

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
FEBRUARY 6, 2007 – 7:00 P.M.**

**A. CALL TO ORDER**

Mayor, Roger P. O'Dwyer 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 Sheppard gave the Invocation, and led the Pledge of Allegiance.

**C. ROLL CALL**

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

**ALSO PRESENT**

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

**D. ANNOUNCEMENTS**

*Council Member Reeves* reminded everyone that the annual Bulldawg football banquet.

*Council Member Gallen* congratulated the Parks & Recreation people for the great job they did for the polar bear jump last Saturday.

Council Member Harris thanked Jeri Denniston and Andrea Gardner of the Finance Department, and Fire Chief Dennis Haas for all the work they did to obtain the SAFER grant monies for the City.

**E. PUBLIC RECOGNITION**

1. Copperas Cove Fire and Finance Departments. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer introduced Fire Chief Dennis Haas, Assistant City Manager/Finance Director Andrea Gardner and the Grants Administrator, Jeri Denniston, and thanked them for their hard work with in connection with the SAFER Grant the City received in the amount of \$594,317 for the Copperas Cove Fire Department. Mayor O'Dwyer read letters and certificates that were received from Congressman K. Michael Conaway, Congressman John R. Carter, and Senator John Cornyn congratulating the City for this grant. In addition, Congressman Carter's office informed the City that an additional \$71,000 grant was approved for the Fire Department.

**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.

Marty Martinez, Chapter Commander for the Military Order of the Purple Heart, Central Texas Chapter 1876. He reminded everyone that the Purple Heart Ball 2007 will be held February 17 at 6:00 p.m. at the Copperas Cove Civic Center. This event is to honor all Purple Heart recipients

regardless of what war they participated in. The public is invited and admission is \$12.50 per person.

Diane Steele, 905 North 4<sup>th</sup> Street. She asked that the Economic Development Corporation please work on getting more restaurants into Copperas Cove. She also stated that the council meetings should be attended by the elected officials on a regular basis.

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

1. Consideration and action on approval of minutes from January 23, 2007. **Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from January 25, 2007. **Jane Lees, City Secretary**

These two items were removed from the agenda.

#### **H. PUBLIC HEARINGS/ACTION**

1. Public hearing, consideration and action concerning a petition for voluntary annexation of Lots 5-7 of Block 2 and Lots 4-6 of Block 3 of Skyline Valley South, Phase Three. **John C. Adel, AICP, City Planner**

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

Mayor O'Dwyer opened the Public Hearing.

Speaking for: None.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing.

Council Member Gatewood made a motion to accept the petition. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

2. Public hearing, consideration and action regarding Ordinance No. 2007-04, annexing Lots 5-7 of Block 2 and Lots 4-6 of Block 3 of Skyline Valley South, Phase Three. **John C. Adel, AICP, City Planner**

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

Mayor O'Dwyer opened the Public Hearing.

Speaking for: None.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing.

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

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING LOTS 5-7 OF BLOCK 2 AND LOTS 4-6 OF BLOCK 3 OF SKYLINE VALLEY SOUTH, PHASE THREE.**

**I. ACTION ITEMS**

1. Consideration and action on Resolution No. 2007-10 resolving to censure Councilperson Fred Harris for activities that tend to bring disrepute on the City Council.  
**R. Ray Gatewood, Council Member**

R. Ray Gatewood, Council Member, gave an overview of item I-1.

Council Member Gatewood made a motion to approve agenda item I-1. Council Member Somera seconded the motion. The Council was polled with the following results:

Bob Reeves	No
Larry D. Sheppard	Yes
John Gallen	No
James Stockman	Yes
R. Ray Gatewood	Yes
Fred Harris	No
Frank D. Somera, Jr.	Yes

Motion carried 4-3.

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, RESOLVING TO CENSURE COUNCILPERSON FRED HARRIS FOR ACTIVITIES THAT TEND TO BRING DISREPUTE ON THE CITY COUNCIL.**

2. Consideration and action on Ordinance No. 2007-03, amending the Code of Ordinances, Chapter 3, "ANIMALS AND FOWL"; banning the feeding of deer and providing for an administrative fee for violation of this section. **James R. Thompson, City Attorney**

Council Member Bob Reeves gave an overview of agenda item I-2.

Council Member Reeves made a motion to approve agenda item I-2 and changing the effective date to May 1, 2007. Council Member Harris seconded the motion. The Council was polled with the following results:

Bob Reeves	Yes
Larry D. Sheppard	No
John Gallen	Yes
James Stockman	Yes
R. Ray Gatewood	Yes
Fred Harris	Yes
Frank D. Somera, Jr.	Yes

Motion carried 6-1.

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 3, "ANIMALS AND FOWL"; BANNING THE FEEDING OF THE DEER AND PROVIDING FOR AN ADMINISTRATIVE FEE FOR VIOLATION OF THIS SECTION.**

3. Consideration and action on Resolution No. 2007-07, authorizing the City Manager to donate various items of radio equipment to the Central Texas Council of Governments. **Steven J. Alexander, City Manager**

Steven J. Alexander, City Manager gave an overview of agenda item I-3.

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

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO DONATE VARIOUS ITEMS OF RADIO EQUIPMENT TO THE CENTRAL TEXAS COUNCIL OF GOVERNMENTS.**

4. Consideration and action on Resolution No. 2007-06, ordering a general election to be held on May 12, 2007 and, if necessary, a runoff election to be held June 9, 2007; establishing a polling location; naming the presiding judge and alternate; and establishing procedures for said election (s). **Jane Lees, CMC, City Secretary**

Jane Lees, City Secretary gave an overview of agenda item I-4.

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

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 12, 2007 AND, IF NECESSARY, A RUNOFF ELECTION TO BE HELD ON JUNE 9, 2007; ESTABLISHING A POLLING LOCATION; NAMING THE PRSIDING JUDGE AND ALTERNATE; AND ESTABLISHING PROCEDURES FOR SAID ELECTION (S).**

5. Consideration and action on Resolution No. 2007-09, ordering a special election to be held in conjunction with the general election of May 12, 2007, for the purpose of submitting to the qualified electors of the City of Copperas Cove, Texas, a proposition for residence homestead tax freeze for elderly over 65 or disabled. **Jane Lees, CMC, City Secretary**

Jane Lees, City Secretary gave an overview of agenda item I-5.

Council Member Sheppard made a motion to approve agenda item I-5. Council Member Gatewood seconded the motion.

Clyde W. Glosson, 1205 Pony Express Road. He stated that a tax freeze is permanent and irrevocable. He believes that the exemption would be better.

The Council was polled with the following results:

Bob Reeves	No
Larry D. Sheppard	Yes
John Gallen	No
James Stockman	Yes
R. Ray Gatewood	Yes
Fred Harris	No
Frank D. Somera, Jr.	Yes

Motion carried 4-3.

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD IN CONJUNCTION WITH THE GENERAL ELECTION OF MAY 12, 2007, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF COPPERAS COVE, TEXAS, A PROPOSITION FOR RESIDENCE HOMESTEAD TAX FREEZE FOR ELDERLY OVER 65 OR DISABLED.**

6. Consideration and action on proposed candidates for serving on the Coryell County Appraisal Review Board. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-6.

Mayor O'Dwyer recommended to the Council to nominate Barbara Gividen. Council Member Sheppard made a motion to approve agenda item I-6. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on approving the Hotel Occupancy Tax Agreement between the City of Copperas Cove and the Cove Country Opry. **Andrea Gardner, Assistant City Manager/Director of Finance**

Andrea Gardner, Assistant City Manager/Director of Finance gave an overview of agenda item I-7.

Council Member Somera made a motion to approve agenda item I-7. Council Member Gatewood seconded the motion. Motion carried 6-0, with Council Member Stockman recusing himself.

**J. STAFF REPORTS**

1. Chamber of Commerce 4<sup>th</sup> Quarter Report. **Marty Smith, Copperas Cove Chamber of Commerce**

Marty Smith of the Copperas Cove Chamber of Commerce gave the Chamber's 4<sup>th</sup> Quarter Report.

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

**L. ITEMS FOR FUTURE AGENDAS**

**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. *To deliberate the offer of a financial or other incentive to 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.*

2. 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 City Manager, the City Attorney, the City Secretary and the City Council Members.

Mayor O'Dwyer announced the City Council would adjourn from the regular meeting to enter into executive session at 9:22 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 11:51 p.m., and stated that executive session items M-1 and M-2 were for information purposes only and no action would be taken.

**L. ITEMS FOR FUTURE AGENDAS**

**O. ADJOURNMENT**

There being no further business, Mayor O'Dwyer stated the meeting adjourned at 11:51 p.m.

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Roger P. O'Dwyer, Mayor

ATTEST:

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Jane Lees, City Secretary