

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
September 15, 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**

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

**ALSO PRESENT**

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

**D. ANNOUNCEMENTS**

Andrea Gardner, City Manager, announced that the Second Annual State of the City Address will take place on Wednesday, September 23, 2009 at 10:00 a.m. in Council Chambers. In the afternoon there will be a "Meet the City" event at the Copperas Cove Civic Center starting at 2:30 p.m.

**E. PUBLIC RECOGNITION**

1. Proclamation: National Library Card Sign Up Month – September 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Marion Palumbo, President of the Library Advisory Board.

2. Proclamation: Constitution Day and Citizenship Day – September 17, 2009 and Constitution Week – September 17-23, 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Margaret Handrow, Library Director. Ms. Handrow announced a two-part series at the Library in recognition of Constitution Week. The first part, *Conversations on the Constitution: History of Juries*, will be on September 16, 2009 and will be moderated by Copperas Cove Municipal Court Judge Bill Price. The second part, *Conversations on the Constitution: Freedom of Speech*, will take place on September 21, 2009 and will be moderated by Coryell County Justice of the Peace John Guinn. Both events will begin at 6:00 p.m.

3. Proclamation: National Night Out – October 6, 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Lt. Danny Austin, Police Department. Lt. Austin said that this year marks the 12<sup>th</sup> annual kickoff party for the City. He encouraged the City Council Members and citizens of Copperas Cove to come out and join in the fun. He thanked the many volunteers who make this event possible. He said that applications will be available at the kickoff party as well as through his office at the Police Department for those who wish to sign up and have a block party.

**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**

1. Consideration and action on approving the minutes from the workshop council meeting on August 25, 2009. **Stefanie Brown, Deputy City Secretary**

2. Consideration and action on approving the minutes from the special council meeting on August 25, 2009. **Stefanie Brown, Deputy City Secretary**

3. Consideration and action on approving the minutes from the regular council meeting on August 25, 2009. **Stefanie Brown, Deputy City Secretary**

4. Consideration and action on approving the minutes from the regular council meeting on September 1, 2009. **Jane Lees, City Secretary**

5. Consideration and action to authorize the City Manager 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**

6. Consideration and action on authorizing the City Manager to extend the contract with the Copperas Cove Independent School District (CCISD) for Policing Services. **Tim Molnes, Police Chief**

Council Member Stephens made a motion to approve consent items G-1, G-2, G-3, G-4, G-5, and G-6. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

**H. PUBLIC HEARINGS/ACTION**

1. Public Hearing and action on an ordinance 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-1.

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

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:18 p.m.

Council Member Palmer made a motion to approve Ordinance No. 2009-25 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-25**

**AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING ON SEPTEMBER 30, 2009; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

2. Public Hearing and action on an ordinance 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-1.

Mayor Hull opened the public hearing at 7:19 p.m.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing 7:20 p.m.

Council Member Downard made a motion to approve Ordinance No. 2009-33 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-33**

**AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING ON SEPTEMBER 30, 2009; REPEALING ALL ORDINANCES AND APROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

**I. ACTION ITEMS**

1. Consideration and action on an ordinance amending the City of Copperas Cove's Code of Ordinances, Chapter 2, Administration, Article V, Financial Procedures and Fiscal Policy, Division 3, Fund Balances and Operating Procedures 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-1.

Council Member Seffrood made a motion to approve Ordinance No. 2009-26 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-26**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, FINANCIAL PROCEDURES AND FISCAL POLICY, DIVISION 3, FUND BALANCES AND OPERATING PROCEDURES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

2. Consideration and action on an ordinance approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2009-10. ***Wanda Bunting, Director of Financial Services***

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

Council Member Youngs made a motion to approve Ordinance No. 2009-27 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-27**

**AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING ON SEPTEMBER 30, 2010; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.**

3. Consideration and action on an ordinance adopting the tax rate for fiscal year 2009-10. ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-3.

Council Member Youngs made a motion as follows: "I move that the property tax rate be increased by the adoption of a tax rate of .76 center per \$100 of taxable value, which is effectively a 4.17 percentage increase in the tax rate." Council Member Downard seconded the motion. A roll call vote was taken as follows:

Charlie D. Youngs	Aye
Chuck Downard	Aye
Danny Palmer	Aye

Bill L. Stephens	Nay
Willie C. Goode	Nay
Frank Seffrood	Aye
Cheryl Meredith	Aye

Motion carried five to two.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-28**

**AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF COPPERAS COVE, TEXAS, FOR THE 2009 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING ON SEPTEMBER 30, 2010; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.**

4. Consideration and action to ratify the vote approving and adopting a budget of the City of Copperas Cove for fiscal year 2009-10 and the vote to adopt the tax rate for fiscal year 2009-10. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-4.

Council Member Youngs made a motion as follows: "I move that property taxes be increased by the adoption of a tax rate of .7600." Council Member Meredith seconded the motion. A roll call vote was taken as follows:

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

Motion carried five to two.

5. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **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 Ordinance No. 2009-30 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-30**

**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. 120, (SALARY PROGRAM ADMINISTRATION) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 120, (SALARY PROGRAM ADMINISTRATION) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.**

6. Consideration and action on authorizing the City Manager to execute an agreement with the Scott and White Health Plan for employee health insurance. ***Kelli Sames, Human Resources Director***

Kelli Sames, Human Resources Director, 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.

During discussion, Council Member Stephens proposed an amendment which would allow the employees to pay slightly less out of pocket expense for their health coverage. After further discussion with the City Manager and the City Attorney, it was determined that the Council could approve the agenda item, then the City would bring back a budget amendment for the proposal. The following citizens spoke: Christopher Altott, 307 Myra Lou Avenue; Mark Summerlyn, 410 Mesquite Circle; and Michelle McGuire, 617 North 23rd Street.

Motion carried unanimously.

7. 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-7.

Council Member Meredith made a motion to approve Ordinance No. 2009-29 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-29**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE FEE SCHEDULE FOR THE CITY OF COPPERAS COVE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

8. Consideration and action on an ordinance amending Chapter 11, Municipal Utilities and Services of the City of Copperas Cove Code of Ordinances. ***Wanda Bunting, Director of Financial Services***

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-8.

Council Member Stephens made a motion to approve Ordinance No. 2009-34 with an amendment to put the second water billing notice back into the ordinance. Council Member Goode seconded the motion. A roll call vote was taken as follows:

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

Motion carried four to three.

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-34**

**AN ORDINANCE OF THE CITY OF COPPERS COVE, TEXAS, AMENDING THE CODE OF ORDINANCES CHAPTER 11, MUNICIPAL UTILITIES AND SERVICES, PROVIDING FOR CHANGES IN RATES AS APPROVED IN THE 2009-10 BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

9. Consideration and action on granting Council Member Bill L. Stephens, Position 5, an excused absence from a special council meeting. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-9.

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

10. Consideration and action on authorizing the City Manager to enter into an agreement with SCS Engineers for professional services in landfill groundwater monitoring and closure/post closure cost estimates for the landfill and transfer station. **Michael Mundell, Superintendent of Solid Waste**

Mike Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-10.

Council Member Goode made a motion to approve agenda item I-10 for an amount not to exceed \$42,100. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

11. Consideration and action on an ordinance amending Personnel Policy No. 417, City Telephone Policy. **Kelli Sames, Human Resources Director**

Kelli Sames, Human Resources Director, gave an overview of agenda item I-11.

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

The Ordinance caption is as follows:

**ORDINANCE NO. 2009-31**

**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. 417, (CITY CELLULAR TELEPHONE POLICY) AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 417, (CITY TELEPHONE POLICY) AND RATIFYING REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.**

12. Consideration and action on an ordinance rescinding Personnel Policy No. 230, Secret Recordings. ***Kelli Sames, Human Resources Director***

Kelli Sames, Human Resources Director, gave an overview of agenda item I-12.

Council Member Stephens made a motion to not rescind Personnel Policy No. 230, Secret Recordings. Council Member Goode seconded the motion. A roll call vote was taken as follows:

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

Motion carried four to three to not rescind Personnel Policy No. 230, Secret Recordings.

- J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS – None.**
- K. ITEMS FOR FUTURE AGENDAS – None.**
- 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 8:20 p.m.

**ATTEST:**

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John Hull, Mayor

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Jane Lees, City Secretary