

**CITY OF COPPERAS COVE**  
**CITY COUNCIL WORKSHOP MEETING MINUTES**  
March 16, 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 - Absent  
Willie C. Goode  
Frank Seffrood - Absent

**ALSO PRESENT**

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

**C. WORKSHOP ITEMS**

1. Update on Lutheran Church Road. **James Trevino, Assistant Public Works Director**

James Trevino, Assistant Public Works Director, presented a PowerPoint presentation to the City Council. The presentation is made a part of and attached to these minutes.

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

None.

**D. ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 6:15 p.m.

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John Hull, Mayor

ATTEST:

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Jane Lees, City Secretary

**CITY OF COPPERAS COVE  
CITY COUNCIL REGULAR MEETING MINUTES  
March 16, 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**

Ms. Peggy Thompson, Minister at New Beginnings: A Ministry of Restoration, 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 - Absent  
Willie C. Goode  
Frank Seffrood - Absent

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

**D. ANNOUNCEMENTS**

Council Member Downard invited all citizens to take part in the upcoming Keep Copperas Cove Beautiful Waterway Cleanup Event on Saturday, March 20, 2010 at 9:00 a.m. in the Library parking lot on Main Street. A free T-shirt will be provided for all participants, along with the cleanup supplies.

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 also announced that Fort Hood will hold Earth Fest on April 23, 2010. Time and location will follow at a later date.

**E. PUBLIC RECOGNITION**

1. Proclamation: Boys & Girls Club Week, March 21-27, 2010. *John Hull, Mayor*

Mayor John Hull read the proclamation and presented it to Allison Shopbell, Branch Director of the Boys & Girls Club. Ms. Shopbell thanked the City and the Council for the proclamation and the recognition. She said it was an honor to serve the children of Copperas Cove.

**F. CITIZENS' FORUM – None.**

## G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the workshop council meeting on March 2, 2010. **Jane Lees, City Secretary**

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

4. Consideration and action on awarding the purchase of police uniforms to Miller Uniforms & Emblems, Inc. of Austin, Texas, on a BuyBoard (State Contract). **Eddie Wilson, Police Lieutenant**

5. Consideration and action on the presentation of the 2009 Animal Control Annual Report. **Mike Heintzelman, Deputy Police Chief**

6. Consideration and action on authorizing the City Manager to execute a Professional Services Agreement between River City Engineering, Inc. and the City for engineering services for the Texas Department of Rural Affairs 2010 CDBG Grant No. 729171, awarded for the purpose of water system improvements. **Andrea M. Gardner, City Manager**

7. Consideration and action on granting Council Member Frank Seffrood, Position 7, an excused absence from a regular council meeting. **Jane Lees, City Secretary**

8. Consideration and action on authorizing the Mayor to execute a letter of support to accompany the Cen-Tex Sustainability Partnership submittal of a Letter of Interest to the Environmental Protection Agency (EPA) in response to the 2010 Request for Letters of Interest (RFLI) for Smart Growth Implementation Assistance. **Andrea M. Gardner, City Manager**

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

Council Member Downard requested that item G-3 be removed from the Consent Agenda for further discussion.

Council Member Downard made a motion to approve G-1, G-2, G-4, G-5, G-6, G-7, G-8, and G-9 as presented. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action to approve updated cost for engineering relating to the extension of Constitution Drive. **Dan Yancey, Chair, CCEDC Board of Directors**

Council Member Downard asked Dan Yancey several questions on this item. He was concerned about Constitution being a dead end and that two housing projects were to be located there. He said that the streets in the area are already crowded and perhaps Constitution should be connected to Mueller to alleviate the traffic flow. Mr. Yancey said that Constitution would be tied into Mueller. The preliminary plans will be ready for Planning & Zoning by the end of next week and construction drawings will be available about a week after that.

Council Member Downard made a motion to approve G-3 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 amending the 2009-10 fiscal year budget for the City of Copperas Cove for a position update. **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 Meredith made a motion to approve Ordinance No.2010-13 as presented. There was no second to the motion, therefore, the motion died. No action was taken.

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.**

2. Public hearing and action on a Final Plat for the Copperas Cove 190 Business & Industrial Park, Phase Five. **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 7:22 p.m.

Speaking for: None.

Speaking Against: None.

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

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

3. Public hearing and action on an ordinance amending the fiscal year 2010-2014 Capital Improvement Plan and the fiscal year 2010 Capital Improvement 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-3.

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

Speaking for: None.

Speaking Against: Council Member Downard recommended that the Council postpone the remainder of the hearing and have City staff come back with another briefing on a timetable as to how the City will put the complete project in, according to the five-year Capital Improvement Plan. He said that there does not appear to be a project to tie in to FM 116, going across the Lehmann property, and tying in the water system on Topsey or going to the water tank on Mesa Verde. He stated that the water model reflects a less-costly 24-inch line vs, the current 30-inch. It also reflects tying in to an existing 16-inch vs, a staff recommendation of an uncapped transmission line going to the water tank. He also recommended that staff consider installing a stretch of 30-inch water line along FM 116 at the intersection of the northern loop.

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

Council Member Downard made a motion that item H-3 be postponed. Council Member Palmer seconded the motion and a roll call vote was taken as follows:

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

Motion carried four to one to postpone item H-3.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-15**

**AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2010-2014 AND BUDGET FOR FISCAL YEAR 2010; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

Mayor Hull requested that Item I-13 be moved to before I-1 due to the presenter being from out of town.

**H. ACTION ITEMS**

13. Discussion and update on the City Hall Needs Assessment. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, introduced Hal Sargent of Brinkley Sargent Architects. She said that Brinkley Sargent Architects was hired to conduct a City Hall needs assessment. She further stated that this item was discussed at the 2009 Council Retreat that was held in June. Ms. Gardner turned the presentation over to Mr. Sargent.

Mr. Sargent briefed the Council on the study. First, each department filled out a questionnaire, met with their staff and discussed constraints and challenges. This process took several meetings and a final meeting to review the results with the City Manager.

The report projected staff for 10 and 20 years from now. The budgets presented are given for the 20-year projected growth. The current City Hall staff is at 43.5 positions. The 2020 projection is for 64 positions and the 2030 projection is for 73 positions. For each position, the duties/activities were identified and the size of the space needed was established. The total square footage of space needed in City Hall in 2030 would be 37,622 square feet. The existing City Hall is 14,000 square feet. Mr. Sargent said that the square footage needed also included the Utility Administration Department and the Chamber of Commerce moving into the building.

Mr. Sargent presented three options to City Council. The first option was to construct a new City Hall building behind the current building, demolish the old City Hall building and turn that space into a parking lot to be shared with the Library. One negative to this plan is that there may be a shortage of parking. Parking spaces would number 84, of which 48 would be shared with the Library. This could cause problems on evenings when council meetings or other events were held. The total budget for this option is \$15,775,000. This price reflects the inclusion of environmental testing, construction, demolition of the old building, water retention, furniture, security system, telephone system, civil engineering, platting, AV, among other things. The price also assumes a start date of July 2010. A 5% increase would have to be added for each year after 2010.

The second option is to use the bank building across the street. This would include renovation of the existing building and constructing a new 16,700 square foot addition to the building. The existing City Hall would then be demolished and a parking lot established. The advantage to this option is that there would be plenty of parking available. The budget for this option is \$16,570,000. The option includes the land cost of \$1,790,000.

The third option would be to tear down the bank building completely and construct a new building. The budget for this option would be \$18,284,000.

1. Discussion and action on scheduling a Special Meeting of the City Council.  
**Andrea M. Gardner, City Manager**

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

Council Member Palmer made a motion to schedule a Special Meeting of the Council to be held on March 29, 2010 at 7:00 p.m. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on a resolution expressing intent to finance expenditures to be incurred for the North Loop Waterline. **Wanda Bunting, Director of Financial Services**

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

Council Member Meredith made a motion to approve Resolution No. 2010-14 as presented. Council Member Youngs seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-14**

**A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED FOR THE NORTH LOOP WATERLINE.**

3. Consideration and action upon authorizing the City Manager to execute an agreement with KBR for the North Water Loop design. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-3.

Council Member Meredith made a motion authorizing the City Manager to execute an agreement with KBR for the North Water Loop design. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and possible action on authorizing the City Manager to execute an agreement for the lease of space at the Hills of Cove Golf Course for the purpose of preparation and sale of concessions. **Danny Zincke, Assistant Director of Community Services**

Danny Zincke, Assistant Director of Community Services, gave an overview of agenda item I-4.

Council Member Goode made a motion authorizing the City Manger to execute an agreement for the lease of space at the Hills of Cove Golf Course. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

5. Consideration and action on an ordinance amending Personnel Policy No. 120, Salary Program Administration. **Kelli Sames, Human Resources Director**

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

Council Member Meredith made a motion to approve Ordinance No. 2010-16 as presented. Council Member Youngs seconded the motion and a roll call vote was taken as follows:

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

Motion failed two to three.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-16**

**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 a resolution endorsing certain legislative changes relating to the sunset review of the Texas Public Utility Commission and the special purpose review of the Electric Reliability Council of Texas to enhance the competitive electric market supported by Cities Aggregation Power Project (CAPP), Inc. **Wanda Bunting, Director of Financial Services**

Wanda Bunting, Director of Financial Services, gave an overview of agenda item I-6.

Council Member Palmer made a motion to approve Resolution No. 2010-13 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

**RESOLUTION NO. 2010-13**

**A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, ENDORSING CERTAIN LEGISLATIVE CHANGES RELATING TO THE SUNSET REVIEW OF THE TEXAS PUBLIC UTILITY COMMISSION AND THE SPECIAL PURPOSE REVIEW OF THE ELECTRIC RELIABILITY COUNCIL OF TEXAS.**

7. Consideration and action on authorizing the Mayor to appoint a Fair Housing/Equal Opportunity/Section 504 Standards Officer for TxCDBG 728267, awarded for the purpose of drainage system improvements and TxCDBG 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.

Mayor Hull recommended that Brian Hawkins, Risk Manager, be appointed as the Fair Housing/Equal Opportunity/Section 504 Standards Officer for the City of Copperas Cove.

Council Member Youngs made a motion to authorize the Mayor to appoint Brian Hawkins as the Officer for the City. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

8. Consideration and action on an Ordinance adopting Section 504 Grievance Procedures for the City of Copperas Cove. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-8.

Council Member Goode made a motion to approve Ordinance No. 2010-18 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-18**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE TO ADOPT A CITY OF COPPERAS COVE SECTION 504 GRIEVANCE PROCEDURES.**

9. Consideration and action on an ordinance revising Chapter 19, § 19-67(b) of the Code of Ordinances. **Andrea M. Gardner, City Manager**

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

Council Member Youngs made a motion to approve Ordinance No. 2010-17 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

**ORDINANCE NO. 2010-17**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 19 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

10. Consideration and action on establishing an ad hoc committee for the purposes of reviewing Chapter 3 of the Code of Ordinances for the City of Copperas Cove. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-10.

Dr. Kevin Kruse, current veterinarian member of the Animal Advisory Board, stated that the Animal Advisory Board should do this task. Creation of the two ad hoc committees on the agenda would cause him to have extra duties as long as there is a requirement for a licensed veterinarian to be on the committees.

Council Member Palmer made a motion to establish an ad hoc committee for the purposes of reviewing Chapter 3 of the Code of Ordinances for the City of Copperas Cove. Council Member Goode seconded the motion, and with a unanimous vote, motion carried.

11. Consideration and action on establishing an ad hoc committee for the purposes of creating a draft Animal Rescue Transfer Program with established criteria

incorporated to provide written requirements for Animal Rescue Organizations desiring to participate in the program. **Andrea M. Gardner, City Manager**

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

Joe Latanzio, 184 Wyatt Earp Loop, Nolanville. Mr. Latanzio said he worked with the Second Chance Animal Shelter. He suggested that the Animal Advisory Board be allowed to work with the ad hoc committees that were being established.

Council Member Meredith made a motion to establish an ad hoc committee for the purposes of creating a draft Animal Rescue Transfer Program with established criteria incorporated to provide written requirements for Animal Rescue Organizations desiring to participate in the program. Council Member Youngs seconded the motion, and with a unanimous vote, motion carried.

12. Discussion on Chapter 3 of the Code of Ordinances for the City of Copperas Cove. **Andrea M. Gardner, City Manager**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-12. She discussed the feral cat situation at South Park. After researching the subject on the Internet, she contacted Bill Stephenson, the Animal Control Supervisor in St. Paul, Minnesota. Ms. Gardner and other staff members reviewed their feral cat ordinance and determined that this ordinance, with a few minor changes, would be a good one for the City to adopt because it is very concise and easy to understand. The ordinance does not have stringent requirements on individuals or rescue organizations.

In addition, another ordinance from the Towne of Cooley City was reviewed because of the section on feeding of feral cats within the city limits. The only change that staff would make to this sample ordinance would be to change the part that states it is "unlawful for any person to feed feral cats," to add "individuals not authorized by the city shall not feed feral cats." This way a rescue organization could set up a program to feed the cats rather than trapping them and possibly euthanize the animals.

Ms. Gardner said she spent a lot of time on the phone with Mr. Stephenson and he was very positive about their program. He stated more than once that their program would not be successful if he did not develop a good working relationship with the rescue organizations. The ordinance in St. Paul has been in place since 2007 and he stated that there was a colony in one area of approximately 200 cats, and now that population is down to 30 cats. The remaining information on this program was handed out in a packet to the Council.

Council consensus was that the City Manager should prepare a similar ordinance for the City of Copperas Cove and bring it back to the Council for approval.

## **J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS**

1. Copperas Cove Downtown Association 2009-10 Report. **Betty Price, Copperas Cove Downtown Association**

Betty Price, Copperas Cove Downtown Association, gave the Copperas Cove Downtown Association 2009-10 Repot.

- 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 8:25 p.m.

**ATTEST:**

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John Hull, Mayor

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Jane Lees, City Secretary