

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
SEPTEMBER 18, 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 Somera gave the Invocation, and led the Pledge of Allegiance.

**C. ROLL CALL**

**ALSO PRESENT**

Bob Reeves (excused absence)  
Larry D. Sheppard  
Mark E. Peterson  
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 Heinze thanked the volunteers and participants who took part in National Kids Day last Saturday.

Interim City Manager Andrea Gardner made the following announcement: We are aware there was a water main break in Cedar Grove Park. The City wants the residents of Cedar Grove to know we have done everything we are responsible for and required to do. The City supplies water to Cedar Grove but is not responsible for the distribution of that water. The distribution of water is provided by Cedar Grove through privately owned and maintained water lines. The City of Copperas Cove Staff did provide assistance to Cedar Grove with the repair of the water line, although there was no requirement to do so.

**E. PUBLIC RECOGNITION**

1. Proclamation: National Preparedness Month, September 2007. **Roger P. O'Dwyer, Mayor**

Mayor O'Dwyer read the proclamation and presented it to Phyllis Johnson, Emergency Management Coordinator. Ms. Johnson urged citizens to make sure they are prepared in case of a disaster.

2. Proclamation: Domestic Violence Awareness Month, October 2007. **Mayor Roger P. O'Dwyer**

Mayor O'Dwyer read the proclamation and presented it to Susanne Amur with Families in Crisis. Ms. Amur said that her organization's primary focus is on prevention of domestic violence crimes. She urged civic groups to give her organization a call to have them come and speak about prevention.

**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.

None.

**G. CONSENT ITEMS**

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

2. Consideration and action on Resolution No. 2007-43, authorizing the City Manager to enter into an agreement with the Texas Parks and Wildlife Department for the Indoor Recreation Grant Program. **Ken Wilson, Director of Community Services**

3. Consideration and action, authorizing the Interim City Manager to enter into a one year contract with Zip Cleaners for uniform rental and cleaning services, with an additional two years optional. **Dennis Haas, Fire Chief**

5. Consideration and action on authorizing the Interim City Manager to enter into a contract with BNC Engineering, LLC, for an amount not to exceed \$18,000 for the grant writing projects related to the 404 disaster mitigation funds. **Andrea Gardner, Interim City Manager/Director of Finance**

6. Consideration and action on Resolution No. 2007-44, authorizing the submission of a Texas Community Development Block Grant Program application to the Office of Rural Community Affairs for the disaster relief fund; and authorizing the Interim City Manager to act as the City's Executive Officer and authorized representatives in all matters pertaining to the City's participation in the Community Development Block Grant Program. **Andrea Gardner, Interim City Manager/Director of Finance**

Mayor O'Dwyer announced that Item G-4 was removed from the agenda by the Interim City Manager.

4. Consideration and action authorizing the Interim City Manager to execute a contract with Hearn Engineering, Inc. to provide all Professional Engineering Services associated with the four sewer line replacement projects which are contained in the Community Development Block Grant (CDBG) received by the City, in the amount of \$16,000. **Robert M. McKinnon, Director of Water/Wastewater**

Council Member Heinze made a motion to approve consent items G-1, G-2, G-3, G-5 and G-6. Council Member Somera seconded the motion, and with a show of hands, motion carried unanimously.

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-43**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE INDOOR RECREATION GRANT PROGRAM.**

The Resolution caption reads as follows:

**RESOLUTION NO. 2007-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE DISASTER RELIEF FUND; AND AUTHORIZING THE INTERIM CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**H. PUBLIC HEARINGS/ACTION – None.**

**I. ACTION ITEMS**

1. Consideration and action to ratify the vote to adopt the tax rate for fiscal year 2007-08 using proper language. <b>Andrea Gardner, Interim City Manager/Director of Finance</b>
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Andrea Gardner, Interim City Manager/Director of Finance gave an overview of agenda item I-1.

Council Member Heinze made a motion as follows: "I move that property taxes be increased by the adoption of a tax rate of .7400." Council Member Harris seconded the motion. A roll call vote taken with the following results:

Larry Sheppard	For
Mark Peterson	For
Charlotte Heinze	For
Ray Don Clayton	For
Fred Harris	For
Frank Somera	For

Motion carried unanimously.

2. Consideration and action to approve the Copperas Cove Economic Development Corporation (CCEDC) Budget for 2007-2008. **Jerry Conner, EDC Director**

Jerry Conner, EDC Director gave an overview of agenda item I-2.

Council Member Harris made a motion to approve agenda item I-2. Council Member Peterson seconded the motion, and with a show of hands, motion carried unanimously.

3. Consideration and action to re-appoint Copperas Cove Economic Development Corporation (CCEDC) Board Members. **Jerry Conner, EDC Director**

Jerry Conner, EDC Director gave an overview of agenda item I-3.

Council Member Somera made a motion to re-appoint Tom Boren and Jimmy Clark to the Copperas Cove Economic Development Board of Directors. Council Member Heinze seconded the motion, and with a show of hands, motion carried unanimously.

4. Consideration and action on authorizing the Interim City Manager to execute a contract with McLean Construction Ltd., for construction of the Mountain Top Waterline Improvement Projects, Bid Number 2007-15-82, in the amount of \$499,499.40. **Robert M. McKinnon, Director of Water/Wastewater**

Robert M. McKinnon, Director of Water/Wastewater gave an overview of agenda item I-4.

Council Member Clayton made a motion to approve agenda item I-4. Council Member Heinze seconded the motion, and with a show of hands, motion carried unanimously.

5. Consideration and action on re-appointments of three (3) returning members to the Copperas Cove Animal Shelter Advisory Committee. **Mike Heintzelman, Deputy Police Chief**

Mike Heintzelman, Deputy Police Chief gave an overview of agenda item I-5.

Council Member Heinze made a motion to re-appoint Dorothy McClure, Barbara Story, and Kevin Kruse to the Copperas Cove Animal Shelter Advisory Committee. Council Member Somera seconded the motion, and with a show of hands, motion carried unanimously.

6. Consideration and action on Ordinance No. 2007-26 amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

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

Council Member Peterson made a motion to approve agenda item I-6. Council Member Somera seconded the motion, and with a show of hands, motion carried unanimously.

The Ordinance caption reads as follows:

**ORDINANCE NO. 2007-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING PERSONNEL POLICY NO. 120, SALARY PROGRAM ADMINISTRATION.**

7. Consideration and action on council member appointments to various committees. ***Roger P. O'Dwyer, Mayor***

Mayor O'Dwyer, Mayor gave an overview of agenda item I-7.

Council Member Harris made a motion to appoint council members as follows:

Robert Reeves:	Adopt-A-Unit K-Tuts Policy Board
Larry Sheppard:	Deer Committee Downtown Zoning
Mark Peterson:	Charter Review Committee Central Texas Council of Governments Central Texas Deployment Task Force Hill Country Transit District Board of Directors Sex Offender Ordinance Committee
Charlotte Heinze"	Adopt-A-Unit Central Texas Deployment Task Force Deer Committee Recreation Center Steering Committee
Ray Don Clayton:	Deer Committee Economic Development Corporation Council Liaison K-Tuts Policy Board Oil & Gas Committee
Fred Harris:	Downtown Zoning Committee Housing Authority Liaison, Alternate Recreation Center Steering Committee Strategic Planning Committee
Frank Somera:	Charter Review Committee Housing Authority Liaison K-Tuts Policy Board, Alternate Ministerial Alliance Representative Oil & Gas Committee

The motion was seconded by Council Member Peterson. A roll call vote was taken with the following results:

Larry Sheppard	Against
Mark Peterson	For
Charlotte Heinze	For
Ray Don Clayton	For
Fred Harris	For
Frank Somera	For

Motion carried five to one.

**J. STAFF REPORTS**

1. International Association of Fire Chiefs Award. ***Dennis Haas, Fire Chief***

Dennis Haas, Fire Chief gave an overview of the International Association of Fire Chiefs Award. He said that in 2006, in partnership with the Copperas Cove Independent School District, the Fire Department began the Mentoring Industrious Minds and Educating Students Program (MIMES). The Program is a week-long fire camp targeting seventh grade students, confirming with them why math and science skills are important. In April he nominated this program through the International Association of Fire Chiefs for their Fire Service Excellence Award. The City was notified in August that we were one of the seven finalists on a National level for this award. At the end of August, he and Andrea Gardner traveled to Atlanta to represent the City of Copperas Cove and the Copperas Cove Fire Department in the award presentation. Even though Copperas Cove was not selected as the grand award winner for this award, we did receive an award of merit for being a National finalist. Chief Haas said that the credit goes to his Staff for making the MIMES Program what it is. In particular, he thanked Chief Ramminger and Captain Piper, who run the program in a day-to-day basis. He thanked the City Council and the CCISD School Board for their support of this program. Chief Haas showed the Council the award and said that this award will be displayed proudly at Central Fire Station.

2. Financial Report for the Month ended July 31, 2007. ***Andrea Gardner, Interim City Manager/Director of Finance***

Andrea Gardner, Interim City Manager/Director of Finance gave the financial report for the month ended July 31, 2007.

**K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.**

**L. ITEMS FOR FUTURE AGENDAS**

**M. EXECUTIVE SESSION**

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

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 Council went into Executive Session at 8:12 p.m. to discuss items M-1 and M-2 only.

**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 8:44 p.m. Mayor O'Dwyer stated that there was no action to be taken on the discussion from Executive Session.

**O. ADJOURNMENT**

There being no further business, Mayor O'Dwyer adjourned the meeting at 8:45 p.m.

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Roger P. O'Dwyer, Mayor

ATTEST:

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Jane Lees, City Secretary