

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
SEPTEMBER 4, 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 Harris gave the Invocation, and led the Pledge of Allegiance.

**C. ROLL CALL**

**ALSO PRESENT**

Bob Reeves  
Larry D. Sheppard  
Mark Peterson  
Roger P. O'Dwyer  
Charlotte Heinze  
Ray Don Clayton  
Fred Harris  
Frank D. Somera, Jr.

Andrea Gardner, Interim City Manager  
James R. Thompson, City Attorney  
Jane Lees, City Secretary

**D. ANNOUNCEMENTS**

Council Member Peterson congratulated the Bulldawgs for their victory and an exciting game last Friday night.

**E. PUBLIC RECOGNITION**

1. Proclamation: United Way Day, September 6, 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to Dale Koebnick, Metroplex Health System United Way President. She said that they appreciate all the support the City has given to the United Way through the years and thanked Mayor O'Dwyer for the proclamation.

2. Proclamation: Grandparents Day, September 10, 2007. **Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation and presented it to Eva Motsinger, President of AARP Chapter 1359, Copperas Cove. She thanked the City for the proclamation and invited all grandparents to join their group at 1:00 p.m. on the second Monday of each month at the Methodist Church.

3. Proclamation: National Kids Day, September 15, 2007. **Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation and presented it to James Beavers, Branch Director for the Copperas Cove unit of the Boys & Girls Clubs of Central Texas. He thanked the City for the proclamation and stated that this day was created to foster meaningful relationships between adults and children, which has always been a goal for the Boys and Girls Club. The Boys & Girls Clubs would like to make this day a part of Copperas Cove from now on.

**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.

**G. CONSENT ITEMS**

1. Consideration and action on approval of minutes from August 9, 2007.  
**Jane Lees, CMC, City Secretary**

2. Consideration and action on approval of minutes from August 16, 2007.  
**Jane Lees, CMC, City Secretary**

3. Consideration and action on approval of minutes from August 21, 2007.  
**Jane Lees, CMC, City Secretary**

4. Consideration and action on approval of minutes from August 28, 2007.  
**Jane Lees, CMC, City Secretary**

5. Consideration and action on authorizing the City Manager to extend the contract with the Copperas Cove Independent School District (CCISD) for policing services. **Tim Molnes, Police Chief**

6. Consideration and action on authorizing the City Manager to enter into an Inter-local Agreement with the Copperas Cove Independent School District to share facilities for recreational purposes. **Ken Wilson, Director of Community Services**

8. Consideration and action on approving the addendum to the professional services contract with Mitchell & Associates, Inc. in the amount not to exceed \$18,000. **Andrea Gardner, Interim City Manager, Director of Finance**

9. Consideration and action on approving the addendum to the professional services contract with Walker, Wiederhold, & Associates, L.L.C. in the amount not to exceed \$18,000. **Andrea Gardner, Interim City Manager, Director of Finance**

10. Consideration and action on authorizing the City Manager to execute an agreement with Mutual of Omaha for Long Term Disability Insurance, Group Term Life, Group Term Accidental Death and Dismemberment Insurance, and Voluntary Employee and Dependent Optional Life and Accidental Death and Dismemberment Insurance with an effective date of October 1, 2007. **Kelli Sames, Human Resources Director**

Council Member Peterson requested that item G-7 be removed for clarification.

Council Member Somera made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, G-6, G-8, G-9 and G-10. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on approving the addendum to the professional services contract with Hearn Engineering in the amount not to exceed \$18,000.  
***Andrea Gardner, Interim City Manager, Director of Finance***

Ms. Gardner explained that two separate documents from Hearn Engineering were attached with the agenda packet. The second document of three pages, named Westview Sewer Project, was inadvertently attached to the agenda item report and should not be considered part of the approval process.

Council Member Peterson motion to approve item G-7 as revised. 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. 2007-18, providing a zoning change for Lot 2 Strickland-Henderson Estates consisting of 6.203 acres, from R-1 Single Family Residential District to AG-1 Agricultural, providing a savings clause; and declaring an effective date. ***John C. Adel, AICP, Interim Assistant City Manager/City Planner***

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

Mayor O'Dwyer opened the Public hearing.

Speaking for: Kevin Cameron said that he was present on behalf of the landowners. They recommend approval of this item.

Speaking against: None.

Mayor O'Dwyer closed the Public hearing.

Council Member Heinze made a motion to approve agenda item H-1. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

#### **ORDINANCE NO. 2007-18**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, PROVIDING A ZONING CHANGE FOR LOT 2 STRICKLAND-HENDERSON ESTATES CONSISTING OF 6.203 ACRES, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO AG-1 AGRICULTURAL, PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

**I. ACTION ITEMS**

1. Consideration and action on Ordinance No. 2007-22, approving and adopting the budget for operating the municipal government of the City of Copperas Cove for fiscal year 2007-08. **Andrea Gardner, Interim City Manager, Director of Finance**

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

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

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING AND ADOPTING THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR FISCAL YEAR 2007-08.**

2. Consideration and action on Ordinance No. 2007-23, adopting the tax rate for fiscal year 2007-08. **Andrea Gardner, Interim City Manager, Director of Finance**

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

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

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING THE TAX RATE FOR FISCAL YEAR 2007-08.**

3. Consideration and action to ratify the vote approving and adopting a budget of the City of Copperas Cove for fiscal year 2007-08 and the vote to adopt the tax rate for fiscal year 2007-08. **Andrea Gardner, Interim City Manager, Director of Finance**

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

Council Member Heinze made a motion to ratify the 2007-2008 budget and set the tax rate at .74 per hundred dollars of valuation. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on Ordinance No. 2007-25, amending the Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director gave an overview of agenda item I-4.

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

5. Consideration and action on the final plat application for Wallace Vernon Addition. **John C. Adel, Interim Assistant City Manager/City Planner**

John C. Adel, Interim Assistant City Manager/City Planner gave an overview of agenda item I-5.

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

6. Consideration and action on authorizing the Interim City Manager to enter into a contract with Adjustors International for an amount not to exceed \$34,000 for the grant writing projects related to the 404 disaster mitigation funds. **Andrea Gardner, Interim City Manager, Director of Finance**

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

Council Member Heinze made a motion to approve agenda item I-6. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on the appointment of a member to the Library Advisory Board for the period September 5, 2007 – March 30, 2010. **Peg Fleet, Library Director**

Peg Fleet, Library Director gave an overview of agenda item I-7.

Council Member Heinze made a motion to appoint Cherri Shelnutt to the Library Advisory Board for the period September 5, 2007 to March 20, 2010. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action on appointment of members to fill vacancies on the Board of Adjustment. **John C. Adel, Interim Assistant City Manager/City Planner**

John C. Adel, Interim Assistant City Manager/City Planner gave an overview of agenda item I-8.

Council Member Heinze made a motion to appoint members to the Board of Adjustment as follows: Place One—Robert Clark; Place Three—Charles Hendricks; Place Five—Billy F. Minton; and Alternate Place Two—Phillip G. Lavalis. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action on appointment of a representative from the City of Copperas Cove to the Hill Country Transit District (HCTC) Board of Directors. **Jane Lees, CMC, City Secretary**

Jane Lees, CMC, City Secretary, gave an overview of agenda item I-9.

Council Member Harris made a motion to appoint Mark Peterson to the Hill Country Transit District Board of Directors. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

10. Consideration and action on authorizing the City Manager to enter into a Memorandum of Agreement with Copperas Cove Independent School District. **Andrea Gardner, Interim City Manager, Director of Finance**

Andrea Gardner, Interim City Manager, Director of Finance gave an overview of agenda item I-10.

Council Member Somera made a motion to approve agenda item I-10. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

11. Consideration and action on Ordinance No. 2007-24, amending the City's "Fee Schedule". **Andrea Gardner, Interim City Manager, Director of Finance**

Andrea Gardner, Interim City Manager, Director of Finance gave an overview of agenda item I-11.

Council Member Heinze made a motion to approve agenda item I-11. Council Member Peterson seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-24**

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

**J. STAFF REPORTS – None.**

**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 discuss the duties and responsibilities of the City Manager.

The Council went into Executive Session at 7:50 p.m. to discuss item M-1.

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

The Council reconvened the open meeting at 9:01 p.m.

**O. ADJOURNMENT**

There being no further business, Mayor O'Dwyer adjourned the meeting at 9:01 p.m.

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Roger P. O'Dwyer, Mayor

ATTEST:

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Jane Lees, City Secretary