

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
January 19, 2010 – 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. Richard Barrett, of Saint Martin's Episcopal 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  
Stefanie Brown, Deputy City Secretary

**D. ANNOUNCEMENTS**

Council Member Seffrood asked citizens to remember the people suffering in Haiti in their thoughts and prayers. .

Council Member Stephens reminded citizens that February 1, 2010 is the deadline to register to vote in the 2010 Primary Election.

Council Member Downard said that the USO on Fort Hood can use some volunteer help to assist with the high volume of incoming and outgoing flights of soldiers. If a citizen would like to volunteer there is an orientation on Saturday, January 23, 2010. Call 768-2771 for more information.

City Manager Gardner announced that the Cen-Tex Sustainable Communities Partnership Conference will be held at the Killeen Civic Center and Conference Center starting January 27, 2010 from Noon to 4:00 p.m., along with a mixer from 4:00 to 6:00 p.m. The speaker will be Mayor Bob Dixon from Greensburg, Kansas.

Ms. Gardner also reminded the citizens that Kraft Bag Collection will be picked up twice a month starting February 1, 2010.

Mayor Hull reminded citizens that the football banquet is at the Civic Center tomorrow night at 6:00 p.m.

**E. PUBLIC RECOGNITION**

1. Welcome to Members of Boy Scout Troop 258. **John Hull, Mayor**

John Hull, Mayor, welcomed the Members of Boy Scout Troop 258. Boy Scout Troop 258 is working on their Citizenship in the Community Badge. Welcome bags from the City were presented to each Scout.

2. Proclamation: Crime Stoppers' Month – January 2010. **John Hull, Mayor**

Mayor Hull presented the proclamation to Lt. Danny Austin of the Police Department. Mr. Albert Castillo of the Crime Stoppers' organization introduced the board members and thanked Lt. Austin for their partnership.

**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.

Ms. Tonya Anderson, a Copperas Cove High School teacher, introduced her student Shaquille Wolfe. Mr. Wolfe is a member of the Family, Community, and Career Leaders of America (FCCLA). Mr. Wolfe entered a competition scheduled for February 19-20, 2010 and is required to present his material in a public forum in preparation for the FCCLA Conference in Plano, Texas. Mr. Wolfe presented his speech on spreading knowledge and understanding of a cushion in life, specifically in financial matters, to the Council.

**G. CONSENT ITEMS**

1. Consideration and action on approving the minutes from the workshop council meeting on January 5, 2010. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the regular council meeting on January 5, 2010. **Jane Lees, City Secretary**

3. Consideration and action on a resolution accepting the quarterly investment report as presented for the quarter ending September 30, 2009 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

The resolution caption is as follows:

**RESOLUTION NO. 2010-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS APPROVING THE INVESTMENT REPORT FOR QUARTER ENDED SEPTEMBER 30, 2009.**

4. Consideration and action to approve the CCEDC invoice from Great American Insurance Companies for an insurance policy for the digital sign. **Dan Yancey, Chair, CCEDC Board of Directors**

Council Member Downard made a motion to approve items G-1, G-2, G-3, and G-4 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

**H. PUBLIC HEARINGS/ACTION – None.**

**I. ACTION ITEMS**

1. Consideration and action on authorizing the City Manager to execute an agreement with Coryell County for Fire Protection Services for a designated unincorporated area in southern Coryell County. **Mike Baker, Fire Chief**

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

Council Member Stephens made a motion to authorize the City Manager to execute an agreement with Coryell County for Fire Protection Services. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on a resolution authorizing the City Manager to execute an Advance Funding Agreement with TxDOT for voluntary utility relocation for the Southeast Bypass (Reliever Route) project and release funds to TxDOT no earlier than forty five (45) days prior to the date set for receipt of the construction bids. **Andrea M. Gardner, City Manager**

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

Council Member Meredith made a motion to approve Resolution No. 2010-06, authorizing the City Manager to execute the agreement. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-06**

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER OF THE CITY OF COPPERAS COVE TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE FUNDS FOR THE VOLUNTARY UTILITY RELOCATION OF WATER AND WASTEWATER LINES AT US 190 FROM LAMPASAS COUNTY LINE TO EAST OF THE COPPERAS COVE CITY LIMITS FOR THE PROPOSED SOUTHEAST BYPASS PROJECT.**

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

Silvia Rhoads, Executive Director of Keep Copperas Cove Beautiful, gave an overview of agenda item I-3.

Council Member Meredith made a motion to re-appoint Annabelle Smith, Gary Lehmkuhler and Robert Schumacher to the Keep Copperas Cove Beautiful Commission for a two year term. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

4. Discussion and possible action on the proposed amendments to the City's Home Rule Charter made by the Charter Review Committee. **Jack Widup, Chairman, Charter Review Committee/Charles E. Zech, City Attorney**

Jack Widup, Chairman of the Charter Review Committee and Charles E. Zech, City Attorney, gave an overview of agenda item I-4.

Council Member Stephens made a motion to postpone the item until February 2, 2010 and to have a January 26, 2010 public hearing. Council Member Goode seconded the motion.

After discussion, Council Member Stephens withdrew his main motion and made a motion to set a public hearing and action for the February 2, 2010 council meeting. Council Member Goode seconded the motion and with a unanimous vote, motion carried.

5. Consideration and action on an ordinance updating the City Code of Ordinances for school zones. **Wesley Wright, P.E., City Engineer**

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

Council Member Downard made a motion to approve Ordinance No. 2010-04 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS MODIFYING SECTION 18-17 IN ITS ENTIRETY; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS AMENDMENT; PROVIDING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE.**

6. Consideration and action on a resolution, accepting the Office of Rural Community Affairs 2010 TxCDP Grant No. 729171, awarded for the purpose of water system improvements. **Andrea M. Gardner, City Manager**

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

Council Member Meredith made a motion to approve Resolution No. 2010-04 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ACCEPTING THE AWARD OF A GRANT IN THE AMOUNT OF \$250,000 FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE CITY'S WATER SYSTEM IMPROVEMENTS PROJECT.**

7. Consideration and action on a resolution, authorizing signatories in connection with the Office of Rural Community Affairs TxCDBG Grant No. 729171, awarded for the purpose of water system improvements. **Andrea M. Gardner, City Manager**

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

Council Member Downard made a motion to approve Resolution No. 2010-05 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, DESIGNATING REPRESENTATIVES TO EXECUTE VOUCHERS AND CERTAIN REQUESTS FOR ADVANCE OR REIMBURSEMENT AND CONTRACT AMENDMENTS OR BUDGET MODIFICATIONS DURING THE IMPLEMENTATION OF THE 2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM FUNDED WATER LINE SYSTEM IMPROVEMENTS.**

8. Discussion and possible action on removal of the Council Liaison to the Copperas Cove Economic Development Corporation (EDC). **Willie C. Goode, Council Member Place 6**

Willie C. Goode, Council Member Place 6, gave an overview of agenda item I-8.

Council Member Goode made a motion to remove Ray Don Clayton as the Council Liaison to the Copperas Cove Economic Development Corporation (EDC). Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

9. Consideration and action on appointment of a Council Member to the Liaison position with the Economic Development Corporation (EDC). **John Hull, Mayor**

John Hull, Mayor, gave an overview of agenda item I-9.

Council Member Downard made a motion to appoint Danny Palmer as the Council Liaison to the Copperas Cove Economic Development Corporation (EDC) and to leave the alternate position vacant. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

10. Consideration and action on nominating an individual for the annual Golden Deeds award through the Exchange Club of Copperas Cove. **Danny Palmer, Council Member Place 4**

Danny Palmer, Council Member Place 4, gave an overview of agenda item I-10.

Council Member Palmer made a motion to nominate Judge Bill Price for the Golden Deeds award with the Exchange Club. Council Member Downard seconded the motion.

After discussion, Council Member Palmer withdrew his motion and Council Member Downard withdrew his second. No action was taken.

11. Consideration and action authorizing the City Manager to release payment to TxDOT for the acquisition of right-of-way and adjustment of utilities for the FM 2657 widening project. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-11.

Council Member Goode made a motion to authorize the City Manager to release payment to TxDOT for the acquisition of the right-of-way and adjustment of utilities for the FM 2657 widening project. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

12. Consideration and action on a resolution expressing intent to finance expenditures to be incurred for the East End Infrastructure Project (Northeast Sewer Line). **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-12.

Council Member Downard made a motion to approve Resolution No. 2010-02 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-02**

**A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED FOR THE EAST END INFRASTRUCTURE PROJECT (NORTHEAST SEWER LINE).**

13. Consideration and action on an ordinance amending Chapter 16.5 of the City's Code of Ordinances. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-13.

Council Member Downard made a motion to approve Ordinance No. 2010-05 as presented. Council Member Palmer seconded the motion and a roll call vote was taken as follows:

Cheryl L. Meredith	Aye
Charlie D. Youngs	Nay

Chuck Downard                   Aye  
Danny Palmer                    Aye  
Bill L. Stephens                Aye  
Willie C. Goode                Aye  
Frank Seffrood                 Aye

Motion carried, six to one.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-05**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 16.5 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

14. Consideration and action on authorizing the City Manager to execute an Interlocal Agreement with the Copperas Cove Economic Development Corporation (CCEDC) for the temporary funding of the Northeast Sewer Line (Eastside Infrastructure) project. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-14.

Council Member Goode made a motion to authorize the City Manager to execute an agreement. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

15. Consideration and action on authorizing the City Manager to execute a contract with Lupe Rubio Construction, Inc., Kingsland, Texas for construction of Phase I, Northeast Sewer Line Project. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-15.

Council Member Palmer made a motion to authorize the City Manager to execute a contract with Lupe Rubio Construction, Inc. contingent upon the City and the EDC entering into an Interlocal Agreement for the Temporary Funding of the Northeast Sewer Line Project. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

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

**1.       CCEDC digital sign update. Dan Yancey, Chair, CCEDC Board of Directors**

Dan Yancey, Chairman of the CCEDC Board of Directors, gave an update on the CCEDC digital sign to the Council.

**2.       Chamber of Commerce 4th Quarter Report for 2009. Marty Smith, President, Copperas Cove Chamber of Commerce**

Marty Smith, President of the Copperas Cove Chamber of Commerce, gave the Chamber of Commerce 4<sup>th</sup> Quarter Report for 2009.

**K. ITEMS FOR FUTURE AGENDAS**

Council Member Youngs requested that an item be placed on the next agenda to revisit EDC Bylaws on placing a ceiling for the capital improvement budget expenditures.

Council Member Downard requested that an item be placed on an agenda in February to discuss and receive an update on the EDC Master Concept Plan.

Council Member Stephens requested a presentation from Animal Control in reference to adopting out the animals to rescue groups.

**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 8:33 p.m.

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John Hull, Mayor

ATTEST:

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Stefanie Brown, Deputy City Secretary