

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
November 17, 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. Thomas Edwards, Clear Creek Baptist Church, 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

Council Member Youngs said that the October 26, 2009 council agenda contained an item on the consent agenda stating that the City had received a Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year End September 30, 2008 from the Government Finance Officers Association (GFOA). He said that the item went unnoticed because it was on the consent agenda and he wished at this time to congratulate the City, Finance Director Wanda Bunting, and the Finance staff for a fine job.

Council Member Downard announced the City Wide Fall Clean-Up event on Saturday, November 21, 2009 at the Solid Waste Department at 2605 South FM 116. He encouraged everyone to take advantage of this opportunity to get rid of unwanted items for free.

Council Member Seffrood said that we are fast approaching the season of giving and asked everyone to remember those who are less fortunate.

Mayor Hull announced a workshop entitled City Government 101 on Wednesday, November 18, 2009 at 6:00 p.m. in the Council Chambers. The subjects to be discussed include ABC's of Local Government: The Role of the Mayor, City Council and City Manager; Creating Community Wealth: Economic Development Options; Heads in Beds: Hotel Occupancy Tax; and Getting What You Want from Your Municipal Government.

E. PUBLIC RECOGNITION – None.

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 regular council meeting on November 3, 2009. **Stefanie Brown, Deputy City Secretary**

2. Consideration and action on approving the minutes from the workshop council meeting on November 3, 2009. **Stefanie Brown, Deputy City Secretary**

3. Consideration and action on authorizing the City Manager to enter into a depository agreement with The National Banks of Central Texas. **Wanda Bunting, Director of Financial Services**

6. Consideration and action on authorizing the City Manager to submit a ballot form for the election of the Cities Aggregation Power Project, Inc. (CAPP) 2010 Board of Directors. **Wanda Bunting, Director of Financial Services**

Council Member Youngs requested that items G-4, G-5, and G-7 be removed from the Consent Agenda for discussion.

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

4. Consideration and action on an emergency purchase for the west clarifier and miscellaneous modifications at the South Wastewater Treatment Plant. **Wanda Bunting, Director of Financial Services**

Bob McKinnon, Director of Public Works and Wanda Bunting, Director of Financial Services, gave an overview of agenda item G-4.

Council Member Youngs made a motion to approve agenda item G-4 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

5. Consideration and action on a resolution authorizing the City Manager to execute documents in support of an application to the Texas Emergency Shelter Grants Programs by the Refuge Corporation. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item G-5.

Council Member Youngs made a motion to approve agenda item G-5 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2009-54

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY COUNCIL'S BEHALF BY THE SIGNING OF A LOCAL GOVERNMENT CERTIFICATION FORM IN SUPPORT OF A GRANT APPLICATION BY THE REFUGE CORPORATION TO THE TEXAS EMERGENCY SHELTER GRANTS PROGRAM.

7. Consideration and action on authorizing the City Manager to execute an agreement with Calence, LLC, of Austin, Texas for the installation of the communications, security, and data package for the new police facility. **Tim Molnes, Police Chief**

Tim Molnes, Police Chief, gave an overview of agenda item G-7.

Council Member Goode made a motion to approve agenda item G-7 as presented. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1. Public hearing on designating a reinvestment zone for purposes of granting a tax abatement per the Texas Property Tax Code. **Andrea M. Gardner, City Manager**

Mayor Hull opened the public hearing at 7:24 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 7:26 p.m.

I. ACTION ITEMS

1. Consideration and action on approving a contract between the City of Copperas Cove and the Copperas Cove Country Opry concerning the use of hotel occupancy tax. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-1.

Council Member Goode made a motion to approve agenda item I-1 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on a resolution setting the public hearing dates and times for the annexation of a 20.51 acre tract of land known as Taylor Creek Elementary School to the City of Copperas Cove, Texas. **Andrea M. Gardner, City Manager**

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

Council Member Downard made a motion to approve Resolution No. 2009-53, setting the public hearing dates on December 10, 2009 at 7:00 pm in Council Chambers at City Hall and December 14, 2009 at 7:00 pm in Council Chambers at City Hall. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2009-53

A RESOLUTION TO SET THE PUBLIC HEARING DATES AND TIMES FOR THE ANNEXATION OF A 20.51 ACRE TRACT OF LAND IN LAMPASAS COUNTY, TEXAS BEING THE TAYLOR CREEK ELEMENTARY SCHOOL.

3. Consideration and action on a resolution calling for the election of a candidate(s) to serve on the Coryell County Appraisal District Board of Directors. **Wanda Bunting, Director of Financial Services**

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

Council Member Meredith made a motion to cast 834 votes for Jay Manning and 185 votes for Al Castillo, and approve Resolution No. 2009-51 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2009-51

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CALLING FOR THE ELECTION OF A MEMBER OR MEMBERS OF THE BOARD OF DIRECTORS OF THE CORYELL COUNTY APPRAISAL DISTRICT.

4. Consideration and action on a resolution calling for the election of a candidate(s) to serve on the Lampasas County Appraisal District Board of Directors. **Wanda Bunting, Director of Financial Services**

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

Council Member Palmer made a motion to cast 59 votes for Robert M. McKinnon, and approve Resolution No. 2009-52 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2009-52

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CALLING FOR THE ELECTION OF A MEMBER OR MEMBERS OF THE BOARD OF DIRECTORS OF THE LAMPASAS COUNTY APPRAISAL DISTRICT.

5. Consideration and action on an ordinance adding Section 18-17 (12) to the City Code of Ordinances and establishing a school zone on Big Divide Road for Taylor Creek Elementary School. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-5.

Council Member Stephens made a motion to approve Ordinance No. 2009-42 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2009-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS ADDING SECTION 18-17 (12); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS AMENDMENT; PROVIDING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE.

6. Consideration and action on establishing and appointing members to a Hotel/Motel Tax Committee. **Andrea M. Gardner, City Manager**

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

Council Member Downard made a motion to appoint the following individuals to the Hotel/Motel Tax Committee:

Sarah Kindler
Daniel James Loomis
Samuel Banks
Eric R. Armstrong
James Stockman
Sandor Vegh

Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on authorizing the City Manager to enter into an agreement with Pattillo, Brown, and Hill for the fiscal year 2008-09 audit engagement. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-7.

Council Member Downard made a motion to approve agenda item I-7 as presented. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action upon authorizing the City Manager to enter into an Agreement with the Lampasas Independent School District for signage on Big Divide Road. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-8.

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

9. Consideration and action on approving the updated Copperas Cove Economic Development Corporation bylaws. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-9.

Council Member Downard made a motion to approve agenda item I-9 as presented and with the following changes:

- Section 4.14 to read: The City Manager or designee or the Unit designee may attend all meetings of the Board of Directors, including executive, private or public. These representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the purpose of ensuring the flow of information occurs to assist project movement.
- Section 7.03 to read: The Executive Director position shall be posted with the following desired/preferred minimum qualifications for certification requirements: Certified Economic Developer (CEcD), as outlined by the International Economic Development Council, is required within two years from date of employment.
- Add the following requirement to Section 7.03: The Executive Director must reside in the corporate City limits of Copperas Cove within six months from date of employment.

Council Member Goode seconded the motion.

During discussion, Dan Yancey, Chairman of the CCEDC Board of Directors, requested one change in Section 7.03 under Executive Director. He requested to strike the requirement for a CEcD, and in its place put that the requirement be a “graduate of the Economic Development Institute (EDI).”

Council Member Downard made a motion to amend the main motion and strike the requirement for a CEcD and replace it with the requirement to be a graduate of the Economic Development Institute (EDI). Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

A vote on the main motion as amended was taken, and with a unanimous vote, motion carried.

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

K. ITEMS FOR FUTURE AGENDAS

Council Member Youngs requested that the CCEDC update the City Council on the status on the digital sign at each regularly scheduled Council Meeting, beginning December 1, 2009, and until the sign situation is resolved and/or is standing in the City. The Council concurred.

L. EXECUTIVE SESSION

1. Pursuant to §551.087 of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations – Stoney Brook Assisted Living Center.

The Council adjourned to Executive Session at 7:59 p.m.

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

The Council reconvened the open meeting at 8:50 p.m. Mayor Hull announced that there was no action to be taken as a result of the Executive Session.

N. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 8:50 p.m.

ATTEST:

John Hull, Mayor

Jane Lees, City Secretary