

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
OCTOBER 16, 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
Mark E. Peterson
Charlotte Heinze
Ray Don Clayton
Fred Harris
Frank D. Somera, Jr.
Roger P. O'Dwyer

ALSO PRESENT

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

D. ANNOUNCEMENTS

Council Member Peterson reminded everyone that the Ogletree Gap Heritage Festival begins this coming weekend as well as Spooktacular Trail.

City Manager, Andrea Gardner announced that the tax freeze would not be showing up on citizens' fiscal year 2008 tax bill. It will start in January 2009 and will freeze the amount of taxes that a citizen will pay. There is not a freeze on the tax rate or on the appraised value. If you look at it as a ceiling as opposed to a freeze it makes a lot more sense. If the taxes would go down from what they were frozen at, you would pay the lesser of the frozen amount or the amount of taxes that would have been due. If taxes were to increase you would only pay up to the amount that the taxes were frozen at.

She also invited the citizens to come and join the Fire Department for their first annual open house this coming Saturday, October 20, from Noon until 4:00 p.m. Citizens will be able to meet and greet our City fire fighters, receive a free smoke detector, register for a dinner in the fire house, have your blood pressure checked, and see equipment that will be on display.

E. PUBLIC RECOGNITION

1. Proclamation: Make A Difference Day. *Mayor Roger P. O'Dwyer*

Mayor O'Dwyer read the proclamation. Coach Jack Welch read a plaque for "Big Joe" Lombardi from CCISD commemorating his 30 years of broadcasting for the City of Copperas Cove and the Copperas Cove Independent School District. CCISD

appreciates “Big Joe” and believes that he continues to make the difference in our community. Mr. Lombardi said that volunteerism is one of America’s great traditions. He encouraged all citizens to volunteer and help in the community. He thanked the school district for the plaque, saying that he never expected it.

2. Proclamation: “Big Joe” Lombardi Day. **Bob Reeves, Mayor Pro Tem**

Mayor Pro Tem Reeves read the proclamation and presented it to “Big Joe” Lombardi, saying that he was an outstanding example of supporting the Bull Dawgs and we appreciate everything that you do. Mr. Lombardi thanked the City for the proclamation. He said this is an honor that he doesn’t deserve because there have been so many others involved over these three decades. He said his crew is the best and thanked them for their support over the years. He thanked Sherry and Annie for their support and understanding. He asked that everyone come out this Friday for Homecoming and show our kids that we are behind them 100%.

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 4th Street. Ms. Steele thanked all the voters who signed her petition and informed them that it will be done correctly this time.

Donny Askew, 1302 West Avenue D. He said that he inquired with the Street Department and they told him that his issue was on their agenda. He said that out past the high school on Avenue D, the road is in bad condition. It has lots of potholes. He said that if the City would fill the potholes it would be a great improvement for those who travel on that portion of Avenue D. Ms. Gardner said that she will work with the Street Department Superintendent and see what can be done about getting the potholes filled.

G. CONSENT ITEMS – None.

H. PUBLIC HEARINGS/ACTION

1. Public hearing, action and consideration regarding Ordinance No. 2007-28, annexing a 26.755 acre tract of land from the Elizabeth Jones Survey, located along the east side of Summers Road. **John C. Adel, AICP, Interim Asst. City Manager City Planner**

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

Mayor O’Dwyer opened the public hearing.

Speaking for: Jack Purcell, 1375 W. Avenue D. He said he was the agent for the petitioners and, if the ordinance is approved, he will serve as engineer for the people who are developing the property.

Speaking against:

Jeff Strauss, 2909 Curtis Drive. He had concerns as follows: 1) Asked what responsibility will the petitioners have for drainage issues on Summers Road, which also

affect his road. He said that due to continued development of the area the roads are often impassable because of severe damage; and 2) He believes that zoning the area as R-2 will be detrimental to the neighborhood, because allowing duplexes will detract from the homes that are already there.

Dana Flores, 2903 Curtis Drive. Ms. Flores was concerned as to where the drive would come out. Mr. Purcell answered saying that the ally way she was talking about is a dirt road and that the entrance would be in the back yards and slightly south of the location she was speaking about.

Mayor O'Dwyer closed the public hearing.

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

The Ordinance caption reads as follows:

ORDINANCE NO. 2007-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING A 26.755 ACRE TRACT OF LAND FROM THE ELIZABETH JONES SURVEY, LOCATED ALONG THE EAST SIDE OF SUMMERS ROAD.

I. ACTION ITEMS

1. Consideration and action on authorizing the City Manager to enter into an agreement with Dailey-Wells for the purchase of a communication tower package in the amount of \$383,504. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager gave an overview of agenda item I-1. Battalion Chief Gary Young gave a background overview of the tower.

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

2. Consideration and action on authorizing the City Manager to accept the Request for Proposals (RFP) for Commercial Swim, Hutto, Texas, and to enter into a contract with a one year agreement and a two year option for renewal for water service management of the municipal pools in the amount of \$19,200. **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services gave an overview of agenda item I-2.

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

3. Consideration and action on appointment of two (2) Commissioners to the Housing Authority of the City of Copperas Cove. **Jane Lees, CMC, City Secretary**

Jane Lees, CMC, City Secretary gave an overview of agenda item I-3.

Council Member Somera made a motion to appoint Patricia Thomas and Grace Durant as commissioners to the Housing Authority of the City of Copperas Cove for a term beginning October 1, 2007 through September 30, 2009. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on awarding Bid No. 2007-30-92 Solid Waste Detention Pond reconstruction to TTG Utilities, LP in the amount of \$49,807.
Michael Mundell, Solid Waste Superintendent

Michael Mundell, Solid Waste Superintendent gave an overview of agenda item I-4.

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

J. STAFF REPORTS – None.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Harris requested that the City publicly recognize the Altrusa Club with a proclamation at a council meeting in the very near future. Council Members Somera and Clayton concurred.

Council Member Heinze said that dates to submit applications to form a Code Enforcement Ordinance Review Committee should be set at tonight's meeting. The Council concurred to receive applications starting Monday for about two weeks. The appointments could be made at the second meeting in November.

M. EXECUTIVE SESSION – None.

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

O. ADJOURNMENT

There being no further business, Mayor O'Dwyer stated the meeting adjourned at 8:03 p.m.

Roger P. O'Dwyer, Mayor

Attest:

Jane Lees, City Secretary