

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
April 1, 2008 – 7:00 P.M.**

**A. CALL TO ORDER**

Mayor Pro Tem Robert L. Reeves 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  
Larry D. Sheppard  
Mark E. Peterson  
Charlotte Heinze  
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**

1. Proclamation: Sexual Assault Awareness Month, April 2008. **Robert L. Reeves, Mayor Pro Tem**

Mayor Pro Tem Reeves read proclamation and presented it to William Hall of Families in Crisis.

2. Proclamation: Child Abuse Prevention Month, April 2008. **Robert L. Reeves, Mayor Pro Tem**

Mayor Pro Tem Reeves read the proclamation and presented it to Ernie Remedies of the Copperas Cove Exchange Club and Francie Charles of Copperas Cove Noon Exchange Club.

3. Proclamation: Coryell County Crime Victims' Rights Week, April 13-19, 2008. **Robert L. Reeves, Mayor Pro Tem**

Mayor Pro Tem Reeves read the proclamation and presented it to Amy Perkins, Coryell County Crime Victims' Coordinator.

3. Proclamation: National Library Week, April 13-19, 2008. **Robert L. Reeves, Mayor Pro Tem**

Mayor Pro Tem Reeves read the proclamation and presented it to Peg Fleet, Library Director.

**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.

Bill Stephens, 701 Bond Street. He said he was honored to be the first speaker after the positive and upbeat proclamations for our City. He stated that he is very familiar with the City Charter. He commended the City Council for their cohesiveness and cooperation that was shown in last night's Council Meeting. He stated that it was the first time in a very long time that that had happened and he was pleased up until the end of the meeting.

He stated that once the Council went into Executive Session he believed that there were several violations of the Charter. First, he said that the City Manager issued a reprimand to a City Council Member. Nowhere in the City Charter, that he saw, does the City Manager have the authority to reprimand a City Council Member. He stated that the City Council themselves should reprimand one of their own members.

Secondly, he stated that during the Executive Session, the City Manager snapped at a citizen. He said that the citizen was speaking during the Executive Session, which probably was wrong. However, the City Manager did not have the authority to tell that citizen that she would have the person removed by police force from the Chambers. She overstepped her boundaries. The City Charter does not state that she has the authority to remove a citizen from the Council Meeting.

Lastly, Mr. Stephens said that the City Attorney informed a citizen that he would have an item placed on an agenda. Nowhere in the City Charter does it say that the City Attorney has the authority to place an item on an agenda. It takes two City Council Members to place an item on an agenda and the City Attorney cannot do that. He said that the City Attorney misinformed the citizen right here in the City Council Meeting.

He stated that the person who should have been controlling these violations was the Mayor Pro Tem. He let these violations slip by and did not say a word during the Council Meeting. Mr. Stephens said that if he is wrong, and the City Manager has the authority to remove citizens from the Council Chambers, and if the City Manager has the authority to issue a public reprimand which is printed in the newspapers and broadcast on television, then he apologized for taking this time. However, if the City Charter does not give the City Manager this authority, he suggested that the City Council should discuss this among themselves and issue a public retraction of the reprimand and an apology to the citizen.

**G. CONSENT ITEMS – None.**

**H. PUBLIC HEARINGS/ACTION**

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| <ol style="list-style-type: none"><li>1. Public hearing, consideration and action on Ordinance No. 2008-06, annexing the remaining portion of the proposed subdivision of The Valley at Great Hills, consisting of 267.088 acres. <b>Scott Wallace, Interim City Planner</b></li></ol> |
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Scott Wallace, Interim City Planner, gave an overview of agenda item H-1.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: Jimmy Clark, 1510 High Chapparel. He stated that he is a partner in the development of the property being discussed and they are requesting annexation for future development.

Roger O'Dwyer, 1703 Highland Drive. He asked if the City had any plans to place a traffic light at the intersection because it is a heavily traveled road. Mayor pro tem Reeves said that the City will take that question up with TxDOT because it is a state road.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

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

The Ordinance caption is as follows:

**ORDINANCE NO. 2008-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING THE REMAINING PORTION OF THE PROPOSED SUBDIVISION OF THE VALLEY AT GREAT HILLS, CONSISTING OF 276.088 ACRES.**

**I. ACTION ITEMS**

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

Silvia Rhoads, Executive Director of Keep Copperas Cove Beautiful, gave an overview of agenda item I-1.

Council Member Heinze made a motion to appoint Stephan Gaeth to the KCCB Commission for a term beginning April 1, 2008 through September 2009. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

2. Consider and take action on Ordinance No. 2008-12 of the City of Copperas Cove, Texas, authorizing the issuance and sale of City of Copperas Cove, Texas, Limited Tax Notes, Series 2008, in the aggregate principal amount of \$2,855,000; awarding the sale of said notes; levying a tax in payment thereof; prescribing the form of said notes; and enacting other provisions relating to the subject. ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-2. Gary Kimball from First Southwest Company was present to give additional information. Council Member Peterson made a motion to approve agenda item I-2. Council Member Somera seconded the motion. A 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 Jr.      For

Motion carried 5 to 1.

The Ordinance caption is as follows:

**ORDINANCE NO. 2008-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, LIMITED TAX NOTES, SERIES 2008, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,855,000; AWARDED THE SALE OF SAID NOTES; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID NOTES; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.**

3. Consideration and action on Ordinance No. 2008-09, amending Personnel Policy No. 311 – Vacation Leave, No. 313 – Sick Leave, No. 312 – Holidays, and No. 135, Overtime and Compensatory Time. ***Kelli Sames, Human Resources Director***

Kelli Sames, Human Resources Director, gave an overview of agenda item I-3.

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

The Ordinance caption is as follows:

**ORDINANCE NO. 2008-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING PERSONNEL POLICY NO. 311 – VACATION LEAVE, NO. 313 – SICK LEAVE, NO. 312 – HOLIDAYS, AND NO. 135, OVERTIME AND COMPENSATORY TIME.**

4. Consideration and action on Ordinance No. 2008-11, 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-4.

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

The Ordinance caption is as follows:

**ORDINANCE NO. 2008-11**

**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. Financial Report for the Month ended February 29, 2008. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, presented the financial report for the month ended February 29, 2008.

2. Fire Department 2008 Annual Report. **Dennis Haas, Fire Chief**

Dennis Haas, Fire Chief, presented the 2007 Annual Report for the Fire Department.

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

**L. ITEMS FOR FUTURE AGENDAS**

Council Member Heinze requested a workshop on gas and oil drilling within the city limits. Council Member Sheppard requested an agenda item on the expenditure for the Zech investigation. Ms. Gardner said that would probably best be done in a staff report.

**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 evaluation of the City Manager.

The Council adjourned to Executive Session at 8:07 p.m.

**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 8:26 p.m. Mayor Pro Tem Reeves stated that there was no action to be taken on the discussion from Executive Session.

**O. ADJOURNMENT**

There being no further business, Mayor Pro Tem Reeves adjourned the meeting at 8:26 p.m.

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Robert L. Reeves, Mayor Pro Tem

ATTEST:

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Jane Lees, City Secretary