

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
October 26, 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

Council Member Seffrood 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 - Absent
Bill L. Stephens - Absent
Willie C. Goode
Frank Seffrood

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

D. ANNOUNCEMENTS

Mayor Hull wished Marty Smith, Chamber President, a Happy Birthday!

Ms. Gardner announced that Police Chief, Tim Molnes, was honored by Mt. Hiram Masonic Lodge as the "Officer of the Year."

E. PUBLIC RECOGNITION

1. Proclamation: Breast Cancer Awareness Week, October 26-31, 2009. **John Hull, Mayor**

Mayor John Hull read the proclamation and presented it to Steve Wright, Firefighter/Paramedic in the Copperas Cove Fire Department. Mr. Wright thanked the Council for the proclamation and said that the Fire Department will be wearing special shirts which will help raise breast cancer awareness to all they come in contact with this week.

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.

Ralph Sherrouse, 610 North 13th Street. Mr. Sherrouse said that he would like the Council to look into quiet zones at railroad crossings. Ms. Gardner told Mr. Sherrouse that the Council did discuss this subject in April or May of 2009 and access to those meetings are available on the City's website.

G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the special council meeting on October 8, 2009. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the workshop council meeting on October 13, 2009. **Jane Lees, City Secretary**

3. Consideration and action on approving the minutes from the regular council meeting on October 13, 2009. **Jane Lees, City Secretary**

4. Consideration and action on a notice of intent, authorizing and supporting the City Manager to apply for, accept, reject, alter or terminate an Energy Efficiency and Conservation Block Grant (EECBG), being administered through the Comptroller's State Energy Conservation Office (SECO). **Tim Molnes, Police Chief**

5. Consideration and action on a resolution authorizing and supporting the City Manager to apply for, accept, reject, alter or terminate an Energy Efficiency and Conservation Block Grant (EECBG), being administered through the Comptroller's State Energy Conservation Office (SECO). **Tim Molnes, Police Chief**

The resolution caption is as follows:

RESOLUTION NO. 2009-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE AN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF TO ADMINISTER THE GRANT, AND PLEDGING THAT THE CITY OF COPPERAS COVE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE EECBG.

6. Consideration and action on authorizing the City Manager to execute a Sales Contract between the City of Copperas Cove and Dailey-Wells Communications, Inc., for the purpose of renewing a maintenance contract, renewing a software contract and replacing dispatch consoles for the City's 800 MHz EDACS Radio Trunking System manufactured by M/A-Com. **Mike Baker, Fire Chief**

7. Consideration and action on authorizing the City Manager to exercise the option to renew a one year extension to the current Agreement with the Copperas Cove Athletic Officials Association to provide sports officiating for recreational sports with the Parks and Recreation Department. **Ken Wilson, Director of Community Services**

8. Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year End September 30, 2008. **Wanda Bunting, Director of Financial Services**

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

10. Report of activities, collections and costs associated with the opening of the Transfer Station on Saturdays during FY 2008-09. **Michael Mundell, Superintendent of Solid Waste**

11. Consideration and action approving the purchase of furniture for the new police facility. **Tim Molnes, Police Chief**

12. Consideration and action approving the purchase of the communications, security and data package for the new police facility. **Tim Molnes, Police Chief**

Council Member Downard made a motion to approve consent agenda items G-1 through G-12 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing and action on an ordinance amending the overall budget for the active Capital Improvement Project Funds 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 7:13 p.m.

Ralph Sherrouse, 610 North 13 th Street. Mr. Sherrouse requested background information and Ms. Bunting provided a summary of the projects.

Speaking for: None.

Speaking Against: None.

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

Council Member Meredith made a motion to approve Ordinance No. 2009-40 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2009-40

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE ACTIVE CAPITAL IMPROVEMENT PROJECT FUND BUDGETS; 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 on an ordinance amending the 2009-10 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-2.

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

Speaking Against:

Roger O'Dwyer, 1703 Highland Drive. Mr. O'Dwyer said that the numbers of heads in beds reported by various organizations did not seem to justify the money that is given to those organizations by the City. He stated that this was not an economical use of money by the City.

Speaking for:

Betty Price, 749 Armadillo Lane. Ms. Price said that the CHAMPS organization does know how many beds are booked in Copperas Cove for their annual event. Approximately 75 percent of hotel rooms in the City are filled with people attending CHAMPS during that weekend.

Marty Smith, President, Copperas Cove Chamber of Commerce & Visitor's Center. Ms. Smith said that the Chamber co-sponsors the CHAMPS event and they definitely do have a count of heads in beds.

Ralph Sherrouse, 610 North 13th Street. Mr. Sherrouse asked for clarification on hotel/motel tax and use of those funds. A summary was given by Ms. Gardner and Mr. Zech.

Mayor Hull closed the public hearing at 7:28 p.m.

The ordinance caption is as follows:

ORDINANCE NO. 2009-41

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, 2009, AND ENDING ON SEPTEMBER 30, 2010; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

3. Public hearing, consideration and action regarding the Petition for Annexation submitted by the Lampasas Independent School District. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item H-3.

Mayor Hull opened the public hearing at 7:30 p.m.

Speaking for: Roger O'Dwyer, 1703 Highland Drive. Mr. O'Dwyer asked if there were any plans to install a traffic light at the intersection of Highway 190 and Big Divide Road. Ms. Gardner said that it has been discussed with TxDOT and that they do have intentions of placing a traffic light at that intersection.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:33 p.m.

Council Member Youngs made a motion to approve agenda item H-3 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

I. ACTION ITEMS

1. Consideration and action on establishing an ICC Code Review Committee and appointing citizen members to serve on the committee. **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-1.

Council Member Goode made a motion to appoint the following individuals to the ICC Code Review Committee:

Gene Dane
Michele Williams
Terry Neiman
Ben Akinson
Paul Russell
Michael A. McDonnell
Samuel Banks

The motion was seconded by Council Member Seffrood.

After further discussion, a motion to amend the main motion was made by Council Member Goode to add one additional individual, Betty Price, for a total of eight on the Committee. The motion was seconded by Council Member Seffrood.

A vote on the amending motion to add Betty Price was unanimous.

A vote on the main motion which included all eight applicants named, carried unanimously.

2. Discussion to provide direction to the City Manager regarding the Indoor Recreation Grant awarded to the City in January 2008 by the Texas Parks and Wildlife Department. **Andrea M. Gardner, City Manager**

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

Council Member Youngs made a motion to "reduce the scope of the original project." Council Member Meredith seconded the motion, and with a unanimous vote, motion failed.

Council Member Youngs made a motion to “decline the grant and return the money to TPWD.” Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on a resolution adopting tax abatement guidelines and criteria pursuant to the Property Redevelopment and Tax Abatement Act of the Texas Tax Code, Chapter 312 and providing an effective date. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-3.

Council Member Youngs made a motion to approve Resolution No. 2009-50 as presented. Council Member Seffrood seconded the motion.

After discussion, Mr. Zech said that Section K should be deleted in its entirety.

Council Member Youngs made a motion to amend the main motion to delete Section K. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

During additional discussion, Council Member Downard stated that the new application fee of \$1,500 was stated correctly in the guidelines, however, the application itself still had the old application fee listed of \$250. Mr. Zech said that this was typographical error and could be corrected without additional motions.

A vote on the main motion was unanimous.

The resolution caption is as follows:

RESOLUTION NO. 2009-50

A RESOLUTION ADOPTING TAX ABATEMENT GUIDELINES AND CRITERIA PURSUANT TO THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT OF THE TEXAS TAX CODE, CHAPTER 312 AND PROVIDING AN EFFECTIVE DATE.

4. Discussion and possible action on establishing a date to hold a public hearing and designation of a reinvestment zone for purposes of granting tax abatement per the Texas Property Tax Code. **Andrea M. Gardner, City Manager**

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

Mr. Mike Beavers of Belton, stated that a reinvestment zone area is an area that the City wishes to develop and stimulate activity. Applications can be considered on a case by case basis and he was not aware of any activity that would set a precedent for projects that come before or after another. He said that the purpose was to identify an area that would help developers know if they are eligible.

No action taken on this item.

5. Consideration and action on award of Bid No. 2009-16-42 to Visual Inovations for the purchase of audiovisual equipment for the new police facility. **Tim Molnes, Police Chief**

Tim Molnes, Police Chief, gave an overview of agenda item I-5.

Council Member Goode made a motion to award Bid No. 2009-16-42 to Visual Inovations in the amount of \$135,645.84. Council Member Downard seconded the motion, and with a unanimous vote, motion carried

6. Discussion on legal services provided to the City of Copperas Cove. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-6.

Council Member Goode stated that it was his intent for the Council to look at whether hiring a full-time attorney or a contract attorney would be better for the City. He said he would like that discussion to take place with the full Council present.

Council Member Goode made a motion to postpone this item to a future date when the full council is present. Council Member Downard seconded the motion. A roll call vote was taken as follows:

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

Motion carried four to one.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Chamber of Commerce 3rd Quarter Report for CY 2009. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Marty Smith, President, Chamber of Commerce, presented the 3rd quarter report for CY 2009. In addition, Ms. Smith announced the Carson & Barnes Circus at Ogletree Gap Park on November 4, 2009. Showtimes are at 4:30 and 7:30 p.m. and tickets are available at the Chamber of Commerce.

2. Copperas Cove Country Opry 4th Quarter Report for FY 2008-09. **William K. Hall, Copperas Cove Country Opry**

William K. Hall, Copperas Cove Country Opry, presented the 4th quarter report to the Council.

3. Update on CCEDC digital sign. **Dan Yancey, Chairman, CCEDC Board**

Dan Yancey, Chairman of the CCEDC Board gave an update on the CCEDC digital sign. His report included the history behind the sign, original location plans, added value to the sign by

increasing space for other promotions within the City, the various locations for placement of the sign and the process that the CCEDC is now working on for approval of the chosen first choice location with TxDOT. Mr. Yancey supplied the Council with a digital sign timeline and a summary of the license application permitting process.

K. ITEMS FOR FUTURE AGENDAS – None.

L. EXECUTIVE SESSION

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 8:34 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary