

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
September 1, 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. Joseph Fisher, Saint's Center, 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
Charles E. Zech, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS

Council Member Downard asked everyone to remember that the Bulldawgs will be at Waco on Friday night, September 4, 2009 at 7:30 p.m.

Mayor Hull thanked the firefighters for their hard work last weekend during the "Fill the Boot" campaign. They raised \$9,322.04 for the Muscular Dystrophy Association. He also thanked them for parking the City's fire trucks and emergency vehicles in school zones during the first week of school as a reminder to drivers to be careful and look out for kids on their way to school.

Council Member Stephens thanked all the citizens who donated the money to the "Fill the Boot" campaign.

E. PUBLIC RECOGNITION

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| 1. Employee Service Awards. Andrea M. Gardner, City Manager |
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September 2009 Recipients: Franklin Lagunero, Operator II, Sewer Collection, 5 years; Carol Ballesteros, Firefighter/Paramedic, 5 years; Gary Young, Deputy Fire Chief, 20 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

2. Consideration and action on the Chamber of Commerce hosting a Carnival at Ogletree Gap. **Marty Smith, President, Copperas Cove Chamber of Commerce**

3. Consideration and action on approving the minutes from the regular council meeting on August 18, 2009. **Jane Lees, City Secretary**

4. Consideration and action on an ordinance authorizing enforcement of Texas Transportation Code Section 545.425, Use of Wireless Communication Device; authorizing placement of signs; providing for a penalty; providing for repealing, savings, and severability clauses; and providing for an effective date of this ordinance. **Tim Molnes, Police Chief**

Council Member Stephens requested that item G-1 be removed from the Consent Agenda.

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

1. Consideration and action to authorize the Mayor to execute a letter to the Texas Parks and Wildlife Department regarding the Indoor Recreation Grant awarded to the City in January 2008. **Andrea M. Gardner, City Manager**

Council Member Stephens made a motion to postpone item G-1 until the letter was supplied to the City Council. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION – None.

I. ACTION ITEMS

1. Consideration and action on appointments to the Copperas Cove Economic Development Corporation (CCEDC) Board of Directors. **Chuck Downard, Council Member, Position 3**

Chuck Downard, Council Member, gave an overview of agenda item I-1.

Council Member Downard made a motion to reappoint Dan Yancey to Position 4 for a three-year term, October 1, 2009 to September 30, 2012. Council Member Meredith 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	Aye

Willie C. Goode Aye
Frank Seffrood Nay

Motion carried, five to two.

Council Member Downard made a motion to reappoint Fred Chavez to Position 3 for a three-year term, October 1, 2009 to September 30, 2012. Council Member Goode 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 C. Goode Aye
Frank Seffrood Nay

Motion carried, four to three.

2. Consideration and action on authorizing the City Manager to enter into an agreement with Lott, Vernon & Company, P.C. for the 2008-09 fiscal year audit.
Wanda Bunting, Director of Financial Services

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

Council Member Palmer made a motion to approve agenda item I-2. Council Member Meredith seconded the motion, and a roll call vote was taken:

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

Motion failed, three to four.

3. Consideration and action on approval of an ordinance officially adopting the City's revised and updated "Water Conservation and Drought Contingency Plan." **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-3.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2009-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING A CITY WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING NO CULPABLE MENTAL STATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

4. Consideration and action on authorizing the City Manager to execute a contractual agreement with Langford Community Management Services for Phase II of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. **Andrea M. Gardner, City Manager**

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

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

5. Consideration and action on an ordinance amending Personnel Policy No. 312, Holidays. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director, gave an overview of agenda item I-5.

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

The Ordinance caption is as follows:

ORDINANCE NO. 2009-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, APPROVING THE ATTACHED PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF COPPERAS COVE BY REPEALING THE CURRENT PERSONNEL POLICY, NO. 312, (HOLIDAYS) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 312, (HOLIDAYS) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

6. Consideration and action on rescheduling the date of a Regular City Council meeting to another date. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-6.

Council Member Stephens made a motion to keep first regular meeting on October 6, 2009. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on adopting a resolution approving the request to vacate Mesa Verde at Skyline Phase II. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-7.

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

The Resolution caption is as follows:

RESOLUTION NO. 2009-38

A RESOLUTION TO APPROVE THE REQUEST TO VACATE THE SUBDIVISION RECORDED AS MESA VERDE AT SKYLINE PHASE II IN CABINET B, SLIDE 583 PLAT RECORDS OF CORYELL COUNTY, TEXAS.

8. Consideration and action on granting Council Member Charlie D. Youngs, Position 2, an excused absence for a regular council meeting. **Jane Lees, City Secretary**

No action taken on this item as Council Member Youngs was present.

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

K. ITEMS FOR FUTURE AGENDAS

Council Member Meredith requested that a workshop be held to discuss City Council Member appointments on various committees and their roles.

Council Member Youngs stated that he will make every effort to be present at the September 8, 2009 Special Council Meetings.

Council Member Downard requested an agenda item for the next agenda for consideration and action on appointing Positions 1, 3, and 5, on the Copperas Cove Economic Development Board.

Council Member Palmer asked if the City Manager could develop an ordinance for discussion at a workshop to provide a three foot buffer zone in places where no sidewalks exist.

Council Member Seffrood asked that an agenda item be placed on the September 8, 2009 agenda requested an excused absence for him at the October 6, 2009 Regular Council Meeting.

L. EXECUTIVE SESSION

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

The City Council did not hold an Executive Session.

M. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION – None.

N. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 8:07 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary