

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
May 5, 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. Russ Cochran of Hillside Ministries Church gave the Invocation, and Mayor 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 Seffrood announced the annual food drive sponsored by the postal union. The drive will be this coming Saturday, May 9, 2009. Residents may place bags with canned food by their mailboxes. Also, on Friday, May 8, 2009, collections will be done at Wal-Mart.

Council Member Goode asked that residents get out and vote on Saturday, May 9, 2009 for the City's General Election.

Council Member Stephens stated that the Friends of the Library will hold their Spring Book Sale this coming Saturday from 9 a.m. to 3 p.m.

Council Member Sheppard announced that Early Voting for the General Election was over and a total of 876 people voted. He said that the polls will be open from 7 a.m. to 7 p.m. on Saturday, May 9, 2009.

Council Member Downard reminded everyone that Rabbit Fest is coming up soon, May 14-17 at City Park.

E. PUBLIC RECOGNITION

1. Proclamation: Law Enforcement Torch Run Day for Special Olympics Texas. **John Hull, Mayor**

Mayor Hull read the proclamation and presented it to Cpl. John Oster of the Copperas Cove Police Department. Cpl. Oster thanked the Council for supporting this event. He said that local law enforcement officers will run through Copperas Cove on May 19, 2009, carrying the torch on its way to Arlington, Texas.

2. Proclamation: National Day of Prayer. **John Hull, Mayor. John Hull, Mayor**

Mayor Hull read the proclamation and presented it to Peggy Thompson. Ms. Thompson thanked the Council for the proclamation and invited everyone to come to Council Chambers on Thursday, May 7, 2009 at Noon to join in prayer for our nation, county, city and military.

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

May 2009 Recipients: John Rogers, Operator II Sewer Collection, 5 years; Robert Terry, Detective in Criminal Investigation Division, 5 years.

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.

None.

G. CONSENT ITEMS

Council Member Stephens requested that consent item G-5 be pulled and discussed separately. Mayor Hull requested that consent items G-4 and G-8 be considered after reports were given in Items J-1 and J-2.

1. Consideration and action on approval of minutes from the April 21, 2009 regular council meeting. **Jane Lees, City Secretary**

2. Consideration and action on a resolution, authorizing and supporting the City Manager in the submission of a grant application to Texas STEP. **Daniel Austin, Police Lieutenant**

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

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

7. Consideration and action on a resolution accepting the quarterly investment report as presented for the quarter ending March 31, 2009 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

9. Consideration and action on a resolution authorizing and supporting the City Manager in the submission of a grant application and other related mandatory documents to the U.S. Department of Justice, Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program. **Tim Molnes, Police Chief**

Council Member Sheppard made a motion to approve consent items G-1, G-2, G-3, G-6, G-7 and G-9. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

5. Consideration and action on authorizing the purchase of digital in-car video systems, additional wireless microphones, and extended factory warranties through Tarrant County Cooperative Purchasing. **Eddie Wilson, Police Lieutenant**

Eddie Wilson, Police Lieutenant, gave an overview of item G-8.

After discussion and questions from the Council a motion was made by Council Member Stephens to approve consent item G-5. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing on an ordinance 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 at 7:28 p.m.

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 at 7:31 p.m.

I. ACTION ITEMS

1. Consideration and action on appointment of an alternate member to fill a vacancy on the Board of Adjustment. **Carl Ford, Director of Community Development**

Carl Ford, Director of Community Development, gave an overview of agenda item I-1.

Council Member Downard made a motion to appoint Annabelle Smith as an alternate member on the Board of Adjustment from May 5, 2009 through June 30, 2010. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action, authorizing the purchase of a Frazer Type I Ambulance from Frazer, Ltd., through the HGAC Cooperative purchasing program. **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-2.

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

3. Consideration and action on an ordinance 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-3.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2009-09

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

4. Consideration and action on adopting a resolution authorizing the Fire Chief to apply for a grant through the United States Department of Homeland Security, Federal Emergency Management Agency, Assistance to Firefighter's Grant Program for new Self Contained Breathing Apparatus (SCBA). **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-4.

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE FIRE CHIEF TO APPLY FOR A GRANT THROUGH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, ASSISTANCE TO FIREFIGHTER'S GRANT PROGRAM FOR NEW SELF CONTAINED BREATHING APPARATUS (SCBA).

5. Consideration and action on approval of the revised Performance Agreement and Commercial Real Estate Contract for sale of EDC spec building to Cinergy Cinemas. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation (CCEDC)**

Dan Yancey, Chairman of the Board, CCEDC, gave an overview of agenda item I-5.

Council Member Downard made a motion to approve the Commercial Property Contract between the CCEDC and Cinergy Cinemas LP. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

Council Member Downard made a motion to approve the Performance Agreement between the CCEDC and Cinergy Cinemas LLC. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on approval of the 2008-09 amended Copperas Cove Economic Development Corporation Budget. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

7. Consideration and action on approval of a contract to purchase a digital sign. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Dan Yancey, Chairman of the Board, Copperas Cove Economic Development Corporation, gave an overview of agenda items I-6 and I-7.

Council Member Palmer made a motion to approve agenda item I-6. Council Member Meredith seconded the motion.

The following citizens made comments: Mark Josendale of Bright Sign LED International; Roger O'Dwyer, 1703 Highland Drive; Garney Bray, 301 Ridge Street; and Jeff Benson, President of Cinergy Cinemas LP.

A roll call vote was taken with the following results:

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

Motion carried four to three.

Council Member Downard made a motion to approve agenda item I-7. Council Member Palmer seconded the motion.

A roll call vote was taken with the following results:

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

Motion carried four to three.

8. Consideration and action on authorizing the City Manager to execute an amendment to the April 30, 2007 agreement with the Copperas Cove Economic Development Corporation concerning a land exchange between the City of Copperas Cove and Fort Hood. **Andrea M. Gardner, City Manager**

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

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

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Copperas Cove Country Opry second quarter report for FY 2008-09. **William K. Hall, Copperas Cove Country Opry**

William K. Hall, Copperas Cove Country Opry, gave a report on the second quarter for FY 2008-09, January through March 2009.

G. CONSENT ITEMS

4. Consideration and action on authorizing the release of funds from the Hotel Occupancy Tax Fund to the Copperas Cove Country Opry. **Wanda Bunting, Director of Financial Services**

Council Member Stephens made a motion to authorize release of funds to the Copperas Cove Country Opry. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

2. Chamber of Commerce first quarter report for calendar year 2009. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Marty Smith, President, Copperas Cove Chamber of Commerce, gave a report for the first quarter for calendar year 2009.

G. CONSENT ITEMS

8. Consideration and action on authorizing the release of funds from the Hotel Occupancy Tax Fund to the Copperas Cove Chamber of Commerce to satisfy the quarterly installment due for period ending March 31, 2009. **Wanda Bunting, Director of Financial Services**

Council Member Goode made a motion to authorize release of funds to the Copperas Cove Chamber of Commerce. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

3. Presentation update from the Copperas Cove Animal Advisory Committee.
Mike Heintzelman, Deputy Chief of Police

Mike Heintzelman, Deputy Chief of Police, informed the Council that the Animal Advisory Committee discussed changes to the City's animal control ordinance at their April 14, 2009 meeting. The changes will be brought to the Council for discussion at a workshop in the near future.

K. ITEMS FOR FUTURE AGENDAS

Council Member Stephens requested the following items:

1. Report on the next agenda, after a coordination meeting between the EDC, Chamber and the City regarding the LED sign promotion/advertising.
2. Report on the next agenda of the EDC financial guidelines and the EDC Annual Report that goes to the State Comptroller's Office by February 1 of each year.
3. Report by the next meeting the current EDC Board Members, their terms, original appointment dates, and certificates showing the dates they completed the required basic economic development training.
4. A future joint workshop item to discuss the irregularities found in the City Attorney's report and what changes the EDC will need to make in accordance with Local Government Code and the Attorney General's Handbook for Economic Development Corporations, along with the EDC Bylaws.

Council Member Stephens requested that all these items be coordinated with the EDC through the Council liaisons to the EDC, Council Members Downard and Palmer.

Council Members Palmer and Meredith concurred.

L. EXECUTIVE SESSION – None.

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

N. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 8:36 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary