

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
APRIL 3, 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 7:01 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 (excused absence)
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 Sheppard stated that he had received several calls regarding the rain the City received last Friday and the drainage problems that resulted. He asked if all the drainage ditches had been clean out and taken care of.

City Manager, Steve Alexander said that there have been a number of issues the City is looking at since the rain. He said this was a very unusual event and the City is still trying to determine exactly what type of event it was. All the damage has not been assessed yet, but will be taken care of as soon as possible.

Fire Chief, Dennis Haas, gave the Council a briefing on what took place and what is being done to help citizens in need. He presented a timeframe so that everyone would understand how their response took place as it related to the event. He said that Coryell County declared a state of emergency and, throughout the rest of the weekend, damage assessments were being made, debris was removed, and drains were cleared. An assessment contact site was set up in front of Central Fire Station where citizens could come and report damages.

Council Member Bob Reeves requested that when all information has been gathered regarding this event, that the Council hold a workshop and discuss the event and use the data to get some standards in place in case of another similar weather event.

E. PUBLIC RECOGNITION

1. Proclamation: Lady Dawgs Basketball Team Day, April 9, 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to the Lady Dawgs Basketball Team.

2. Proclamation: Coryell County Crime Victims' Rights Week, April 22-28, 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to Kristen Ramsey, coordinator of the Coryell County Victims' Rights Advocacy.

3. Proclamation: Public Safety Telecommunicators Week, April 8-14, 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to Tim Molnes, Police Chief.

4. Proclamation: Child Abuse Prevention Month, April 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to the presidents of the both the Noon Exchange and Exchange Clubs.

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.

Silvia Rhoads, Executive Director of Keep Copperas Cove Beautiful, 1925 Pleasant Lane. Ms. Rhoads invited the Council and the public to the "Don't Mess with Texas Trashoff" which will be held on April 14, 2007, from 9:00 a.m. to Noon at Copperas Cove High School. This event is part of the Great American Cleanup which is held from March 1 through May 31 every year. KCCB holds this event every year with the support of Keep Texas Beautiful and Keep America Beautiful.

George Wilson, Creek Street. He said that the rain received the other day almost wiped out Creek Street. He said he has talked with the Council, the Manager and several others, about the 1992 Drainage Master Plan and what it said the City was going to do about Creek Street. He said the City never did anything about it, which is why there are drainage problems on that street. Steve Alexander asked John Adel to speak with Mr. Wilson before he left the meeting so that we could get more information on the problem.

An unidentified woman asked the Council if there was an alert system in Copperas Cove, in reference to the rain that we received last Friday. Steve Alexander said that we do not have a siren warning system, but the City has looked at doing this in the past, and has not been able to budget putting one into place. Chief Haas said that many areas have been using a reverse 9-1-1 system, which is where a call can be initiated to a section or an entire community based on an event taking place. He said that just a few

meetings ago, the Council approved for the City to enter into an agreement with the Council of Governments so that Copperas Cove can put into place a reverse 9-1-1 system.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from March 20, 2007. **Jane Lees, CMC, City Secretary**

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

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action on Ordinance No. 2007-08, abandoning a portion of Keenan Avenue consisting of 0.140 acres between Lot 3, Block 1 and Lot 1, Block 6, Cove Park Subdivision. **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: Glen Roen stated that he wished to remove the existing duplex and build a new duplex on the property.

Speaking against: None.

Mayor O'Dwyer closed the Public Hearing

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

The Ordinance caption reads as follows:

ORDINANCE NO. 2007-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ABANDONING A PORTION OF KEENAN AVENUE CONSISTING OF 0.140 ACRES BETWEEN LOT 3, BLOCK 1 AND LOT 1, BLOCK 6, COVE PARK SUBDIVISION.

I. ACTION ITEMS

1. Consideration and action on appointment of one (1) Commissioner to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Supervisor, Recycling/Administration**

Silvia Rhoads, Supervisor, Recycling/Administration gave an overview of agenda item I-1.

Council Member Gatewood made a motion to appoint Tom Corll to the Keep Copperas Cove Beautiful Commission. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on the reappointment of a member of the Library Advisory Board for the period April 3, 2007 – March 30, 2010. **Peg Fleet, Library Director**

Peg Fleet, Library Director gave an overview of agenda item I-2.

Council Member Gallen made a motion to re-appoint Robin R. Hopkins to the Library Advisory Board. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on Ordinance No. 2007-09, amending the City's "Fee Schedule". **Andrea Gardner, Asst. City Mgr./ Director of Finance**

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

Council Member Gatewood made a motion to approve agenda item I-3. Council Member Reeves seconded the motion. A roll call vote was taken with the following results:

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

Motion passed, five to one.

The Ordinance caption reads as follows:

ORDINANCE NO. 2007-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CITY'S "FEE SCHEDULE".

4. Consideration and action on authorizing the City Manager to execute a contract with Corrosion Eliminators for \$192,000 for the Mican Mountain Water Tank Rehabilitation Project. **Bob McKinnon, Water/Wastewater Director**

Andrea Gardner, Asst. City Mgr./Finance Director gave an overview of agenda item I-4.

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

5. Consideration and action on approval of Resolution No. 2007-16, relating to the giving of Notice of Intention to issue City of Copperas Cove, Texas Combination Tax and Revenue Certificates of Obligation, Series 2007. **Andrea Gardner, Asst. City Mgr./Director of Finance**

Andrea Gardner, Asst. City Mgr./Director of Finance gave an overview of agenda item I-5. She stated that the scope and details with respect to the project are under development and subject to modification as the project develops.

Steve Alexander said that the City is still working with the school district on the property acquisition. As far as the scope of the project is concerned, he said that it will be a police facility, but it has not been designed yet. The City is under contract with an architect. The scope of the project could change if the City partners with the County or if the centralized 9-1-1 dispatch issue impacts the facility in some way. The scope could also change if the jail facility being proposed is downsized from the original plans. There won't be any lag time from the time it's designed to the time we get the money if we obtain the funds now. City Staff recommends that it is advantageous to move forward now and obtain the money and get the architect work done and we will be prepared to bid the project and move forward in getting it built.

Council Member Somera made a motion to approve agenda item I-5. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption reads as follows:

RESOLUTION NO. 2007-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, RELATING TO THE GIVING OF NOTICE OF INTENTION TO ISSUE CITY OF COPPERAS COVE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2007.

6. Consideration and action on economic development incentives. **Steven J. Alexander**

The Council agreed to discuss this item in Executive Session (Agenda Item M-1) before taking action.

J. STAFF REPORTS

1. Financial Report for the Month ended February 28, 2007. **Andrea Gardner, Asst. City Mgr./Director of Finance**

Andrea Gardner, Asst. City Mgr./Director of Finance gave the Financial Report for the month ended February 28, 2007.

2. Update on May 12, 2007 Election. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of the upcoming election, including positions to be elected, the proposition on the ballot and important dates for voter registration and early voting.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS – None.

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 (1) *discuss or deliberate regarding commercial or financial information that the governmental body has received from 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; and (2) to discuss or deliberate the offer of a financial or other incentive to a business prospect as described by Subdivision (1).*

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

Mayor O'Dwyer announced the City Council would adjourn from the regular meeting to enter into executive session at 8:36 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 open meeting at 9:05 p.m., and stated that Executive Session Item M-2 was for information purposes only and no action would be taken. He further stated that Executive Session Item M-1 would now be considered in open session (Agenda Item I-6).

6. Consideration and action on economic development incentives. **Steven J. Alexander**

Steven J. Alexander, City Manager gave an overview of agenda item I-6. Dan Yancey, President of the Economic Development Corporation Board, provided further information on the project for the public. Mr. Yancey said that the EDC is entering into an agreement with New Century Investments LLC to purchase the speculative building for the purposes of opening a movie theater and bowling alley, as well as a few other amenities. Sales price of the building is \$1.5M. In conjunction with this, the EDC can provide incentives for infrastructure for a retail project. At this time, the EDC would like to offer an incentive of \$400,000 to be paid upon completion of the movie theater, and another \$300,000 once the bowling alley is open. Completion date for the theater is scheduled

for November 2007 and the bowling alley should be open in January or February of 2008. The EDC requested that the Council approve the performance agreement.

Council Member Gallen made a motion to approve agenda item I-6 as presented by Mr. Yancey. Council Member Somera 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 9:11 p.m.

Roger P. O'Dwyer, Mayor

ATTEST:

Jane Lees, City Secretary