

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
June 3, 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 7:04 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Heinze 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

Council Member Peterson thanked all those who came out and voted for Early Voting, which ended today. He said over 800 people voted and encouraged those who had not voted yet to do so on Saturday, June 7, 2008, from 7:00 a.m. to 7:00 p.m. Mayor Pro Tem Reeves stated that he would like to see a good turnout for the election on Saturday.

Council Member Peterson made a motion at this time to move Staff Reports before the Public Hearings. Council Member Heinze seconded the motion, which passed unanimously.

E. PUBLIC RECOGNITION – None.

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.

Frank Seffrood, 430 Cottonwood Drive. He announced that the food drive that the letter carriers conducted went very well; although the amount of food collected this year was a little lower than in previous years. 4,700 pounds of food was collected and distributed between four local food banks—Cove House, St. Vincent DePaul, Salvation Army, and the First Baptist Church Pantry. He thanked everyone who participated.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the May 16, 2008 special council meeting. ***Jane Lees, City Secretary***

2. Consideration and action on authorizing the release of funds in the amount of \$2,850 from the Hotel Occupancy Tax Fund to the boys and Girls Club of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Council Member Peterson made a motion to approve consent items G-1 and G-2. Council Member Somera seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

1. Texas Department of Transportation update. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager introduced three representatives from the Texas Department of Transportation, Waco District—Richard Skopik, Reggie Richardson, and Richard Brown.

Mr. Skopik said that the driving issue for TxDOT at this time is funding, particularly the Federal picture. Projects to be discussed in this presentation are the major construction projects—US 190 Expansion and FM 1113, as well as major projects being planned—Northeast Copperas Cove Loop & Tank Destroyer Blvd. Extension and US 190 Copperas Cove Bypass/Relief Route.

Mr. Brown discussed the two major ongoing projects in detail. Highway 190 is being widened from the existing four lanes to six lanes divided. The length is from Spur 172 to Copperas Cove. The project will cost around \$42M. The contractor is Knife River Corporation and the project is approximately 63 percent complete with an expected completion date of summer 2009. The FM 1113 sidewalk enhancement project runs from 5th Street to Summers Road and includes ADA ramps, pedestrian structures by City Park and should be complete by the end of summer 2008. This project is being done in conjunction with the widening project on FM 1113 that runs from Copperas Cove to FM 580. This project has been ongoing for a couple of years and is being done by TTG, Inc. and cost approximately \$1.2M.

Mr. Richardson said that back in 2004, Fort Hood asked for funds to build projects in this area and TxDOT provided \$20.5M to develop them. The projects are: (1) US 190 expansion; (2) FM1113; (3) a Northeast Copperas Cove Loop and Tank Destroyer Blvd. extension; and (4) the US 190 Copperas Cove Bypass/Relief Route. The extension leg of Tank Destroyer Blvd. would provide relief to the congestion that TxDOT has been studying on FM 1113 and FM 116 through the Copperas Cove area. This extension would also provide continuity for people traveling from north from the Gatesville area, without having to go through the congestion in downtown Copperas Cove. In addition, it will provide another easy access onto Fort Hood. TxDOT has been studying these projects for four years and worked very closely with Fort Hood and the City on the details of these projects. A public hearing will be held later this fall on the Northeast Loop/Tank Destroyer Blvd. extension project. Environmental clearance is expected to be obtained next year. Right now TxDOT plans to honor the original request that was presented to Fort Hood, which includes building the connection to US 190, creating the Northeast Loop. The road is designed as a four-lane divided road, with only access at US 190, Tank Destroyer Blvd., and FM 116, however, only two of the four lanes will be constructed at this time.

The Reliever Route for the south side of Copperas Cove has been approved and all right-of-ways have been acquired except for two parcels. This project has been designed as a four-lane divided controlled access road. Access is planned at US 190 East, Old Copperas Cove Road, the FM roads to the west and south of Copperas Cove, and again at US 190 on the West side of Copperas Cove. This project was funded through K-TUTS, the local MPO (Metropolitan Policy

Organization), and monies have been allocated for the three phases proposed. The first phase was to begin next year, however, because of funding issues, the first phase of this project has been delayed pending determination of existing funds. Costs have been fluctuating and TXDOT has been working to refine the cost estimates for the construction of this project. The first phase is FM 3046 to FM 116 and will cost approximately \$25M. The second phase would make the connection all the way east to US 190 and will cost approximately \$25M. The third and final phase would be the actual connection on the western end for an approximate cost of \$10M. If TxDOT came back to build the additional two lanes to make it a four-lane divided road, phase four would cost another \$16M. The total cost of the project in today's dollars is \$80M, which does not account for cost increases if project is delayed.

Mr. Skopik said that the MPO does not have funds waiting to begin projects. Authorization is given from TxDOT to the MPO to plan projects that TxDOT estimates they will have funding for in the years that the construction is needed. The current plan approved by the Policy Board is for the Reliever Route to be funded if TxDOT has construction funds available in 2009, 2010, and 2011.

All MPO's across the state are experiencing problems because last November the Transportation Commission put a hold on all districts to move forward with any capacity expansion type projects. The Transportation Commission has spent several months examining this and they did restore, for fiscal year 2008, some of those projects that were originally committed and most of these projects are now back on track with a only a few exceptions. TxDOT believes that within the next 30-60 days there will be word from TxDOT headquarters in Austin to all MPO's, including K-TUTS, giving new preliminary allocation numbers and then go back and re-prioritize the projects or re-organize them to fit new funding levels. Beginning in 2009 there will most likely be a reduced funding level.

Mr. Skopik said that we are in a corridor within 50 miles of Interstate 35, which is where the majority of growth is in this state. There are great demands on the transportation system, as well as the county and city infrastructure. TxDOT has never been able to keep up with putting enough lanes out there for the traffic at the rate it's growing. There are between 1,000 – 1,500 people per day moving to Texas and the area is still are not feeling the full impact of this growth because there are still 25,000 soldiers in Iraq. These relief projects need to be done for safety and congestion purposes. Growing inflation is another problem—the cost of materials is going up each day. The cost of Texas highway construction projects in the last 10 years have doubled. In just the last five years construction costs have gone up 62 percent. TxDOT is losing ground in the maintenance area due to rising costs.

Another issue is that most revenue for transportation, expansion and maintenance comes from gasoline tax. Right now we pay 38.4 cents per gallon at the pump for tax. Of that 38.4 cents, 75 percent goes to transportation and 25 percent does to schools. The state tax portion has not been adjusted since 1991, so funding has not increased from taxes. The state legislature will have to find new revenue to fund transportation projects in 2009. In addition, the Federal portion of that tax has not been adjusted since 1993. More money is coming into the state, but there are more vehicles putting wear and tear on the roads and causing congestion.

Proposition 12 passed in the State of Texas which will allow the Legislature to use against the general revenue fund not the gas tax fund and allow TxDOT to borrow an additional \$5 billion to fund transportation. The State Legislature will have to pass enabling legislation when they meet in January. This will determine how TxDOT will be able to use that money. This \$5 billion is a lot of money, but it will not go nearly as far to meet the big needs across the state. Of that \$5

billion, TxDOT will need approximately \$1.5 billion just to complete the I-35 project in the Waco District.

H. PUBLIC HEARINGS/ACTION

1. Public Hearing on Ordinance No. 2008-18, amending the 2007-08 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item H-1.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

2. Public hearing on the application for Economic Development Funds to be submitted to the Downtown Revitalization Program under the Texas Capital Fund (TCF). **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item H-2. Janet Sheguit of Grant Development Services gave a summary of the process in applying for the grant for the Downtown Revitalization project.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

3. Public hearing on the creation of a Tax Increment Reinvestment Zone for the Valley at Great Hills proposed development. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item H-3. Ms. Gardner introduced David Hawes to the Council. Mr. Hawes stated that the developer would be responsible for putting dollars into this project rather than the City. If the City were to pay up front the cost would be in the neighborhood of \$2.9M. The improvements include a water tank and water and sewer lines, which would open up development in the proposed area on Highway 190 on the southern edge of the City in Lampasas County. Right now, Lampasas County seems to be willing to participate in the Zone.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: Jimmy Clark, 1510 High Chapparal. Mr. Clark said that he is a proponent of the creation of this zone. He stated that he is the developer and understands the risks involved and is willing to take those risks for the future needed growth to the City of Copperas Cove.

Frank Seffrood, 430 Cottonwood Drive. Mr. Seffrood asked if there was a TIRZ Board. Ms. Gardner said that setting up a board is in the works right now and that there would be no initial investment by the City for this project.

Jack Smith, 3005 Sun Temple Circle. Mr. Smith said that this is a great project to bring development to the west side of the City.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

I. ACTION ITEMS

1. Consideration and action on purchasing two play structures and two swing sets from Total Recreation Products, Game Time. **Ken Wilson, Director of Community Services**

Andrea Gardner gave an overview of agenda item I-1.

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

2. Consideration and action on Resolution No. 2008-19, authorizing the City Manager to enter into an agreement with Local Government Services, LLC, for cable television franchise management services to determine compliance with the City's ordinance. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial 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.

The Resolution caption is as follows:

RESOLUTION NO. 2008-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LOCAL GOVERNMENT SERVICES, LLC, FOR CABLE TELEVISION FRANCHISE MANAGEMENT SERVICES TO DETERMINE COMPLIANCE WITH THE CITY'S ORDINANCE.

3. Consideration and action on Resolution No. 2008-17 of the City of Copperas Cove, Texas, finding and determining that a certain area of the City contains conditions which are detrimental to the public health, safety and welfare of the community and constitutes a blighted area. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manger gave an overview of agenda item I-3. Janet Sheguit with Grant Development Services provided introductory remarks.

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

The Resolution caption is as follows:

RESOLUTION NO. 2008-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, FINDING AND DETERMINING THAT A CERTAIN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY AND CONSTITUTES A BLIGHTED AREA.

4. Consideration and action on Resolution No. 2008-18, supporting the Northeast Bypass Project. ***Andrea M. Gardner, City Manager***

Andrea M. Gardner, City Manager s gave an overview of agenda item I-4.

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

The Resolution caption is as follows:

RESOLUTION NO. 2008-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, SUPPORTING THE NORTHEAST BYPASS PROJECT.

5. Consideration and action on authorizing the City Manager to enter into a commercial lease agreement with Donlie McMullin Realty. ***Andrea M. Gardner, City Manager***

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

Council Member Peterson made a motion to approve agenda item I-5. Council Member Heinze seconded the motion. 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 D. Somera Jr.	For

Motion passed 5 to 1.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

Council Member Heinze asked if the City would take a look at the mosquito issue in Copperas Cove. Council Members Clayton and Harris concurred.

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 Pro Tem Reeves adjourned the meeting at 8:39 p.m.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary