

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
November 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 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Goode 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
Charles E. Zech, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS

Council Member Heinze invited everyone to attend the last home game for the Dawgs on Friday night. Council Member Peterson encouraged everyone to get out and vote tomorrow, if they haven't done so already. Council Member Sheppard asked that everyone keep the Obama Family in their prayers upon the death of Sen. Obama's Grandmother. City Manager, Andrea Gardner, welcomed the City Attorney, Charles Zech to the City. Mayor Pro Tem Reeves asked everyone to get out and vote and said that record numbers are expected at the polls tomorrow.

E. PUBLIC RECOGNITION

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

November 2008 Recipients: James Piper, Fire Captain, 5 years. Chief Baker accepted Mr. Piper's pin as he was unable to attend the council meeting.

2. Proclamation: National Hospice Month, November 2008. ***Robert L. Reeves, Mayor Pro Tem***

Mayor Pro Tem Reeves read the proclamation and presented it to Shery Chapman, Community Outreach Director, Lighthouse Hospice. Ms. Chapman thanked the council for the proclamation and said that her organization supports and helps ease fear for those that are diagnosed with a terminal illness and their families.

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.

COL Gregory Maxton, Deputy Commander of the 3rd Brigade, 1st Cavalry Division, presented plaques of appreciation to City Manager Gardner, Police Chief, Tim Molnes, Fire Chief, Mike Baker, and Public Works Director, Bob McKinnon. He thanked these individuals for working with them for over a month in preparation for the Brigade's deployment to Iraq. During their deployment, they will encounter circumstances in the governance and management of a city, including infrastructure and economic development. They have had some training in this area, but needed further expertise to help them prepare for their deployment. He thanked the City of Copperas Cove for their assistance.

Diane Steele, 905 North 4th Street. We all have the opportunity to vote tomorrow and there was an excellent turnout for Early Voting. She requested that everyone be considerate of seniors at the polls. She mentioned that the voting machine can be brought out to your vehicle if you are unable to get inside to vote.

John Firth, 1704 Freedom Lane. He said he was here tonight, along with Commissioner Jack Wall to thank the Copperas Cove Police Chief and Fire Chief for the great job they did supporting our mutual ability to be able to respond to emergencies here in the County. As a result of a \$145,000 grant that Coryell County received from Homeland Security, the County now has 58 radios, which will ensure that not only between the Sheriff and the Police Chief and all the fire departments in the County, will have assured communications in terms of inoperability. The County has given back to Copperas Cove a couple of VHF portables that they can use. Copperas Cove has been extremely helpful in this effort. Gary Young from the Cove Fire Department helped in the programming of all the radios. He asked that you contact him if you have any ideas for obtaining grants in the future.

Brian Hawkins, 1508 Creek Street. Mr. Hawkins stated that he believes that everyone on the council has a strong desire to see this city move forward and be a great city. He stated that the Charter statement on recalls being done for any good reason is too broad of a definition. He said that he hopes everyone has learned something from this entire experience. As we look to the future, we might consider doing a couple of things differently. First, we might find that to recall for any good reason to have some other substantiation besides 750 signatures from citizens. There should be some manner to seek the truth and the facts, and not just seek the signatures. Also, we should look toward the reasons why we elected people in the first place, and not try to find reasons for removing them. He said he appreciated everything the elected officials do as well as the burden they carry every day representing the citizens of Copperas Cove.

Roger O'Dwyer, 1703 Highland Drive. Mr. O'Dwyer said that the VFW, Post 8577, will be holding the Veterans Day Parade one week from today. He reminded everyone that this day is to celebrate people who are living and serving our country. The Parade is at 9:30 a.m. on November 10 and beans and cornbread will be served at the VFW afterwards.

G. CONSENT ITEMS

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| 1. Consideration and action on approval of minutes from the October 21, 2008 regular council meeting. Jane Lees, City Secretary |
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2. Consideration and action on Resolution No. 2008-40, authorizing the City Manager to submit an application and agreement with the Electric Reliability Council of Texas, Inc. (ERCOT) for membership year 2009. **Wanda Bunting, Director of Financial Services**

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

H. PUBLIC HEARINGS/ACTION

1. Public hearing and action on Ordinance No. 2008-39, amending the overall budget for the active Capital Improvement Project Funds 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.

2. Public hearing on Ordinance No. 2008-40, amending the 2008-09 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-2.

Mayor Pro Tem Reeves opened the public hearing.

Speaking for: None.

Speaking Against: None.

Mayor Pro Tem Reeves closed the public hearing.

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

I. ACTION ITEMS

1. Consideration and action authorizing the City Manager to execute an agreement with Shallow Ford Construction for Summers Road paving and drainage improvements. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-1.

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

2. Consideration and action on authorizing the City Manager to enter into a contract with Active Network to supply online registration and program management software. **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services, gave an overview of agenda item I-2.

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

3. Consideration and action authorizing the City Manager to enter into an Agreement with the Copperas Cove Athletic Officials Association to provide recreational sports officiating for the Parks and Recreation Department. **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services, gave an overview of agenda item I-3.

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

4. Consideration and action to authorize the City Manager to enter into an agreement with Tyler Technologies for the INCODE Municipal Court software purchase. **Joseph R. Pace, Municipal Court Supervisor**

Joseph R. Pace, Municipal Court Supervisor, gave an overview of agenda item I-4.

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

5. Consideration and action on authorizing the City Manager to execute a Sales Contract between the City of Copperas Cove and Dailey-Wells Communications, Inc. for the purpose of renewing a maintenance contract for the City's 800 MHz EDACS Radio Trunking System manufactured by M/A-Com. **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-5.

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

6. Consideration and action on the approval to purchase a T320 Bobcat Compact Track Loader from Bobcat of Waco. **James A. Trevino, Assistant Director of Public Works**

James A. Trevino, Assistant Director of Public Works, 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.

7. Consideration and action on the approval to purchase a Ford F-750, 6-8 yard dump truck from Philpott Motors, Nederland, Texas. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, 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.

8. Consideration and action on the approval to purchase a John Deere 5603 MFWD Cab Utility Tractor w/MX7 lift type rotary cutter, from Coufal Prater Equipment, Temple, Texas. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-8.

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

9. Consideration and action on authorizing the City Manager to enter into a contract for construction manager at risk with Rogers-O'Brien Construction for the construction of the new police facility. **Tim Molnes, Police Chief**

Tim Molnes, Police Chief, gave an overview of agenda item I-9.

Council Member Clayton made a motion to approve agenda item I-9. Council Member Peterson seconded the motion, and with a unanimous vote, motion carried.

10. Consideration and action authorizing the City Manager to execute an agreement with JWC, Inc. for Katelyn Circle drainage improvements. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-10.

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

11. Consideration and action authorizing the City Manager to enter into an Agreement with Hearn Engineering for professional services related to the Bradford Drive extension. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-11.

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

12. Consideration and action authorizing the City Manager to enter into an Agreement with HCN Partners for the reimbursement of costs associated with the widening of Ashley Road. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-12.

Council Member Heinze made a motion to approve agenda item I-12. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

13. Consideration and action adopting an Ordinance calling for the closing of the railroad crossing located on Olive Street. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-13.

Council Member Sheppard made a motion to approve agenda item I-13. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CALLING FOR THE CLOSING OF THE RAILROAD CROSSING LOCATED ON OLIVE STREET.

14. Consideration and action on Ordinance No. 2008-44, amending Personnel Policy No. 313, Sick Leave. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director, gave an overview of agenda item I-14.

Council Member Seffrood made a motion to approve agenda item I-14. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING PERSONNEL POLICY NO. 313, SICK LEAVE.

15. Consideration and action on the appointment of a Commissioner to the Housing Authority of the City of Copperas Cove. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-15.

Council Member Sheppard made a motion to appoint Buddy Southards as Commissioner to the Housing Authority of the City of Copperas Cove for the period November 3, 2008 – September 30, 2010. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

16. Consideration and action on Resolution No. 2008-39, approving the Identity Theft Prevention Program of the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-16.

Council Member Heinze made a motion to approve agenda item I-16. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE IDENTITY THEFT PREVENTION PROGRAM OF THE CITY OF COPPERAS COVE.

17. Consideration and action on Resolution No. 2008-41, adopting the Purchasing Policy for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-17.

Council Member Heinze made a motion to approve agenda item I-17. Council Member Peterson seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING THE PURCHASING POLICY FOR THE CITY OF COPPERAS COVE.

18. Consideration and action on Resolution No. 2008-42, adopting the Procurement Card (P-Card) Policy for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-18.

Council Member Peterson made a motion to approve agenda item I-18. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

The Resolution caption is as follows:

RESOLUTION NO. 2008-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING THE PROCUREMENT CARD (P-CARD) POLICY FOR THE CITY OF COPPERAS COVE.

19. Consideration and action on Ordinance No. 2008-45 amending the City of Copperas Cove's Code of Ordinances, Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy of the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-19.

Council Member Peterson made a motion to approve agenda item I-19. Council Member Heinze seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CITY OF COPPERAS COVE'S CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, FINANCIAL PROCEDURES AND FISCAL POLICY OF THE CITY OF COPPERAS COVE.

20. Consideration and action on approval of Ordinance No. 2008-43, adopting new Sign Regulations. **Carl Ford, City Planner**

Andrea Gardner, City Manager, gave an overview of agenda item I-20.

Council Member Clayton made a motion to approve agenda item I-20 with Option 2 and including the changes as outlined by Ms. Gardner. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2008-43

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING NEW SIGN REGULATIONS.

J. STAFF REPORTS

1. Fall Cleanup/Texas Recycles Day – November 15, 2008. **Michael Mundell, Solid Waste Superintendent**

Michael Mundell, Solid Waste Superintendent, gave an update on Fall Cleanup/Texas Recycles Day. This event will be held on a Saturday this year rather than a Friday as in the past. The Solid Waste Facility will be open from 8:00 – 2:00 and will accept household trash, junk, brush, e-waste, computers, CPU's, mice, toner, cell phones, scrap metal, scrap tires (for a charge and must be off the rim), as well as construction debris from commercial customers.

2. Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year End September 30, 2007. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an update on the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year End September 30, 2007.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS

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 evaluation of the City Secretary.
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The Council adjourned to Executive Session at 8:46 p.m.

N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

The Council reconvened into open session at 9:36 p.m. Mayor Pro Tem Reeves announced that there was no action to be taken as a result of Executive Session.

O. ADJOURNMENT

There being no further business, Mayor Pro Tem Reeves adjourned the meeting at 9:36 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary