

**CITY OF COPPERAS COVE
CITY COUNCIL WORKSHOP MEETING MINUTES
March 2, 2010 – 6:00 P.M.**

A. CALL TO ORDER

Mayor John Hull called the workshop meeting of the City Council of the City of Copperas Cove Texas to order at 6:00 p.m.

B. 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

C. WORKSHOP ITEMS

1. Discussion on Northeast Bypass and North Loop Waterline Projects. ***Andrea M. Gardner, City Manager***

Ms. Gardner gave a reports on the two projects listed. A copy of the presentation is attached to and made a part of these minutes.

2. Provide direction to the City Manager on item C-1 above. ***Andrea M. Gardner, City Manager***

Council consensus was to move forward with the projects as presented.

D. ADJOURNMENT

There being no further business, Mayor Hull adjourned the meeting at 6:40 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

**Update on Northeast Bypass
Project**
State Highway 9

Project Description & Justification

- Description
 - Construct 3.2 miles of roadway connecting Hwy 190 with N. FM 116 including a railroad overpass.
- Justification
 - The project will relieve traffic congestion in the downtown business district by providing a direct access route.

Project Design Status

- Currently
 - 30% complete
 - 60% completion expected by April 2010

Proposed Future Dates

- Groundbreaking Ceremony – August 2010
 - City Manager, Chamber & Ken Roberts
- Construction Let – Late August 2010/Early September 2010

City Committed Funding

- Voters authorized \$1.4M in November 2008
- Plan to issue in May 2010
 - Total \$1.4M
- Funding is to cover the cost of utility relocates with remaining funds used for construction

City Owned Utility Relocates

- Under TxDOT rules, the following City owned utilities would require relocation
 - 12" waterline
 - 6" waterline
 - 21" gravity sewer line
 - 8" gravity sewer line
- The relocation is required due to the proposed roadway grade and alignment
- Cost to relocate all lines will reach and possibly exceed the \$1.4M authorized

Staff & Consultant Plan

- Met with TxDOT officials on 2/4/10 to request an exception to the TxDOT rules
- Sewer Line Request:
 - TxDOT consider the proposed change in roadway grade per existing design
 - If exception approved the following would result:
 - The City allowed to relocate existing 21" gravity sewer with the agreement to abandon the 8" gravity sewer instead of constructing a lift station and force main sewer

Staff & Consultant Plan

- Equates to at least a \$500,000 approximate savings
- Waterline Request:
 - Relocate the both waterlines (12" and 6") to new TxDOT ROW that is currently in conflict

TxDOT & City Partnership

- TxDOT is considering an exception to policy for the City requests with proper justification
- TxDOT agrees to authorize the utility relocates be let with the construction contract
 - City will be required to issue check to TxDOT 45 days in advance of construction let (August/September 2010)
 - Funds should be available by June/July 2010
 - Benefit is cost savings

Northloop Waterline Project
(included in the FY 2010 – 2014 CIP)

Project Description & Justification

- Description
 - Construction of a 30 inch waterline from Wolfe Road to the intersection of Anderson Mountain Road and N. FM 116
- Justification
 - The project was recommended in the Water Model and will be constructed in conjunction with the construction of the Northeast Loop Road. The waterline will eventually terminate at the west side of Cove. The project will provide water needed to facilitate growth in the Northwestern and Southwestern portions of the City.

FY 2010-2014 CIP

- Currently planned for design in 2013 and construction in 2014
- Current CIP Budget - \$2.8M (2010 cost w/o inflation and survey work) for design and construction
- If projects completed in 2014 as planned, the cost is anticipated to be \$4,043,399 (construction) plus \$485,000 (design & survey)

Option for Council Consideration

- TxDOT has agreed to let the project with the construction contract for State Highway 9

Steps for Completion

- Approve reimbursement resolution to provide temporary funding from operating funds for the design only
- Approve Professional Services Agreement for the project design
- Amend the FY 2010-2014 CIP to provide appropriation of funds in FY 2010
- Issue Debt to cover the cost of design & construction
 - Total \$3,263,119 plus \$66,600 in bond issuance

Steps for Completion

- Obtain Right of Entry from Ft. Hood
- Provide Right of Entry to TxDOT
- Approve an Advanced Funding Agreement with TxDOT
- Complete design
- Provide payment to TxDOT 45 days prior to date set for the receipt of the construction bids on State Highway 9

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
March 2, 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. Father James Robertson, Holy Family Catholic Church, 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 announced the 12th Annual Golf Fundraiser for Cove House, to be held on Saturday, April 20, 2010 at the Hills of Cove Golf Course.

Andrea M. Gardner, City Manager, announced upcoming Household Hazardous Waste events as follows: 1) March 20, 2010 in Belton at the Expo Center, 301 West Loop 121, from 8:00 a.m. to 1:00 p.m.; 2) May 8, 2010 in Copperas Cove at the Transfer Station, 2605 South FM 116, from 9:00 a.m. to 2:00 p.m.; and 3) June 12, 2010 in Temple at the Nathaniel Mitchell Service Center, 3210 East Avenue H, from 9:00 a.m. to 2:00 p.m.

Ms. Gardner thanked the Holy Family Catholic Church for providing space recently for administering H1N1 shots.

Ms. Gardner announced that the law firm of Denton, Navarro, Rocha & Bernal, P.C., will be holding their annual "Hog Wild" conference and to look for more information on this event in the near future.

E. PUBLIC RECOGNITION

1. Employee Service Awards. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, presented the March 2010 recipient with her pin: Ilka Perkins, Animal Control Clerk – 10 years.

2. Proclamation: Fair Housing Month – March 2010. **John Hull, Mayor**

Mayor John Hull read the proclamation.

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.

Diane Steele, 905 North 4th Street. Ms. Steele is concerned about the high electric bills she and her neighbors have received since the new digital meters were installed by Oncor. She encouraged residents to talk to Oncor about their high bills. She said that she contacted them and explained that she has a tool to measure the electricity entering her home, and that it did not match what the new meter was showing. She said that Oncor agreed to change her meter.

Mark Creviston, 1904 Indian Camp Trail. Mr. Creviston is concerned about the large feral cat population in South Park. He said they have done damage to the mulch in his yard and now he must replace it. In addition, he said that they have scratched the hood of his vehicle. He said that Animal Control offered him a live trap, however, he didn't think that one trap would be enough, especially when he often sees 15 or more cats together. Mr. Creviston felt that since South Park is City property, the City should be responsible for controlling the cat population. He also felt that the City is in violation of the City Charter by allowing animals to reside in South Park without the proper shots.

Diane Steele, 905 North 4th Street. Ms. Steele said that she has heard that an animal has to be outside before the Animal Control Officers can be called to pick them up. She said she knows of numerous instances where people let animals into their home that do not have the proper shots and would like to know why Animal Control cannot pick them up as well, if reported.

G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the regular council meeting on February 16, 2010. **Jane Lees, City Secretary**

2. Consideration and action on a resolution accepting the quarterly investment report as presented for the quarter ending December 31, 2009 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

3. Consideration and action on authorizing the City Manager to execute an Agreement with the Cove Saddle Club for use of the property located in front of the City of Copperas Cove Landfill for providing entertainment and recreational activities to the public. **Ken Wilson, Director of Community Services**

Council Member Downard requested item G-4 be removed from Consent for further discussion.

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

4. Consideration and action on approval of a Water Purchase Contract with Cedar Grove Mobile Home Park. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item G-4.

Council Member Downard made a motion to approve agenda item G-4 as presented. 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 establishing a curfew for minors, Article I, Section 13-3 of the City's Code of Ordinances. **Mike Heintzelman, Deputy Police Chief**

Mayor Hull opened the public hearing at 7:23 p.m.

Mike Heintzelman, Deputy Police Chief, gave an overview of agenda item H-1.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:25 p.m.

Council Member Stephens made a motion to approve Ordinance No.2010-10 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-10

AN ORDINANCE ESTABLISHING A CURFEW FOR MINORS, ARTICLE I CHAPTER 13-3 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

2. Public hearing and action on a Final Plat for Skyline Ridge, Phase One. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item H-2.

Mayor Hull opened the public hearing at 7:27 p.m.

Speaking for: Mike Kreigel of Mitchell & Associates.

Speaking Against: None.

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

Council Member Downard made a motion to approve agenda item H-2 as presented. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

3. Public hearing and action on an ordinance amending the 2009-10 fiscal year budget for the City of Copperas Cove for position updates. **Wanda Bunting, Director of Financial Services**

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

Mayor Hull opened the public hearing at 7:29 p.m.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:32 p.m.

Council Member Meredith made a motion to approve Ordinance No. 2010-13 as presented. Council Member Youngs seconded the motion and a roll call vote was taken as follows:

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

Motion failed three to four.

The ordinance caption is as follows:

ORDINANCE NO. 2010-13

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.

4. Public hearing and action on an ordinance amending the 2009-10 fiscal year budget for the City of Copperas Cove for allocation of Contingency funds. **Wanda Bunting, Director of Financial Services**

Wesley Wright, City Engineer, gave an overview of agenda item H-2.

Mayor Hull opened the public hearing at 7:35 p.m.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:37 p.m.

Council Member Stephens made a motion to approve Ordinance No. 2010-14 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-14

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.

I. ACTION ITEMS

1. Consideration and action on an ordinance amending Sections B and D of Personnel Policy No. 416, Dress and Personal Appearance. ***Kelli Sames, Human Resources Director***

Kelli Sames, Human Resources Director, gave an overview of agenda item I-1.

Council Member Meredith made a motion approve Ordinance No. 2010-12 as presented. Council Member Seffrood seconded the motion and a roll call vote was taken as follows:

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

Motion carried four to three.

The ordinance caption is as follows:

ORDINANCE NO. 2010-12

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 AMENDING SECTIONS B AND D OF THE CURRENT PERSONNEL POLICY, NO. 416, (DRESS AND PERSONAL APPEARANCE) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

2. Consideration and action on authorizing the City Manager to execute a Pipeline License Agreement with BNSF Railway Company for placement of a wastewater line in

conjunction with the East End Infrastructure (Northeast Sewer Line) project. **Andrea M. Gardner, City Manager**

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

Council Member Goode made a motion authorizing the City Manager to execute a Pipeline License Agreement with BNSF Railway Company for placement of a wastewater line in conjunction with the East End Infrastructure (Northeast Sewer Line) project. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on authorizing the City Manager to execute Addenda 2 to the Letter of Agreement between the City of Copperas Cove and Grant Development Services in connection with the Community Development Block Grant (CDBG) 728050 to the Texas Department of Rural Affairs (TDRA). **Andrea M. Gardner, City Manager**

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

Council Member Palmer made a motion authorizing the City Manager to execute Addenda 2 to the Letter of Agreement between the City of Copperas Cove and Grant Development Services in connection with the Community Development Block Grant (CDBG) 728050 to the Texas Department of Rural Affairs (TDRA). Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on an ordinance ordering a special election to be held on May 8, 2010, for the purpose of submitting propositions to the voters for proposed amendments to the City Charter. **Charles E. Zech, City Attorney**

Charles E. Zech, City Attorney, gave an overview of agenda item I-4.

Council Member Stephens made a motion to approve Ordinance No. 2010-11 without the changes presented at the last Council Meeting. Council Member Youngs seconded the motion.

Diane Steele, 905 North 4th Street. Ms. Steele said she agreed with the motion.

With a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-11

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 8, 2010, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO THE VOTERS FOR PROPOSED AMENDMENTS TO THE CITY CHARTER; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THIS ELECTION; AND MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION.

5. Consideration and action on a resolution expressing intent to finance expenditures to be incurred for the Northeast Bypass. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-5.

Council Member Palmer made a motion to approve Resolution No. 2010-12 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2010-12

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED FOR THE NORTHEAST BYPASS.

6. Consideration and action upon authorizing the City Manager to execute an agreement with KBR for utility relocation design associated with the State Highway 9 (Northeast Bypass) project. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-6.

Council Member Goode made a motion to authorizing the City Manager to execute an agreement with KBR for utility relocation design associated with the State Highway 9 (Northeast Bypass) project. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Copperas Cove County Opry first quarter report for FY 2009-10. **William K. Hall, Copperas Cove Country Opry**

Barbara Litz, Copperas Cove Country Opry, gave the first quarter report for FY 2009-10.

K. ITEMS FOR FUTURE AGENDAS

Council Member Seffrood requested an item for the next agenda to excuse him from the March 16, 2010 Council Meeting. The Council concurred.

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 7:59 p.m.

ATTEST:

John Hull, Mayor

Jane Lees, City Secretary