for \$150,000 at U.S. 190 and Old Georgetown Road. Another contract for \$42.2 million is for U.S. 190 east of Copperas Cove. The third contract is for \$4.7 million on FM1113 for widening and transportation enhancement.

Mr. Brown said that there are two projects in the area in the design planning stage. One is the project involving Tank Destroyer Blvd. that there will be a public meeting on next week. Also, there is the U.S. 190 Bypass project which is planned for south of Copperas Cove. This is a \$56 million project and they are presently in the right-of-way acquisition stage.

During discussion, Council Member Reeves asked Mr. Brown if he had a seat on the K-TUTS Committee. Mr. Brown stated that he was not on that committee.

## H. PUBLIC HEARINGS/ACTION

1. Public Hearing on City Manager's Proposed Budget for the 2006-2007 fiscal year. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item H-1.

Mayor O'Dwyer opened the Public Hearing.

Speaking: Diane Steele, 905 North 4<sup>th</sup> Street.

Ms. Steele stated that she does not understand how the Council can justify a water increase. In November 2005, rates were \$2.45 and in December they went to \$2.65, and now the Council wants to raise rates again, to \$2.84. She said that sewer rates will increase also, from \$3.30 to \$3.50. This is a 16 percent increase in our water and sewer rates in an eight month period. She understands that the increases will be only for residential customers. She said that this cannot be justified unless everyone pays for the increase.

Ms. Steele asked why the City is paying for reserve water without having some kind of water conservation plan in place first. She said that the City should change from the potable water system at the municipal golf course. Watering to keep the course a lush green and watering the course to keep the grass alive are two different things. Ms. Steele also noted that the sprinklers were going at 2:30 p.m., when the temperature was about 104 degrees. This is a waste because most of it evaporates at this time of day. She asked the City to be more considerate about this, because taxpayers are paying for it.

Ms. Steele also commented on the proposal to lower the tax rate to \$ .74, saying that other area cities are averaging about \$.68-.69. Our proposed rate will still be significantly higher than other area cities.

Other concerns for Ms. Steele are two petition she plans to submit—one for repeal of the smoking ordinance and another to freeze property taxes for seniors, and she feels that the addition of a bailiff for Municipal Court is not necessary.

Mayor O'Dwyer closed the Public Hearing.

2a. Public hearing on approval of the final plat of Dewberry Ridge. **John C. Adel, AICP/City Planner**

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

Mayor O'Dwyer opened the Public Hearing.

Speaking: None.

Mayor O'Dwyer closed the Public Hearing.

2b. Consideration and action on approval of the final plat of Dewberry Ridge. **John C. Adel, AICP/City Planner**

John C. Adel, AICP/City Planner gave an overview of agenda item H-2b.

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

## I. ACTION ITEMS

1. Consideration and action to adopt the tax rate for fiscal year 2006-2007 on the agenda of a future meeting. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-1.

Council Member Gatewood made a motion to set a preliminary tax rate of \$ .7400 per \$100 of taxable assessed valuation, to be acted on during a regular City Council scheduled for September 5, 2006 at 7:00 p.m. at Copperas Cove City Hall Council

Chambers. Council Member Harris seconded the motion. A roll call vote was taken with the following results:

Bob Reeves	For
Larry Sheppard	Against
John Gallen	For
James Stockman	For
Ray Gatewood	For
Fred Harris	For
Frank Somera	For

Motion carried, six For and one Against.

2. Consideration and action on calling for Public Hearings on the proposed tax increase for the 2006-2007 fiscal year to be held on August 24, 2006 and August 29, 2006 at City Hall at 7:00 p.m. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-2.

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

3. Consideration and action on Resolution No. 2006-34 accepting the quarterly investment report as presented for the quarter ending June 30, 2006. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-3.

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

The Resolution caption reads as follows:

#### **RESOLUTION NO. 2006-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE QUARTERLY INVESTMENT REPORT AS PRESENTED FOR THE QUARTER ENDING JUNE 30, 2006.**

4. Consideration and action on approval of award of Economic Development Administration grant project to TTG Utilities Construction in the amount of \$63,675.00. **Robert M. McKinnon, Director of Water/Wastewater**

Robert M. McKinnon, Director of Water/Wastewater 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, and with a unanimous vote, motion carried.

5. Consideration and action on Ordinance No. 2006-20 approving the attached Personnel Policies and Procedures Manual of the City of Copperas Cove and rescinding all outstanding personnel policies and procedures manuals and establishing an effective date of September 1, 2006. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director gave an overview of agenda item I-5.

Council Member Reeves made a motion to approve agenda item I-5. Council Member Somera seconded the motion. A roll call vote was taken with the following results:

Bob Reeves	For
Larry Sheppard	For
John Gallen	For
James Stockman	For
Ray Gatewood	Against
Fred Harris	For
Frank Somera	For

Motion carried, six For and one Against.

The Ordinance caption reads as follows:

**ORDINANCE NO. 2006-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE CITY OF COPPERAS COVE AND RESCINDING ALL OUTSTANDING PERSONNEL POLICIES AND PROCEDURES MANUALS AND ESTABLISHING AN EFFECTIVE DATE OF SEPTEMBER 1, 2006.**

6. Consideration and action on re-appointment of members to the Copperas Cove Hospital Authority Board of Directors. **Jane Lees, City Secretary**

Jane Lees, City Secretary gave an overview of agenda item I-6.

Council Member Harris made a motion to re-appoint John Noel, Randy Sutton, Diane Connell, Billy Sanders, and Ross Caviness to the Copperas Cove Hospital Authority Board of Directors. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action to approve the creation of a "Copperas Cove Impact Fee Advisory Committee" and confirm the Mayor's recommendations to appoint two Council members to the Committee. **John C. Adel, AICP/City Planner**

John C. Adel, AICP/City Planner gave an overview of agenda item I-7.

Council Member Somera made a motion to approve Item I-7, creating the committee, and appoint Council Member Sheppard and Council Member Gatewood to serve on the Committee. Council Member Reeves seconded the motion.

Council Member Harris made a motion to amend the motion by requiring that the Committee have target report date of six months. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

A vote on the original motion was unanimous, motion carried.

8. Consideration and action on authorizing the City Manager to enter into a Memorandum of Agreement with Wrangler Estates, Inc. **Andrea Gardner, Assistant City Manager/Director of Finance**

Steve Alexander, City Manager, stated that he would like to discuss this item with the Council in Executive Session.

**K. REPORTS OF ADVISORY COMMITTEES AND BOARDS**

**L. ITEMS FOR FUTURE AGENDAS**

Council Member Gatewood would like to see the resolution supporting the Downtown Association placed back on the agenda. A workshop will be planned prior to placing this on a future agenda.

**M. EXECUTIVE SESSION**

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

2. Pursuant to §551.087 (2) of the Open Meetings Act. *Tex Gov't Code*, Council will meet in Executive Session to deliberate the offer or other incentive to a business prospect regarding economic development negotiations.

Mayor O'Dwyer adjourned the regular session of the meeting to meet in Executive Session at 9:32 p.m.

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

Mayor O'Dwyer reconvened the meeting at 10:01 p.m. and announced that item M-2 was not discussed in Executive Session.

Steve Alexander, City Manager, gave an overview of agenda item I-8.

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

**O. ADJOURNMENT**

There being no further business, Mayor O'Dwyer stated the meeting adjourned at 10:03 p.m.

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Roger P. O'Dwyer, Mayor

ATTEST:

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Jane Lees, City Secretary