

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
June 16, 2009 – 7:00 P.M.**

**A. CALL TO ORDER**

Mayor John 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. Dr. Mark Kemp, Senior Minister of the First Baptist Church, gave the Invocation, and Mayor Hull led the Pledge of Allegiance.

**C. ROLL CALL**

**ALSO PRESENT**

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

Andrea M. Gardner, City Manager  
Charlie Zech, City Attorney  
Stefanie Brown, Deputy City Secretary

**D. ANNOUNCEMENTS**

Council Member Downard reminded the citizens that this Saturday the Boys and Girls Club was presenting Music at the Gap at Ogletree Gap Park at 6:30 p.m. Also, starting Saturday morning at 6:00 a.m. at the Civic Center the "Good Ole Summertime Bike Race" will be held.

Council Member Stephens informed the citizens that the Solid Waste Department is collecting used tires at no cost this Saturday from 8:00 to 4:30.

Mayor Hull announced that the Elmer Hamm Memorial Golf Tournament is this coming Saturday and all proceeds go the Shriners Crippled Children's Hospital.

**E. PUBLIC RECOGNITION**

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| 1. Proclamation: Code Compliance Month – July 2009. <b>John Hull, Mayor</b> |
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Mayor John Hull read the proclamation and presented it to Mike Morton, Chief Building Official.

**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 asked if the City has an ordinance that allows the removal of animals from a residence where the animals may not be visible but a stench is coming from the building. Ms. Steele also asked if the municipal judge can remove animals from a residence by an order.

Roger O'Dwyer, 1703 Highland Drive. Mr. O'Dwyer asked if the zoning is cumulative and requested to be directed to a staff member who could help him answer this question.

#### **G. CONSENT ITEMS**

1. Consideration and action on approval of minutes from the June 2, 2009 regular council meeting. **Stefanie Brown, Deputy City Secretary**

2. Report and possible discussion for Target Stores "Early Childhood Reading Grant". **Margaret Handrow, Library Director**

3. 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) 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. **Tim Molnes, Police Chief**

4. Consideration and action to amend a previously adopted 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**

5. Consideration and action on award of a Bid for dry cleaning services for police uniforms. **Tim Molnes, Police Chief**

6. Consideration and action authorizing the City Manager to enter into an agreement with Hearn Engineering for professional services related to Walker Elementary area drainage. **Wesley Wright, P.E., City Engineer**

7. Consideration and action on award of a bid to the apparent low bidder, JL Construction, for the construction of a golf cart facility. **Danny Zincke, Assistant Director of Community Services**

8. Consideration and action on authorizing the City Manager to execute an agreement for a golf cart lease between the City of Copperas Cove/Hills of Cove Golf Course and Club Car Inc. **Danny Zincke, Assistant Director of Community Services**

9. Consideration and action on awarding a bid for the purchase of a Trailer Jockey Terminal Tractor. **Michael Mundell, Solid Waste Superintendent**

10. Consideration and action on authorizing the City Manager to enter into a professional services agreement with Grant Development Services to apply for a grant through the United States Department of Homeland Security, Federal Emergency Management Agency, Firefighters Fire Station Grant Program. **Mike Baker, Fire Chief**

Council Member Seffrood made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, G-6, G-7, G-8, G-9, and G-10. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

#### H. PUBLIC HEARINGS/ACTION

1. Public hearing and action on an ordinance amending Chapter 14 of the code of ordinances to include all applicable attachments; providing for a savings clause; and providing for an effective date. **Andrea M. Gardner, City Manager**

Mayor Hull opened the public hearing at 7:15 p.m.

Andrea M. Gardner, City Manager, gave an overview of agenda item H-1.

Speaking for: None.

Speaking against: None.

Mayor Hull closed the public hearing at 7:17 p.m.

Council Member Stephens made a motion to approve agenda item H-1 to include the final City staff recommendations to Section 14.14.1.37 Work Hours for Site Development by adding at the end, "or City recognized Holidays." Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

#### ORDINANCE NO. 2009-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES TO INCLUDE ALL APPLICABLE ATTACHMENTS; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

#### I. ACTION ITEMS

1. Consideration and action on appointment of new members to the Keep Copperas Cove Beautiful Commission. **Silvia Rhoads, Executive Director, Keep Copperas Cove Beautiful**

Silvia Rhoads, Executive Director, gave an overview of agenda item I-1.

Council Member Seffrood made a motion to appoint Adam Wolf, Kathleen Wolf, Billie Jean Wolverton, and Jane Zimmer to serve on the Keep Copperas Cove Beautiful Commission for

a period of two (2) years. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action to fill expired terms and any current vacancies on the Planning and Zoning Commission. **Carl Ford, Director of Development Services**

Carl Ford, Director of Development Services, gave an overview of agenda item I-2.

Council Member Goode made a motion to appoint Commissioner's as follows:

- Martin Rodriguez to Place 1 and Sandy Vegh to Place 2, to serve on the Planning and Zoning Commission for a period of three (3) years starting July 1, 2009 and ending June 30, 2012.
- Bradi Diaz to Place 7 for a period of three (3) years starting July 1, 2009 and ending June 30, 2011.

Council Member Seffrood seconded the motion and a roll call vote was taken:

Cheryl L. Meredith	Aye
Charlie D. Youngs	Nay
Chuck Downard	Aye
Danny Palmer	Aye
Bill L. Stephens	Nay
Willie Goode	Aye
Frank Seffrood	Aye

Motion carried 5-2.

3. Consideration and action to fill expired terms and adjust existing terms on the Board of Adjustment. **Carl Ford, Director of Developmental Services**

Carl Ford, Director of Developmental Services, gave an overview of agenda item I-3.

Council Member Downard made a motion to table the item until the end of the meeting. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on an ordinance revising Chapter 2 of the Code of Ordinances, Section III, Division 2, Rules of Meetings and Order of Business; providing for a savings clause and declaring an effective date. **Andrea M. Gardner, City Manager**

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

Council Member Palmer 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. 2009-15

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, REVISING CHAPTER 2 OF THE CODE OF ORDINANCES, SECTION III, DIVISION 2, RULES OF MEETINGS AND ORDER OF BUSINESS; PROVIDING FOR A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.**

5. Consideration and possible action to provide clarification and establish a due date for items requested during the May 5, 2009 meeting of the City Council in the items for future agendas section. **Chuck Downard, Council Member Position 3**

Chuck Downard, Council Member Position 3, gave an overview of agenda item I-5, reviewing the following items which were provided in a packet to the Council:

1. Economic Development Guidelines, which expired as of September 2008.
2. Corporate Bylaws, which were approved in 1993 with a couple of changes in the 1990's and 2000.
3. Current board, terms and positions for directors and officers. Some of the directors have served for as long as 10 years. In addition, information has been provided stating that CCEDC directors and officers may serve continuously, but may be removed by the city council at any time without cause. Council Member Downard added that he personally believes that there should be term limits and that the terms should be three years.

He stated that one additional item not included in the provided packet is the contract for the LED sign promotion advertising, which will be provided at a later date.

Council Member Downard stated that the City Council needs to work with EDC on clarifying and correcting some of these items. He recommended that a workshop be planned to do this.

Council Member Downard made a motion that the LED sign promotional advertising contract, the CCEDC Bylaws, the CCEDC Development Guidelines, and time limitations for CCEDC directors or officers serving on the board, be reviewed, updated, and discussed at an August 18, 2009 Council workshop with the CCEDC directors and officers. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on authorizing the Copperas Cove Economic Development Corporation to execute a professional services agreement with Walker, Wiederhold, & Associates, LLC. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Dan Yancy, President of the CCEDC, gave an overview of agenda item I-6.

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

7. Consideration and action on appointing a Council Member to serve on the CCEDC Bylaws and Economic Development Guidelines Committee. **Jerry Conner, Executive Director, Copperas Cove Economic Development Corporation**

Dan Yancy, President of the CCEDC, gave an overview of agenda item I-7.

Council Member Downard made a motion to disapprove agenda item I-7. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action to fill expired terms and adjust exiting terms on the Board of Adjustment. ***Carl Ford, Director of Developmental Services***

Carl Ford, Director of Developmental Services, gave an overview of agenda item I-3.

Council Member Downard made a motion to postpone the item until the next regular council meeting. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

**J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS  
– None.**

**K. ITEMS FOR FUTURE AGENDAS**

Council Member Seffrood requested that an agenda item be placed on the July 7, 2009 regular meeting to approve an excused absence for him at the July 21, 2009 regular meeting.

Council Member Goode requested that water abatement for the YMCA and the Boys & Girls Club be placed on the next agenda.

Council Member Downard requested that the subject of reappointments for the CCEDC directors and officers be placed on the August 18 regular agenda.

Council Member Youngs requested that the Council discuss placing the CCEDC on the May 2010 ballot to change it from a 4A to a 4B corporation.

**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 7:54 p.m.

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John Hull, Mayor

**ATTEST:**

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Stefanie Brown, Deputy City Secretary