

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
September 16, 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 Peterson gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

Robert L. Reeves
Larry D. Sheppard
Mark E. Peterson
Charlotte Heinze
Ray Don Clayton
Willie C. Goode
Frank Seffrood

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

D. ANNOUNCEMENTS

Council Member Peterson requested that agenda item M-1 Executive Session be moved to just prior to item H-1 Public Hearings. He said that several individuals who will take part in Executive Session are from out of town.

Council Member Peterson also made an announcement for all evacuees who are in the Copperas Cove area and are staying in private homes with friends or relatives. He said that if they have school-age children they can go to register with the Red Cross at the Copperas Cove Civic Center, located at 1206 West Avenue B. The Red Cross will assist families with getting children registered for school in the Copperas Cove Independent School District. If additional information is needed, the contact number for the school district is 547-1227.

E. PUBLIC RECOGNITION

1. Employee Service Awards. *Andrea M. Gardner, City Manager*

September 2008 Recipients: John McGuire, Firefighter/EMT, 5 years; Leonel (Lee) Guajardo, Part Time Golf Course, 5 years; Daniel Hawbecker, Water Distribution Superintendent, 30 years.

2. Proclamation: National Kids Day in Copperas Cove, Texas, September 20, 2008. *Robert L. Reeves, Mayor Pro Tem*

Mayor Pro Tem Reeves read the proclamation and presented a proclamation to both the Boys & Girls Club and YMCA representatives. Sandor Vegh announced that this coming Saturday, September 20, 2008, the Boys & Girls Club and YMCA, along with the City of Copperas Cove

will celebrate Kids Day at City Park. Activities begin at 10:00 a.m. and run through 2:00 p.m. A fun-filled day has been planned for the kids, including games, face-painting, music, and arts and crafts. At Noon hot dogs, potato chips and drinks will be served. Mr. Vegh encouraged everyone to come to the park and enjoy these activities with the children.

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.

Council Member Peterson made a motion to move agenda item M-1 Executive Session to just prior to item H-1 Public Hearings. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the September 2, 2008 special council meeting. **Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from the September 2, 2008 regular council meeting. **Jane Lees, City Secretary**

3. Consideration and action on authorizing the City Manager to enter into an agreement with Hill Country Community Action Association, Inc. to occupy a designated area of the Human Resource Center for a period of two years with an option to renew one additional year. **Ken Wilson, Director of Community Services**

4. Consideration and action on Resolution No. 2008-35 adopting the investment policy of the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Council Member Peterson requested that item G-5 be removed from the Consent Agenda.

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

5. Consideration and ratification on Ordinance No. 2008-30, adopting the amended Flood Damage Prevention Ordinance and providing an effective date. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item G-5.

Council Member Peterson made a motion to approved item G-5 as read and clarified by Mr. Ford. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

M. EXECUTIVE SESSION

1. Pursuant to §551.072 of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to deliberate the purchase, exchange, lease, or value of real property.

The Council adjourned to Executive Session at 7:18 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 7:32 p.m. Mayor Pro Tem Reeves stated that there was no action to be taken on the discussion during Executive Session.

H. PUBLIC HEARINGS/ACTION

1. Public Hearing and action on Ordinance No. 2008-31, 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.

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

I. ACTION ITEMS

1. Consideration and action on the appointment/reappointment of the lay representative to the Central Texas Library System (CTLS). **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services, gave an overview of agenda item I-1.

Council Member Clayton made a motion to reappoint Marion Palumbo to serve as lay representative to the Central Texas Library System (CTLS) for two year term to begin September 17, 2008 – August 31, 2010. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on Resolution No. 2008-33, nominating a candidate to fill a vacancy on the Lampasas County Appraisal District Board of Directors. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-2.

Council Member Peterson made a motion to nominate Charlie Youngs. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS,
NOMINATING A CANDIDATE TO FILL A VACANCY ON THE LAMPASAS COUNTY
APPRAISAL DISTRICT BOARD OF DIRECTORS.**

3. Consideration and action on Ordinance No. 2008-32, approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2008-09.
Wanda Bunting, Director of Financial Services

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-3.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2008-32

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS,
APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL
GOVERNMENT OF THE CITY OF COPPERAS COVE FOR FISCAL YEAR 2008-09.**

4. Consideration and action on Ordinance No. 2008-33, adopting the tax rate for fiscal year 2008-09.
Wanda Bunting, Director of Financial Services

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-4.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2008-33

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS,
ADOPTING THE TAX RATE FOR FISCAL YEAR 2008-09.**

5. Consideration and action to ratify the vote approving and adopting a budget of the City of Copperas Cove for fiscal year 2008-09 and the vote to adopt the tax rate for fiscal year 2008-09.
Wanda Bunting, Director of Financial Services

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-5.

Council Member Peterson made a motion as follows: I move that property taxes be increased by the adoption of a tax rate of .74000. Council Member Heinze seconded the motion. A roll call vote was taken:

Larry D. Sheppard	For
Mark E. Peterson	For
Charlotte Heinze	For

Ray Don Clayton For
Willie C. Goode For
Frank Seffrood For

Motion carried unanimously.

6. Consideration and action on Ordinance No. 2008-36, 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-6.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2008-36

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

7. Consideration and action on Ordinance No. 2008-34, amending the City's "Fee Schedule". ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-7.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2008-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CITY'S "FEE SCHEDULE".

8. Consideration and action on Ordinance No. 2008-35, amending Section 11-25, 11-25.1, and 11-26, Article II, Chapter 11 Municipal Utilities and Services of the City of Copperas Cove Code of Ordinances. ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-8.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2008-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING SECTION 11-25, 11-25.1, AND 11-26, ARTICLE II, CHAPTER 11 MUNICIPAL UTILITIES AND SERVICES OF THE CITY OF COPPERAS COVE CODE OF ORDINANCES.

9. Consideration and action on RFP 2008-12-75 for full time Legal Services. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-9. Two Requests for Proposals (RFP's) were received and opened at the Council Meeting. RFP submittals were made by Bickerstaff Heath Delgado Acosta LLP, 816 Congress Avenue, Suite 1700 Austin, Texas 78701-2443 and Denton, Navarro, Rocha & Bernal, P.C., 2517 N. Main Avenue, San Antonio, TX 78712. Tracey Molnes, Purchasing Officer, read the fee schedules submitted for both firms.

Council Member Peterson made a motion to table item I-9 to the end of the meeting and continue with the remaining agenda items. Council Member Heinze seconded the motion. A roll call vote was taken:

Larry D. Sheppard	Against
Mark E. Peterson	For
Charlotte Heinze	For
Ray Don Clayton	For
Willie C. Goode	For
Frank Seffrood	For

Motion carried five to one.

10. Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2007-08 fiscal year audit. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-10.

Council Member Peterson made a motion to approve agenda item I-10. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

11. Consideration and action on Resolution No. 2008-32, approving a change in the tariffs of Atmos Energy Corporation, Mid-Tex Division ("Atmos") as a result of a settlement between Atmos and the Atmos Texas Municipalities ("ATM"). **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-11.

Council Member Heinze made a motion to approve agenda item I-11. Council Member Peterson seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING A CHANGE IN THE TARIFFS OF ATMOS ENERGY CORPORATION, MID-TEX DIVISION ("ATMOS") AS A RESULT OF A SETTLEMENT BETWEEN ATMOS AND THE ATMOS TEXAS MUNICIPALITIES ("ATM").

12. Consideration and action on the Mayor Pro Tem's Council Member recommendations and nominations to various ad hoc committees and outside agencies, committees, task forces, boards and commissions. **Jane Lees, City Secretary**

Mayor Pro Tem Reeves made nominations as follows:

Robert L. Reeves

Adopt-A-Fort Hood-Unit
K-TUTS Policy board
CTCOG Executive Committee (Alternate)

Mark E. Peterson

Adopt-A-Fort Hood-Unit
Sex Offender Ordinance Committee
Central Texas Deployment Task Force
CTCOG Executive Committee
Housing Authority

Ray Don Clayton

EDC (Council liaison)
Ordinance Review Committee

Frank Seffrood

Downtown Zoning Committee
Strategic Planning Committee
Transportation Committee

Larry D. Sheppard

Deer Committee
Downtown Zoning Committee

Charlotte Heinze

Hill Country Transit District Board
Deer Committee
Central Texas Deployment Task Force
Oil & Gas Committee
Transportation Committee

Willie C. Goode

Oil & Gas Committee
Housing Authority (Alternate)
Records Management Committee
Ministerial Alliance Representative

Council Member Heinze made a motion to approve agenda item I-12 as outlined by Mayor Pro Tem Reeves in the Agenda Packet. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

13. Consideration and action on rescheduling the date of the November 4, 2008 regular City Council meeting to another date. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-13.

Council Member Clayton made a motion to reschedule the date of the November 4, 2008 regular City Council meeting to November 3, 2008. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

14. Consideration and action on the appointment of an Election Judge and an Alternate Election Judge to serve for the November 4, 2008 Special Election. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-14.

Council Member Peterson made a motion to appoint Mary Howell as Election Judge and Rosie Moyna as Alternate Election Judge to serve at Lampasas Precinct 1 in the November 4, 2008 Special City Election. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

15. Consideration and action to re-appoint one Copperas Cove Economic Development Corporation (CCEDC) Board Member. **Dan Yancey, Chairman, Board of Directors, Copperas Cove Economic Development Corporation**

Dan Yancey, Chairman, Board of Directors, Copperas Cove Economic Development Corporation gave an overview of agenda item I-15.

Council Member Sheppard made a motion to re-appoint Ray Don Clayton to the Copperas Cove Economic Development Corporation (CCEDC) Board. Council Member Heinze seconded the motion. A roll call vote was taken:

Larry D. Sheppard	For
Mark E. Peterson	For
Charlotte Heinze	For
Ray Don Clayton	Abstained
Willie C. Goode	Against
Frank Seffrood	For

Motion carried four to one, with one abstention.

The Council took item I-9 from the table, which was placed on the table earlier in the meeting. Mayor Pro Tem Reeves stated that the Council should hear each proposal, discuss them, and then make a decision. Council Member Clayton made a motion to postpone action on item I-9 until a workshop could be scheduled to allow the law firms to present their proposals to the Council. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

J. STAFF REPORTS

1. Emergency Management Performance Grant. **Robert O'Dell, Deputy Fire Chief**

Robert O'Dell, Deputy Fire Chief reported that on August 22, 2008 the City received notification from the Department of Emergency Management that we were awarded the grant for Emergency Management Performance. This grant is in the amount of up to \$30,000, which pays approximately 50 percent of the Emergency Management budget. The City has applied for this grant for several years. The application was re-submitted in December 2007 for reporting year October 1, 2007 through September 30, 2008. As of September 9, 2008, the city has posted the position of Emergency Management Coordinator.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS

1. Keep Copperas Cove Beautiful (KCCB). **Silvia Rhoads, Executive Director, KCCB**

Silvia Rhoads, Executive Director, KCCB presented the Council with an update of Keep Copperas Cove Beautiful's activities for the past year. Her report included the many accomplishments of the Commission, cleanup and beautification events, waterway cleanups, and participation by members at RabbitFest, Employee Health Fair and Safe Halloween. The Commission assists in teaching students environmental responsibility and awareness. KCCB conducts a Litter Index Survey each year, and began a Cigarette Litter Prevention Campaign. The Commission, with assistance from residents at the Windcrest Nursing Home, paint clay

pots to distribute around the City as cigarette litter receptacles. KCCB partners with the Solid Waste Department and holds classroom presentations, tours of the recycle center and recycling demonstrations, reaching approximately 1,000 kids during the past year. Ms. Rhoads said that KCCB is growing and becomes more involved each year. She invited the City Council and all City Management to participate in their upcoming events in order to create a positive impact on our community.

L. ITEMS FOR FUTURE AGENDAS

Council Member Heinze requested, with concurrence from the rest of the Council, that two special workshops be set up to hear the proposals from each law firm that submitted an RFP. The City Secretary was directed to get dates from the Council and set up the workshops.

O. ADJOURNMENT

There being no further business, Mayor Pro Tem Reeves adjourned the meeting at 8:37 p.m.

Robert L. Reeves, Mayor Pro Tem

ATTEST:

Jane Lees, City Secretary