

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
March 11, 2008 – 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 Peterson gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

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

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

D. ANNOUNCEMENTS

E. PUBLIC RECOGNITION

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 February 19, 2008 regular council meeting. **Jane Lees, CMC, City Secretary**

2. Consideration and action on authorizing the release of funds in the amount of \$9,215.78 from the Hotel Occupancy Tax Fund to the Copperas Cove Downtown Association. **Wanda Bunting, Director of Financial Services**

3. Consideration and action on authorizing the City Manager to apply to the Texas State Library and Archives Commission for a Texas Reads Grant in the amount of \$3,000 to establish an adult literacy program. **Peg Fleet, Library Director**

4. Consideration and action on authorizing the City Manager to apply to the Texas State Library and Archives and Commission for a TexTreasures Grant in the amount of \$20,000 to preserve and make available to the public historic Copperas Cove newspapers. **Peg Fleet, Library Director**

5. Consideration and action on removing Ordinance No. 2008-06 from the table. **Jane Lees, City Secretary**

6. Consideration and action on authorizing the City Manager to enter into a Letter of Agreement with Grant Development Services, Inc. to provide all professional services associated with the preparation of a funding application to the Office of Rural Community Affairs (ORCA) under the Community Development Block Grant (CDBG) 2009/2010 Funding Cycle for water or sewer system improvements in an amount not to exceed \$2,450. **Andrea M. Gardner, City Manager**

Council Member Clayton made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, and G-6. Council Member Peterson seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action regarding Ordinance No. 2008-08, annexing an 11.01 acre tract of land known as Big Divide Road. **Scott Wallace, Interim City Planner**

Scott Wallace, Interim City Planner, gave an overview of agenda item H-1.

Mayor O'Dwyer opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor O'Dwyer closed the public hearing.

Council Member Peterson made a motion to approve item H-1. Council Member Somera seconded the motion.

During discussion, Council Member Clayton asked if the city planned to change the speed limit on Big Divide Road to 40 mph from the present 30 mph, at least down to where the Pedernales Substation is located. Ms. Gardner said that the City will pursue the possible change in speed limit; however, there is no guarantee that it will be changed. Hearn Engineering has given the City their recommendation, which is to change the speed limit. A recommendation has also been received from the Police Chief.

Motion carried with a unanimous vote.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING AN 11.01 ACRE TRACT OF LAND KNOWN AS BIG DIVIDE ROAD.

2. Public hearing, consideration and action on Ordinance No. 2008-06, providing a zoning change for a tract of land, locally known as 808 Leonhard, that is located directly behind Auto Zone and across Leonhard Street from Ben's Service Center, consisting of 0.586 acre, from R-1 Single Family Residential District to B-5 Business District, providing a savings clause; and declaring an effective date. **Scott Wallace, Interim City Planner**

Scott Wallace, Interim City Planner, gave an overview of agenda item H-2. Mr. Wallace reported that there is no specific use zone that could be allowed for this property.

Mayor O'Dwyer opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor O'Dwyer closed the public hearing.

Council Member Peterson made a motion to disapprove item H-2. Council Member Somera seconded the motion. After discussion, a vote was taken with the following results:

Bob Reeves	Against
Larry Sheppard	Against
Mark Peterson	For
Ray Don Clayton	Against
Fred Harris	For
Frank Somera Jr.	For
Roger O'Dwyer	For

Motion passed 4-3 to disapprove item H-2.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, PROVIDING A ZONING CHANGE FOR A TRACT OF LAND, LOCALLY KNOWN AS 808 LEONHARD, THAT IS LOCATED DIRECTLY BEHIND AUTO ZONE AND ACROSS LEONHARD STREET FROM BEN'S SERVICE CENTER, CONSISTING OF 0.586 ACRE, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO B-5 BUSINESS DISTRICT, PROVIDING A SAVINGS CLAUSE; AND DELCARING AN EFFECTIVE DATE.

I. ACTION ITEMS

1. Consideration and action, authorizing the purchase of 4.0 acres of land located at the northwest corner of FM 1113 and Grimes Crossing Road. **Dennis Haas, Fire Chief**

Dennis Haas, Fire Chief, gave an overview of agenda item I-1.

Council Member Reeves made a motion to authorize the concept of purchasing four acres of land located at the northwest corner of FM1113 and Grimes Crossing Road. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on the appointment of an individual to the Library Advisory Board for the period March 12, 2008 – March 30, 2010. **Peg Fleet, Library Director**

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

Council Member Harris made a motion to appoint Neva Moten to the Library Board for the period March 12, 2008 – March 30, 2010. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on approving Amendment No. 1 to the architectural services contract for the new police facility between the City of Copperas Cove and Brinkley Sargent Architects, changing the contract amount from \$500,000 to \$883,840. Tim Molnes, Police Chief

Tim Molnes, Police Chief, gave an overview of agenda item I-3.

Council Member Somera made a motion to approve agenda item I-3. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on approval of the final plat of Summer Place. **Scott Wallace, Interim City Planner**

Scott Wallace, Interim City Planner, gave an overview of agenda item I-4.

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

5. Consideration and action on authorizing the City Manager to enter into a Letter of Agreement with Grant Development Services, Inc. for the administration of the Texas Parks & Wildlife Department (TPWD) Grant Award not to exceed \$41,756. **Andrea M. Gardner, City Manager**

Andrea M. Gardner gave an overview of agenda item I-5.

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

6. Consideration and action on authorizing the City Manager to enter into an amendment with Adjusters International for additional fees of \$10,000 to facilitate future services for the 25th Street Drainage 404 Hazard Mitigation Project.
Andrea M. Gardner, City Manager

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

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

7. Consideration and action on Resolution No. 2008-07, declaring support of Fort Hood Area Habitat for Humanity's application for funding through the Texas Department of Housing and Community Affairs. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-7. Eugene Bauer of Habitat for Humanity explained that the organization has expanded their services. In addition to home ownership, they now offer home repair and handicap accessibility programs as well. There is funding available for these new expanded program areas through the Texas Department of Housing and Community Affairs. He said that the City of Killeen is what is called a participating jurisdiction (PJ) under HUD funds. The City of Killeen receives funds directly from HUD to distribute within their city as they see fit. Cities that are not PJ's, are distributed money from the State of Texas. All the other 67 cities and towns in his jurisdiction receive money through the Texas Department of Housing and Community Affairs. Killeen is the only city in his jurisdiction that receives money directly from HUD. Mr. Bauer said that Fort Hood Habitat for Humanity wants to apply for what is known as a CHDO (Community Housing Development Organization), through the State of Texas. They are already a CHDO in the City of Killeen. Because of that experience, the organization knows how to use the Federal funds and have met all the criteria to be a CHDO. Just this year the State of Texas has allowed CHDO's for single family homes. What the organization needs in their application to become a CHDO is support from the communities they serve. No funds are being requested, however, they are asking that certain city controlled fees be waived when they do construction, repair or handicap accessibility within the city limits.

Council Member Somera made a motion to approve agenda item I-7. Council Member Harris seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, DECLARING SUPPORT OF FORT HOOD AREA HABITAT FOR HUMANITY'S APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.

8. Consideration and action on Ordinance No. 2008-10, amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director, gave an overview of agenda item I-8.

Council Member Peterson made a motion to approve agenda item I-8. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-10

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

J. STAFF REPORTS

1. Copperas Cove Downtown Association FY 2007-08, First Quarter Report. Linda Ledger, Copperas Cove Down Town Association

Linda Ledger, Copperas Cove Downtown Association, presented the First Quarter report for FY 2007-08.

2. Financial Report for the Month ended January 31, 2008. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, presented the financial report for the month ended January 31, 2008.

3. Animal Control 2007 Annual Report. **Mike Heintzelman, Deputy Police Chief**

Mike Heintzelman, Deputy Police Chief, presented the 2007 Annual Report for Animal Control.

4. Police Department 2007 Annual Report. **Tim Molnes, Police Chief**

Tim Molnes, Police Chief, presented the 2007 Annual Report for the Police Department.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

M. EXECUTIVE SESSION

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 8:33 p.m.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary