

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
May 4, 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

Pastor Tim O'Neil, Hillside Ministries, 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 Downard stated that there were 718 early voters for the May 8, 2010 election. He encouraged everyone who had not voted to vote on Saturday from 7:00 a.m. to 7:00 p.m.

Council Member Seffrood reminded everyone that this coming Saturday was the annual food drive sponsored by the letter carriers. Food will be collected at mailboxes and all contributions will go to local food banks.

Council Member Youngs announced that the City's bond rating was upgraded.

Mayor Hull thanked all volunteers who helped pick up trash on the City's waterways last Saturday.

City Manager Gardner stated that the City will be hosting a Public Meeting on Tuesday, May 11, 2010 in the City Hall Council Chambers on Emergency Management Operations.

Ms. Gardner also announced that the City's Household Hazardous Waste Event will be Saturday, May 8, 2010 at the Transfer Station from 9:00 a.m. to 2:00 p.m. Another event will be held on 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.

She also stated that the law firm of Denton, Navarro, Rocha & Bernal, P.C. is sponsoring a governmental seminar on June 25 called "Hog Wild" at the Civic Center in New Braunfels. This event is for elected and appointed officials and administration and will provide updates on the

latest changes in the law and how to stay out of trouble and out of the courtroom. The event is free.

E. PUBLIC RECOGNITION

1. Proclamation: Police Week. **John Hull, Mayor**

Mayor John Hull read the "Police Week" proclamation and presented it to Chief Tim Molnes, Lt. Danny Austin and Cpl. Kevin Keller of the Copperas Cove Police Department.

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

Andrea M. Gardner, City Manager, presented the following May 2010 recipients with their pins:

- Steven Hollenbeck, Light Equipment Operator, Street Department – 5 years
- Elmer Gothard, Street and Drainage Superintendent – 15 years

F. CITIZENS' FORUM – None.

G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the workshop council meeting on April 19, 2010. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the workshop council meeting on April 20, 2010. **Jane Lees, City Secretary**

3. Consideration and action on approving the minutes from the regular council meeting on April 20, 2010. **Jane Lees, City Secretary**

4. Consideration and action on a resolution, authorizing and supporting the City Manager in the submission of a grant application to Texas STEP for the FY 2011 Comptroller's Tobacco Compliance Grant. **Daniel Austin, Police Lieutenant**

5. Consideration and action on a resolution accepting the quarterly investment report as presented for the quarter ending March 31, 2010 per the Investment Policy. **Wanda Bunting, Director of Financial Services**

7. Consideration and action on authorizing the Mayor to execute a letter to the Brazos River Authority in support of Commissioner Jack V. Wall who desires to become a voting member on the Brazos G Water Planning Group. **Robert M. McKinnon, Public Works Director**

Council Member Stephens requested further discussion on item G-6.

Council Member Palmer made a motion to approve G-1, G-2, G-3, G-4, G-5, and G-7 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on authorizing the City Manager to enter into an Agreement with Luck Design Team LLC to conduct a "Parks Needs Assessment" for the City of Copperas Cove Parks system. **Danny Zincke, Assistant Director of Community Services**

Danny Zincke, Assistant Director of Community Services gave an overview of item G-6.

Council Member Stephens made a motion to approve authorizing the City Manager to enter into an agreement with Luck Design Team LLC to conduct a "Parks Needs Assessment." 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 Chapter Four of the 2007 Comprehensive Plan of the City of Copperas Cove, Texas; providing for changes in the Future Land Use Plan; providing for changes on Plate 4-1, the Future Land Use Map. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item H-1. Chris Steward of Espey Consultants, Inc., the City's planning consulting firm, discussed further the changes being proposed.

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

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:34 p.m.

Council Member Downard made a motion to disapprove Ordinance No. 2010-20. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING CHAPTER FOUR OF THE 2007 COMPREHENSIVE PLAN OF THE CITY OF COPPERAS COVE, TEXAS; PROVIDING FOR CHANGES IN THE FUTURE LAND USE PLAN; PROVIDING FOR CHANGES ON PLATE 4-1; THE FUTURE LAND USE PLAN).

2. Public hearing and action on an ordinance rezoning Lot 2, Block 3 of the Crestview Heights Addition, locally known as 1003 Phil Avenue, from R-2 (two-family residential) to B-4 (business). **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 7:36 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 disapprove Ordinance No. 2010-21. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS APPROVING A ZONING CHANGE BY REZONING LOT 2, BLOCK 3 OF THE CRESTVIEW HEIGHTS ADDITION, LOCALLY KNOWN AS 1003 PHIL AVENUE, FROM R-2 (TWO-FAMILY RESIDENTIAL) TO B-4 (BUSINESS).

I. ACTION ITEMS

1. Consideration and action on the Mayor's recommendation to appoint an alternate member to the Central Texas Council of Governments Executive Committee. **John Hull, Mayor**

John Hull, Mayor, gave an overview of agenda item I-1. Mayor Hull recommended Council Member Seffrood to serve as the alternate member to the Central Texas Council of Governments Executive Committee. He stated that the City Manager, Andrea M. Gardner, was the alternate, but since becoming a member of the board, could no longer serve in that capacity.

Council Member Downard made a motion to accept Mayor Hull's nomination for Council Member Seffrood to be the alternate member to the Central Texas Council of Governments Executive Committee. Council Member Stephens seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on authorizing the City Manager to execute an agreement between the City of Copperas Cove and SCS Engineers for professional services to arrange for continuous coring and the installation of three piezometers to provide additional site characterization for the landfill groundwater monitoring plan as suggested by the Texas Commission on Environmental Quality (TCEQ). **Michael Mundell, Superintendent of Solid Waste**

Michael Mundell, Superintendent of Solid Waste, gave an overview of agenda item I-2.

Council Member Meredith made a motion to authorize the City Manager to execute an agreement with SCS Engineers for professional services to arrange for continuous coring and the installation of three piezometers to provide additional site characterization for the landfill groundwater monitoring plan as suggested by the Texas Commission on Environmental Quality

(TCEQ). Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

3. Consider and take action with respect to an Ordinance of the City of Copperas Cove, Texas, authorizing the issuance and sale of City of Copperas Cove, Texas, Limited Tax Notes, Series 2010, in the aggregate principal amount of \$4,050,000; awarding the sale of said notes; levying a tax in payment thereof; prescribing the form of said notes; and enacting other provisions relating to the subject. **Wanda Bunting, Director of Financial Services**

Andrea M. Gardner, City Manager, gave an overview of agenda item I-3. Garry Kimball, Specialized Public Finance, was on hand to discuss this item.

Council Member Seffrood made a motion to approve Ordinance No. 2010-22 as presented. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-22

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, LIMITED TAX NOTES, SERIES 2010, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,050,000; AWARDING THE SALE OF SAID NOTES; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID NOTES; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.

4. Consider and take action with respect to an Ordinance of the City of Copperas Cove, Texas, authorizing the issuance and sale of City of Copperas Cove, Texas, General Obligation Bonds, Series 2010, in the aggregate principal amount of \$4,685,000; levying a tax in payment thereof; authorizing the execution and delivery of a paying agent / registrar agreement; approving the official statement; and enacting other provisions relating thereto. **Wanda Bunting, Director of Financial Services**

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

Council Member Meredith made a motion to approve Ordinance No. 2010-23 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF COPPERAS COVE, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2010, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,685,000; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE

OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO.

5. Consideration and action on appointments to the Parks and Recreation Committee. **Danny Zincke, Assistant Director of Community Services**

Danny Zincke, Assistant Director of Community Services, gave an overview of agenda item I-5.

Council Member Meredith made a motion to appoint Patricia Thomas and Inez Faison as members to the Parks and Recreation Committee. Council Member Downard seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action to authorize the CCEDC to seek bids for the completion of Constitution Drive Extension project. **Dan Yancey, Chair, CCEDC Board of Directors**

Dan Yancey, Chair, CCEDC Board of Directors, gave an overview of agenda item I-6.

Council Member Palmer made a motion to authorize the CCEDC to seek bids for the completion of Constitution Drive Extension project Phase 1 and Phase 2 as an alternate. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action to authorize the Chairman of the Copperas Cove Economic Development Corporation Board of Directors to execute a letter of commitment to Constitution Court Ltd. regarding the associated infrastructure to serve the project. **Dan Yancey, Chair, CCEDC Board of Directors**

Dan Yancey, Chair, CCEDC Board of Directors, gave an overview of agenda item I-7.

Council Member Downard made a motion to authorize the Chairman of the Copperas Cove Economic Development Corporation Board of Directors to execute a letter of commitment to Constitution Court Ltd. regarding the associated infrastructure to serve the project. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

1. Update on the CCEDC digital sign. **Dan Yancey, Chair, CCEDC Board of Directors**

Dan Yancey, CCEDC Board of Directors, gave an update on the CCEDC digital sign. He stated that the sign was in possession of the CCEDC and is now stored in the City. The installation company is doing a survey, which, when completed and submitted to the CCEDC, will be taken to the various governmental bodies for approval.

2. Update on CCEDC projects. **Polo Enriquez, CCEDC Executive Director/Monica Hull, Marketing Director**

Polo Enriquez, CCEDC Executive Director, gave an update on CCEDC projects. He stated that the Land Exchange will be completed soon. Once completed, the property can be opened up for

development of the Shops at Five Hills. He hoped that this would happen within the next 30 days. The assisted living center, Stoney Brook, is now under construction. The center is expected to be open by the end of 2010. The CCEDC Concept Master Plan is currently being reviewed and will be brought to the City Council at the next meeting.

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 8:30 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary