

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
March 26, 2009 – 7:00 P.M.**

A. CALL TO ORDER

Mayor Hull 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

Rev. Frank D. Somera Jr. of the Copperas Cove Christian Church gave the invocation and Mayor John Hull led the pledge of allegiance.

C. ROLL CALL

ALSO PRESENT

John Hull
Cheryl L. Meredith
Larry D. Sheppard
Chuck Downard
Danny Palmer
Bill L. Stephens
Willie C. Goode
Frank Seffrood

Andrea M. Gardner, City Manager
Charles E. Zech, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS

Council Member Meredith announced that Keep Copperas Cove Beautiful is sponsoring "Don't Mess With Texas Trash-off" on Saturday, April 4, 2009 from 9 a.m. until Noon. Anyone interested in helping with litter pick up should meet at the back High School parking lot on Avenue D. All supplies will be provided and free T-shirts will be given to all volunteers.

Council Member Downard stated that the Cove House Emergency Homeless Shelter will hold their 11th annual golf tournament this Saturday, April 4, 2009, at the Hills of Cove Golf Course. If you are not a golfer, Council Member Downard said that canned food is needed by the Cove House to help fill their pantries.

Mayor Hull announced that the Transfer Station will be open on April 25, 2009 for spring cleanup.

E. PUBLIC RECOGNITION

1. Oath of Office: The Oath of Office will be administered to Bill L. Stephens, Council Member Position 5. ***F. W. "Bill" Price, Municipal Court Judge***

F.W. "Bill" Price, Municipal Court Judge administered the oath of office to Bill L. Stephens, Council Member Position 5.

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

February 2009 Recipients: Joseph Pangelinan, Heavy Equipment Operator, 10 years; John Mantanona, Solid Waste Supervisor Operations, 10 years; Silvia Rhoads, Solid Waste Supervisor Recycling/Administration, 10 years.

March 2009 Recipients: Anthony Castro, Wastewater Operator II, 5 years; Jacorby Smith, Patrol Officer, 5 years; Margarito Garcia, Golf Course Laborer, 10 years; Greg Mitchell, Information Systems Director, 10 years.

3. Proclamation: Child Abuse Prevention Month in Copperas Cove, April 2009.
John Hull, Mayor

Mayor Hull read the proclamation and presented it to the numerous community organizations that work hard to prevent child abuse. Organizations with representatives present were Coryell County Child Welfare Board, Rainbow Room, CASA, Child Advocacy Center of Central Texas, Copperas Cove Exchange Club, Copperas Cove Police Department, CCISD, BACA, Wal-Mart and CPS.

4. Proclamation: National Autism Awareness Day, April 2, 2009 and Autism Awareness Month, April 2009. **John Hull, Mayor**

Mayor Hull read the proclamation and presented it to Valerie Hughes, a local resident with an autistic child. Her mission is to raise awareness of this developmental disability and ask that the residents of Copperas Cove become better educated about autism.

F. CITIZENS' FORUM At this time, citizens will be allowed to speak for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

Diane Steele, 905 North 4th Street. Ms. Steele discussed the need for residents to do more recycling, especially since the \$18 bulk fee was removed. She said residents need to do their part to help the City.

Annabelle Smith, 904 Holly Street. On behalf of the Downtown Association, she thanked everyone who participated in making Copperas Cove's 130th Birthday Party a success. In addition to the Downtown Association members, Ms. Smith told the Council that several City Departments assisted as well. Specifically, those Departments are the Solid Waste Department, Streets Department and Parks & Recreation Department. She also thanked the local H-E-B and Mickey's. She stated that the plan is to conduct the celebrations every five years.

Mike Creasy, 1306 Eagle Trail. Mr. Creasy recommended to the Council that a once a year brush pickup be implemented that exceeds the current limit allowed, in order to provide an incentive to residents to keep their property well groomed. He was recently billed an extra \$60 for brush because he had exceeded the allowed limit. He checked with his neighbors and found that one had been charged an extra \$100 and another was charged an extra \$120. Mr. Creasy felt that these high charges do not serve as an incentive for people to keep their property well maintained. His recommendation was to conduct a special pickup once a year by notifying residents over a two-week period that a larger amount of brush would be picked up free of charge. He recommended a limit of 20 cubic yards. If a resident went over the 20 cubic yards, he suggested that the City assess the current fee, which is \$6 per each additional cubic yard.

This would give people an incentive to do massive cutting and cleanup of debris to maintain their yards and help keep the City looking well groomed.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the March 3, 2009 regular council meeting. **Jane Lees, City Secretary**

2. Consideration and action on approval of minutes from the March 16, 2009 special council meeting. **Jane Lees, City Secretary**

3. Consideration and action on authorizing the City Manager to enter into an Interlocal Agreement with the Tarrant County Cooperative Purchasing Program Association and naming the Purchasing Officer of the City of Copperas Cove as the City's Authorized Officer. **Tracy Molnes, Purchasing Officer**

5. Update on the Recycle Program. **Michael Mundell, Superintendent of Solid Waste**

6. Consideration and action on authorizing the Mayor as the approval signature on the State of Texas CO-OP Agent of Record Name Change Form. **Tracy Molnes, Purchasing Officer**

7. Financial Report for the Month ended January 31, 2009. **Wanda Bunting, Director of Financial Services**

8. Consideration and action on authorizing street closures for 7th Street and Avenue D and the 17th Street crossing for the Copperas Cove High School Shattered Dreams Project. **Tim Molnes, Police Chief**

The Council requested removal of consent items G-4 and G-9.

Council Member Palmer made a motion to approve consent items G-1, G-2, G-3, G-5, G-6, G-7 and G-8. Council Member Sheppard seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on authorizing the release of funds in the amount of \$899.30 from the Hotel Occupancy Tax Fund to the Boys and Girls Club of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Council Member Palmer recused himself from consent item G-4 because he currently serves as the Secretary/Treasurer of the Boys and Girls Club.

Council Member Goode stated that the invoice from the Boys and Girls Club to the City and the invoice from Kerrville Folk Festival to the Boys and Girls Club did not match. Council Member Goode made a motion that the \$899.30 not be paid until a corrected invoice is sent to the City. The motion was seconded by Council Member Meredith.

During discussion, City Manager Gardner said that she had additional information that she received from the Boys and Girls Club. She had spoken with Ms. Francie Charles regarding the appearance of a discrepancy with the invoice submitted to the city. The explanation she received was that the Kerrville Folk Festival sells advertising programs in packages. This particular package is called the Small Business Advertising Package. Included in this package is advertising space in the brochure for the Kerrville Folk Festival, as well as the tickets that were referenced. Ms. Gardner said that Ms. Charles told her that the tickets were eliminated from their package. The package is for the quarter-page ad in the program that is distributed world-wide for the Kerrville Folk Festival. It also includes a quarter-page ad in the Wine & Music Festival Program held in the fall. Also as part of the package, they receive their business name in the 2009 Kerrville Folk Festival and Wine & Music Festival Programs. Ms. Gardner said this does appear to be an advertising package, they just happened to include the tickets on the invoice. Ms. Gardner once again stated that the Boys and Girls Club declined the tickets.

Council Member Goode stated that still felt that the invoices should match. Council Member Stephens said he agreed that the invoices should match. He said that the invoices submitted cannot be compared because one looks like they are purchasing 10,000 brochures, and the other does not mention the brochures. Ms. Gardner stated that the City does not require the entities to provide us with an invoice. The requirement is that they provide the City with a copy of the cancelled check and the invoice that was billed to them. The invoice from the Boys and Girls Club does indicate that this expense was for advertising and that it is for the Kerrville Folk Festival. Jon Charles of the Boys and Girls Club said that Music at the Gap is their premier fundraising event for the Club. He said he did have the Kerrville Folk Festival remove the tickets from their invoice and the corrected invoice was submitted to Ms. Gardner recently.

A roll call vote on the motion to “not pay until a corrected invoice was given to the City” was taken with the following results:

Cheryl L. Meredith	Aye
Larry D. Sheppard	Nay
Chuck Downard	Nay
Danny Palmer	Recused
Bill L. Stephens	Nay
Willie C. Goode	Aye
Frank Seffrood	Aye
John Hull	Nay

Motion failed 3-4.

Council Member Downard made a motion to approve consent item G-4. Council Member Meredith seconded the motion. A roll call vote was taken with the following results:

Cheryl L. Meredith	Aye
Larry D. Sheppard	Aye
Chuck Downard	Aye
Danny Palmer	Recused
Bill L. Stephens	Aye
Willie C. Goode	Aye
Frank Seffrood	Aye

Motion carried 6-0.

9. Consideration and action on authorizing the Mayor of the City of Copperas Cove to address a letter to the Texas Department of Housing and Community Affairs that clearly defines the City's intentions to defer application submission for the Texas Neighborhood Stabilization Program to Fort Hood Area Habitat for Humanity. **Andrea M. Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item G-9. Gene Bauer, Executive Director for Habitat for Humanity was on hand to answer questions from the Council and to explain more details about the program.

Council Member Seffrood made a motion to approve consent item G-4. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing, consideration and action on Ordinance No. 2009-11, amending the 2008-09 fiscal year budget for the City of Copperas Cove. **Wanda Bunting, Director of Financial Services**

Mayor Hull opened the public hearing.

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

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing.

I. ACTION ITEMS

1. Consideration and action on Resolution No. 2009-11, authorizing the Copperas Cove Municipal Court to accept online credit card payments through the Company of Tyler Technologies at no cost to the City. **Joseph R. Pace, Municipal Court Supervisor**

Joseph R. Pace, Municipal Court Supervisor, gave an overview of agenda item I-1.

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE COPPERAS COVE MUNICIPAL COURT TO ACCEPT ONLINE CREDIT CARD PAYMENTS THROUGH THE COMPANY OF TYLER TECHNOLOGIES AT NO COST TO THE CITY.

2. Consideration and action on authorizing the City Manager to enter into a contract with Onvia, Inc. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-2.

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

3. Presentation of Fiscal Year 2008 Comprehensive Annual Financial Report. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-3. Michael Firth of Lott, Vernon & Co. was on hand to summarize the audit and answer questions from the Council and City Manager.

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

4. Consideration and action on rejecting all proposals received for the Request for Proposal No. 2008-10-54, for design and engineering of a new indoor aquatics and recreation facility. **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services, gave an overview of agenda item I-4.

Council Member Palmer 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 Resolution No. 2009-10, endorsing certain legislative changes to enhance the competitive electric market supported by Cities Aggregation Power Project (CAPP). **Wanda Bunting, Director of Financial Services**

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

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ENDORSING CERTAIN LEGISLATIVE CHANGES TO ENHANCE THE COMPETITIVE ELECTRIC MARKET SUPPORTED BY CITIES AGGREGATION POWER PROJECT (CAPP).

6. Consideration and action on the Mayor's recommendation for a Council Member to serve as an alternative liaison to the Economic Development Corporation (EDC). **John Hull, Mayor**

Mayor Hull recommended to the Council the appointment of Council Member Danny Palmer as the alternate liaison to the EDC.

Council Member Downard made a motion to approve the Mayor's recommendation for Danny Palmer to serve as the alternate liaison to the EDC. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on approval of Ordinance No. 2009-07, adopting revised Sign Regulations. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item I-7.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2009-07

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

8. Consideration and action on approving Ordinance No. 2009-04, revising the City Council's Rules of Meetings and Order of Business. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-8.

Council Member Downard made a motion to postpone agenda item I-8 to a future date. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

ORDINANCE NO. 2009-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, REVISING THE CITY COUNCIL'S RULES OF MEETINGS AND ORDER OF BUSINESS.

9. Consideration and action authorizing the City Manager to enter into a contract with First Southwest Asset Management, Inc. for professional services related to arbitrage rebate. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-9.

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

10. Consideration and action on authorizing the Mayor to execute an Image Campaign Agreement with the Copperas Cove Independent School District, the Copperas Cove Economic Development Corporation and the Copperas Cove Chamber of Commerce. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-10.

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

11. Consideration and action on authorizing the rental fees for use of the City of Copperas Cove Civic Center in the amount of \$250 be waived for a Benefit Concert planned for Trinity Doyle. **Andrea Gardner, City Manager**

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

Council Member Sheppard made a motion to deny waiver of rental fees for the Civic Center. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

12. Consideration and action on reviewing the Future Land Use Plan. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item I-12.

Council Member Stephens made a motion to appoint an ad hoc committee to review and make recommendations to the Council on the Future Land Use Plan. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

13. Consideration and action on adopting Ordinance 2009-06, repealing §18-29 of the City of Copperas Cove Ordinances Chapter 18. **Andrea Gardner, City Manager**

Andrea Gardner, City Manager, gave an overview of agenda item I-13.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2009-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, REPEALING §18-29 OF THE CITY OF COPPERAS COVE ORDINANCE CHAPTER 18.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Presentation update on Fort Hood USO activities. **Robin Crouse, Program Manager**

No report.

2. Presentation update from the Boys & Girls Club of Copperas Cove on what the City can look forward to this summer concert season. **Francie Charles, Boys and Girls Club of Copperas Cove**

Ms. Francie Charles of the Boys and Girls Club gave an update on the upcoming summer concert season. Ms. Charles said that they serve kids every day after school and all summer long for a small membership fee. The Club has the distinction of serving the most military kids off post in the nation and has been recognized for this accomplishment. This will be the sixth year for Music at the Gap, and the attendance numbers are growing each year. Music at the Gap is the signature event for the Boys and Girls Club. This year there will be five concerts during the months of June, July and August and two concerts will include special concerts just for kids.

K. ITEMS FOR FUTURE AGENDAS

None.

L. EXECUTIVE SESSION

1. Pursuant to §551.072 of the Open Meetings Act. <i>Tex. Gov't Code</i> , Council will meet in Executive Session to discuss the purchase of real property.

The Council adjourned to Executive Session at 9:07 p.m.

M. 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 9:19 p.m. Mayor Hull announced that there was no action to be taken as a result discussion in Executive Session.

N. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 9:19 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary