

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
NOVEMBER 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 Reeves gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

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

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

D. ANNOUNCEMENTS

Council Member Heinze said that a letter was submitted by a citizen thanking some of the City's employees for helping a citizen with water issues. In particular, the employees were: Daniel Hawbecker, Donald Byers, Thomas Haire and Carol Merrell. She thanked the Staff for handling the situation and Larry Letzer for submitting the letter.

Council Member Peterson extended congratulations to the Varsity Cheerleaders for winning first place position in their category this past weekend in the Cheer Power Competition in Belton. He also reminded everyone to support the Veteran's Day Parade on Saturday November 10, 2007 at 10:00 a.m. After the Parade, from 2:00 p.m. until 7:00 p.m., the Cove Expo will be at the Civic Center.

Council Member Peterson said that he wanted to take the opportunity at this time to set the record straight and read the following statement: "There was an article written in the Killeen Daily Herald on October 23, 2007. In the article, the Mayor questioned the Council's sense of duty. Mr. Mayor, I take offense to the fact that you question my sense of duty as a councilman and citizen of Copperas Cove. I have a very strong sense of duty. I am committed to the City of Copperas Cove and its growth. The Mayor is quoted in the article as saying, 'Everybody on the City Council knew Mr. Harris was on probation, and knew Mr. Harris should not frequent places where alcohol is served or consumed. I am the only one who said anything about it.' Let me assure the citizens of Copperas Cove that I, and the rest of the Council, do have a sense of duty and I am committed to the City and its citizens. Secondly, the only way I would have knowledge of the conditions of Mr. Harris' probation is if I were to do an open records request and ask for these conditions. The conditions of Mr. Harris' probation are between him and his

probation officer. I have no need to know the knowledge of these conditions and trust our probation department and Mr. Harris to take care of it themselves. That is why we have a probation office. In the future, I hope that the Mayor will not speak about what knowledge I may or may not have on a given situation. Once again, just let me reassure the citizens of our community that I am committed to Copperas Cove and its citizens. Thank you.”

Council Member Reeves reminded everyone that the football team plays Friday night in Waco, their last game in district play. He said that he was in Kuwait last week and ran into a couple of citizens over there and they wanted to pass along their good wishes to the City from across the pond.

Mayor O’Dwyer stated a corrected time for the Veteran’s Day Parade on Saturday. He said it begins at 9:30 a.m., not 10:00 a.m.

E. PUBLIC RECOGNITION

1. Proclamation: Citizens Police Academy Alumni Association Day, November 7, 2007. **Roger P. O’Dwyer, Mayor**

Mayor O’Dwyer read the proclamation and presented it to Anne Holley and Bob Oakes, as well as many members of the Alumni Association who were present. Mr. Oakes thanked the Mayor and the City Council for the proclamation. They are honored by the proclamation and hope that they will continue to serve the City and make sure it is a safe and secure place to live and help the Police Department as much as possible.

2. Proclamation: Texas Recycles Day, November 15, 2007. **Mayor Roger P. O’Dwyer**

Mayor O’Dwyer read the proclamation and presented it to Silvia Rhoads and “Recycle Michael.” Ms. Rhoads said that everyone knows that recycling is good for our environment. Through its recycling program, the City of Copperas Cove has shown its commitment to the environment. During the last fiscal year, just in the curbside recycling program, 368,000 tons of recyclable materials were collected. Another 113,000 tons of recyclables were collected from commercial and business participants. That is a total of 481,000 tons. This is with a participation rate of 22%. Imagine what we could keep out of our landfills if 100% of our residents and businesses recycled. Recycling is one service that is provided by the City that is free of charge. Each household can have up to three recycling bins. Please join “Recycle Michael,” the City of Copperas Cove, Keep Copperas Cove Beautiful, and Cartridge Corner, on Saturday, November 17, 2007, from 9:00 a.m. to 2:00 p.m., when we will be holding an e-cycling event at two locations. One will be in the Jay Manning Homes parking lot, 2425 East Highway 190 and one in the Library parking lot on Main Street. You may drop off your computer CPU’s, monitors, keyboards, ink cartridges, and cell phones. “Recycle Michael” reminded everyone to practice the four R’s: Reduce—Re-use—Recycle—and Re-buy.

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.

Charles Alcorn, 918 Randa. Mr. Alcorn was concerned about the City's Animal Ordinance. He said there was a recent pit bull attack in his yard and his dog was almost killed. He asked the Council to consider laws against breed specific dogs.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from October 2, 2007 regular council meeting. **Jane Lees, CMC, City Secretary**

2. Consideration and action on approval of minutes from October 16, 2007 regular council meeting. **Jane Lees, CMC, City Secretary**

3. Consideration and action on the designation of the Police Chief to perform the duties of the City Manager in his/her absence or disability. **Andrea Gardner, City Manager/Director of Finance**

4. Consideration and action on Resolution No. 2007-47, authorizing the City Manager to submit an application and agreement with the Electric Reliability Council of Texas, Inc., (ERCOT) for membership year 2008 in the amount of \$100. **Andrea Gardner, City Manager/Director of Finance**

Council Member Clayton made a motion to approve consent items G-1, G-2, G-3, and G-4. Council Member Reeves seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION AND AGREEMENT WITH THE ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC., (ERCOT) FOR MEMBERSHIP YEAR 2008 IN THE AMOUNT OF \$100.

H. PUBLIC HEARINGS/ACTION – None.

I. ACTION ITEMS

1. Consideration and action authorizing the 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, not to exceed \$26,000 basic services and \$2,500 in special services, for a total maximum of \$28,500. **Robert M. McKinnon, Director of Water/Wastewater**

Robert M. McKinnon, Director of Water/Wastewater gave an overview of agenda item I-1.

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

2. Consideration and action on rescheduling the date of the December 4, 2007 regular City Council meeting to December 11, 2007. **Jane Lees, City Secretary**

Jane Lees, City Secretary gave an overview of agenda item I-2.

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

3. Consideration and action on rescheduling the date of the first regular City Council meeting in January 2008 from January 1 to January 3, 2008. **Jane Lees, City Secretary**

Jane Lees, City Secretary 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.

4. Consideration and action on appointment of one (1) new member, to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Dir., Keep Copperas Cove Beautiful**

Silvia Rhoads, Executive Dir., Keep Copperas Cove Beautiful gave an overview of agenda item I-5.

Council Member Heinze made a motion to appointment Joann Matthews as a new member to the Keep Copperas Cove Beautiful Commission effective November 6, 2007, through August 31, 2008. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

1. Financial report for the month ending August 31, 2007. **Andrea Gardner, City Manager/Director of Finance**

Andrea Gardner, City Manager/Director of Finance gave the financial report for the month ending August 31, 2007.

2. Chamber of Commerce third quarter report for 2007. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Marty Smith, President, Copperas Cove Chamber of Commerce gave the third quarter report for 2007.

3. Copperas Cove Country Opry fourth quarter report for 2007. **Silas Duncan, Secretary, Copperas Cove Country Opry**

This item was postponed until the November 20, 2007 Council meeting.

4. Insurance Services Office (ISO) Community Grading. **Dennis Haas, Fire Chief**

Dennis Haas, Fire Chief gave a report on the Insurance Services Office (ISO) Community Grading. The ISO public protection classification program evaluates communities according to a uniform set of criteria that is defined in their fire suppression rating schedule. This criteria incorporates nationally recognized standards developed by the National Fire Protection Association and by the American Waterworks. The fire suppression rating schedule objectively reviews the fire suppression capabilities of a community and assigns a public protection classification number from one to 10. Class one represents exemplary fire protection and Class 10 indicates the areas fire protection program does not meet minimum recognized standards. The grading is done in three major areas: 1) fire alarm and communications (10% of the total score); 2) water supply systems (40% of the total score); and 3) fire department capabilities (50% of the total score). Our previous grading was conducted almost 20 years ago with an offsite upgrade done in 2001. A formal grading of our community was requested early this year due to improvements that have been made over the last few years in the water system and in the fire department. The grading was conducted in August and we received the results in October. Chief Haas announced to the City Council and to the citizens that the City received a score of 79.72, which improves our overall public protection classification from a Class four to a Class three. The City fell short of a Class two rating by .027 of a point. In reviewing that report, based on recommendations by the ISO offices, he has made some internal changes. The City has requested re-evaluation in an attempt to claim that Class two classification. Less than four percent of all cities in the nation have a Class three or better rating. If the City can achieve the Class two rating, that would put us in the top one percent of all communities in the nation. This ISO classification will have a direct impact on both residential and commercial insurance premiums. Chief Haas thanked Bob McKinnon, Water/Wastewater Director, and Police Chief Tim Molnes who spent a considerable amount of time in gathering and compiling the data provided to ISO.

5. Fire Department Open House. **Dennis Haas, Fire Chief**

Dennis Haas, Fire Chief gave a report of the Fire Department Open House held on October 20, 2007. This was a four-hour event and over 250 citizens visited. The citizens met with firefighters and asked questions, toured the station, looked at equipment on display, were given brochures and had the opportunity to apply to the Citizens Emergency Response Team (CERT). Free smoke detectors given out, kids received balloons, and there was a drawing for a free dinner with firefighters. The dinner was given last Saturday night and a mother and two children, whose Dad was in Iraq, ate dinner at the fire station.

1. Employee Recognition: Ernie D. Lee Achievement Medal for Civilian Service. **Mike Heintzelman, Deputy Police Chief**

Mike Heintzelman, Deputy Police Chief, recognized Ernie D. Lee from Animal Control for receiving the Achievement Medal for Civilian Service from Fort Hood. Last spring, there

was a large fire on Fort Hood which was close to their animal control shelter. Fort Hood called on the Copperas Cove Animal Shelter for help and Mr. Lee responded. Approximately 30 dogs and cats from Fort Hood were temporarily sheltered until the fire danger had subsided. Mr. Lee received this award on September 26, 2007 from Fort Hood. Deputy Chief Heintzelman said that the Police Department is proud to have him work for the City. Mr. Lee said he was truly honored to receive this award and thanked the Council.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Harris said that he would like to speed up the Council Workshop to discuss the Animal Ordinance.

M. EXECUTIVE SESSION

1. Pursuant to §551.074 of the Open Meetings Act. <i>Tex. Gov't Code</i> , Council will meet in Executive Session to discuss the duties and responsibilities of the City Manager.

Executive Session was not held.

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 adjourned the meeting at 8:10 p.m.

Roger P. O'Dwyer, Mayor

ATTEST:

Jane Lees, City Secretary