

**CITY OF COPPERAS COVE
CITY COUNCIL WORKSHOP MEETING MINUTES
May 18, 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
Frank Seffrood

ALSO PRESENT

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

C. WORKSHOP ITEMS

1. Presentation and discussion on stormwater regulations. **Wesley Wright, P.E., City Engineer**

The presentation on stormwater regulations is attached and made a part of the minutes.

2. Presentation and discussion on a draft land disturbance ordinance. **Wesley Wright, P.E., City Engineer**

The presentation and the draft land disturbance ordinance is attached and made a part of the minutes.

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

At the request of the City Manager, the appeals process for denial of a permit was explained by the City Attorney. The City Attorney concluded the appeals can go directly to the City Council.

Council Member Meredith requested additional time to review and allow the newly elected Council Members an opportunity to review once seated.

The City Engineer agreed appeals criteria needed to be included in the ordinance. Once updated a copy is to be provided to the Council.

Mayor Hull stated another workshop can be scheduled if necessary and he preferred City staff bring the proposed ordinance to council for approval in the near future.

Council Member Youngs stated the ordinance is a tool to monitor an area. The committee felt it was important to get a draft in front of the Council and get feedback. He requested City staff send revised ordinance to the Council to study.

The City Manager stated the ordinance may be placed on an upcoming meeting agenda as a discussion item.

The City Engineer concluded he would hand out the proposed ordinance at the upcoming Builders & Developers Luncheon next week.

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

Storm Water Regulations – MS4

May 18, 2010

Wesley Wright, P.E., City Engineer

Storm Water Regulations

What is MS4?

- Municipal Separate Storm Sewer System
- Phase I – 100k population
- Phase II – under 100k



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Texas Pollutant Discharge Elimination System
Small Municipal Separate Storm Sewer System (MS4) General Permit

The Notice of Intent (NOI) for the Small MS4 listed below was received on February 11, 2009. The intent to discharge storm water associated with the Small MS4 under the terms and conditions imposed by the Texas Pollutant Discharge Elimination System (TPDES) Small MS4 permit TXR040000 is authorized. The MS4 Operator's TPDES Small MS4 general permit authorization number is:

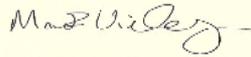
TXR040201
Coverage Effective: 4/30/2009

TCEQ's Small MS4 general permit requires certain storm water pollution prevention and control measures, possible monitoring and reporting, and periodic inspections. Among the conditions and requirements of this permit, you must have prepared and implemented a storm water management program (SWMP) that is tailored to your MS4. As a facility authorized to discharge under the Small MS4 general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

Project/Title Information	OPERATOR
8416555-000	CHRISTOPHER
CITY OF COPPERBAS COVE MS4	CITY OF COPPERBAS COVE
A PORTION OF AREA WITHIN THE CITY OF COPPERBAS COVE LIMITS THAT IS LOCATED	PO BOX 1419
WITHIN THE SILVER SPRINGFIELD AREA, 200 IN LANPASTAS COUNTY	COPPERBAS COVE, TX 75626-0419
COPPERBAS COVE, TX 75622	
CONVELL COUNTY	

This permit expires on August 13, 2012, unless otherwise amended. For additional information, see the TCEQ web site at http://www3.tceq.state.tx.us/wq_cpa or contact the Storm Water & Pretreatment Team at swpp@tceq.state.tx.us or by telephone at (512) 239-4671. A copy of this document should be kept with your storm water management program.

Issue Date: 4/30/2009


FOR THE COMMISSION

Storm Water Regulations

What is MS4?

- Originated from the Clean Water Act of 1972 (Amended in 1977)
- Unfunded federal mandate regulated and enforced by the EPA/TCEQ
- Goal is to reduce non-point pollution discharges into waterways



Storm Water Regulations

How is an MS4 effective?

- Reduce pollutants in waterways
- Control storm water discharges
- Protect water quality
- Water quality requirements

Storm Water Management Plan (SWMP)

Plan was approved on April 30, 2009

Year 1 – August 2007 to August 2008

Year 2 – August 2008 to August 2009

Year 3 – August 2009 to August 2010

Year 4 – August 2010 to August 2011

Year 5 – August 2011 to August 2012



Storm Water Regulations

What is a SWMP?

- Five year plan focusing on Six Key Initiatives
 1. Public Education and Outreach
 2. Public Involvement/Participation
 3. Illicit Discharge Detection and Elimination
 4. Construction Site Runoff Control
 5. Post-Construction Storm Water Management
 6. Pollution Prevention/Good Housekeeping
- Full plan is available online
http://www.ci.copperas-cove.tx.us/pages/city_engineer/stormwater.htm

Storm Water Regulations

Public Education and Outreach

- Year 3 Requirements
 - Utility bill insert
 - Storm water website
 - Book covers
 - Information packet at Library
 - Brochures
- Typically annual requirements

Storm Water Pollution Prevention

Water pollution can come from a lot of different places, but the number one reason that our creeks, rivers, lakes and beaches get dirty is from the pollutants that flow into storm drains.



Please pick up behind me!
Pet waste pollutes drinking water sources.

For more information, visit
[www.ci.copperas-cove.tx.us/
pages/city_engineer/stormwater.htm](http://www.ci.copperas-cove.tx.us/pages/city_engineer/stormwater.htm)

10 Things You Can Do to Prevent Storm Water Pollution

- ◆ Use fertilizers sparingly and sweep up driveways, sidewalks, and gutters.
- ◆ Never dump anything down storm drains or in streams
- ◆ Vegetate bare spots in your yard
- ◆ Compost your yard waste
- ◆ Use less toxic pesticides and follow labels
- ◆ Direct downspouts away from paved surfaces
- ◆ Take your car to the car wash instead of washing it in the driveway
- ◆ Check your car for leaks and recycle your motor oil
- ◆ Have your septic tank pumped and system inspected regularly
- ◆ Pick up after your pet



For more information, visit
[www.ci.copperas-cove.tx.us/
pages/city_engineer/stormwater.htm](http://www.ci.copperas-cove.tx.us/pages/city_engineer/stormwater.htm)

Storm Water Regulations

Public Involvement/Participation

- Year 3 Requirements
 - Mark inlet drains
 - Public Meetings
 - KCCB efforts
- Typically annual requirements



Storm Water Regulations

Illicit Discharge Detection and Elimination

- Year 3 Requirements
 - Inspect drainage system
 - Inspect construction sites
 - Spill response
- Future Requirements
 - Plan review
 - Continue prior year efforts



Storm Water Regulations

Construction Site Runoff Control

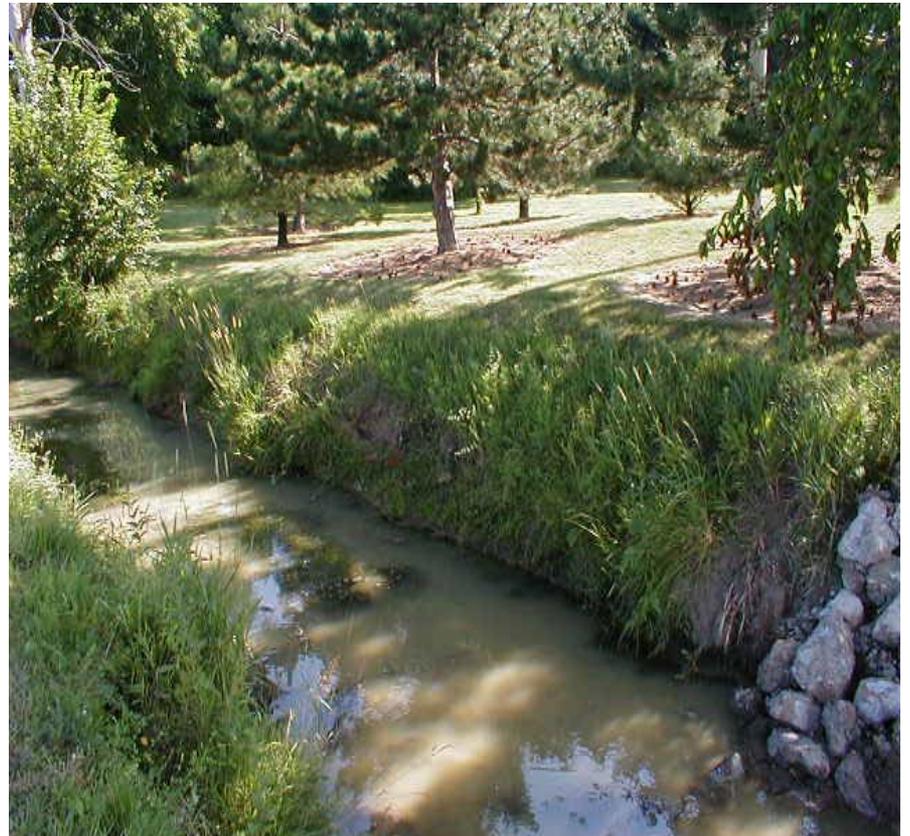
- Year 3 Requirements
 - Erosion control plans
 - Plan review
- Future Requirements
 - Erosion control ordinance?



Storm Water Regulations

Post-Construction Storm Water Management

- Year 3 Requirements
 - Drainage criteria manual
 - Post construction inspection
- Future Requirements
 - Maintain and improve



Storm Water Regulations

Pollution Prevention/Good Housekeeping

- Year 3 Requirements
 - Street sweeping
 - Maintain city facilities
 - Administration
 - Training/Education
- Future Requirements
 - Continue annually



Storm Water Regulations

- What's next?
 - Public
 - Protect storm drains
 - Maintain vehicles
 - Establish a good lawn/mulch
 - Participate in KCCB
 - City Staff
 - Continue to follow SWMP
 - Land Disturbance Ordinance
 - Drainage Criteria Manual
 - Erosion Control Ordinance



Storm Water Regulations – MS4

May 18, 2010

Wesley Wright, P.E., City Engineer

Proposed Land Disturbance Ordinance

May 18, 2010

Wesley Wright, P.E., City Engineer

Land Disturbance Ordinance

- October 13, 2009 – Committee Established



- Charlie Youngs, Council Member
- Nelson Helm, Citizen
- Samuel Banks, Citizen
- Wesley Atkinson, Builder/Developer
- Gilbert Hancock, Citizen
- Jamie Clark, Builder

Land Disturbance Ordinance

- Why?

- Inform the public about potential damages
- Provide a means to establish and enforce protective measures
- EPA & TCEQ storm water requirements
- Help the development community



Land Disturbance Ordinance

- Permit Required

- Grubbing
- Grading
- Excavating
- 3 cubic yards soil
- Within city limits

- Not required

- Plant removal on individual single family/duplex lots
- Clear cutting
- Agricultural activities
- Clearing survey sight lines
- Trenching for foundations/utilities
- Routine maintenance of existing landscaping



Land Disturbance Ordinance

- Required Components
 - Application
 - Fee (\$35)
 - Proof of ownership

 - *Topographical survey
 - *Proposed grading
 - *Erosion control plan

 - **Notice of Intent
 - **SWPPP

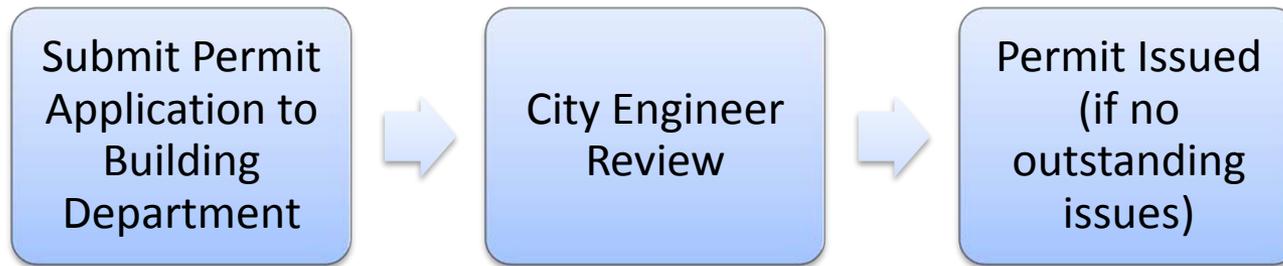


*individual one/two family lots exempted

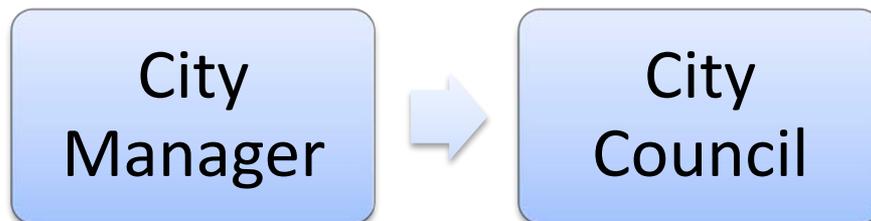
**where required by TCEQ/EPA

Land Disturbance Ordinance

- Permit Process



- Appeal Process



Land Disturbance Ordinance

- Possible reasons for denial



- Incomplete application packet
- Erosion control issues
- Adverse impact downstream
- Easement issues
- Moratorium

Land Disturbance Ordinance

- Questions for Council
 - Proceed with Ordinance?
 - Modifications?
 - Recommendations?
 - Questions?



Proposed Land Disturbance Ordinance

May 18, 2010

Wesley Wright, P.E., City Engineer

Sec. 17.5-2. Definitions. (add these terms to the existing definitions or amend the definitions as follows)

The following words, terms, and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning. Words not specifically defined shall have the meanings given in Webster's Ninth New Collegiate Dictionary, as revised.

Accessory structure or building shall mean a subordinate structure or building customarily incident to and located on the same lot occupied by the main structure or building.

Applicant shall mean the owner(s) of the property to be developed and/or disturbed.

Bond shall mean any form of security, including a cash deposit, surety bond, or instrument of credit in an amount and form approved by the city.

Building shall mean any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattel or property of any kind. Also, anything built that requires a permanent location.

City standards shall mean those standards and specifications, together with all tables, charts, graphs, drawings and other attachments hereinafter approved and adopted by the City Council, which may be amended from time to time, and are administered by the city staff for the construction and installation of streets, sidewalks, drainage facilities, water and sanitary sewer mains and any other public facilities. All such facilities which are to become the property of the city upon completion must be constructed in conformance with these standards.

Commission shall mean the duly organized body appointed by the city council as the Planning and Zoning Commission.

Construction plans shall mean the plat, grading plan, drainage plan, site plan, erosion control plan, paving plans, utility plans, maps, drawings and technical specifications, including bid documents and contract conditions, where applicable, which provide a graphic and written description of the character and scope of the work to be performed prepared for approval by the city for construction. Maps or drawings prepared and sealed by a licensed professional engineer, showing the specific location and design of public improvements to be installed in accordance with the requirements of the City Engineer.

Developer shall mean any person, corporation, governmental or other legal entity engaged in the development of property by improving a tract or parcel of land for any use. The term "developer" is intended to include the term "subdivider."

Development any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

Easement shall mean a grant by a property owner to the public, a corporation, or persons for a general or specific use of a defined strip or parcel of land, for such purpose as the installation, construction, maintenance and/or repair of utility lines, drainage ditches or channels, or other public services, the ownership or title to the land encompassed by the easement being retained by the owner of the property.

Easement (utility, access and drainage). An authorization granted by the property owner to the city, the public, an individual, or a private utility corporation for installing or maintaining utilities or drainage facilities over or under private land, together with the right to enter the property with machinery and vehicles necessary for the maintenance of the utilities or drainage facilities, or authorization to cross a piece of property for purpose of access/egress to another property.

Enclosure is a fully enclosed area below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement.

Engineer shall mean any person duly authorized under the Texas Engineering Practice Act (V.A.C.S. art. 3271a), as amended, to practice the profession of engineering.

Erosion shall mean the wearing away of the ground surface as a result of the movement of wind, water, ice, and/or land disturbance activities.

Erosion control shall mean a set of best management practices or equivalent measures designed to control surface runoff and erosion and to prevent sediment from leaving a certain area.

Extraterritorial jurisdiction shall mean that unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city, the outer boundaries of which are measured from the extremities of the corporate limits of the city outward for such distances as may be stipulated in V.T.C.A., Local Government Code, section 42.001 et seq. The extraterritorial range of the City of Copperas Cove authority lies outside the corporate limits of up to two (2) miles as authorized by state law.

Land disturbing activity shall mean any change in land made or caused by human activity that may result in soil erosion from water or wind, the movement of solid materials into waters or onto adjacent lands, or increased runoff of storm

water including, but not limited to, grubbing, grading, excavating, transporting, or filling of land.

Lot shall mean an undivided tract or parcel of land having access to a street, which is designated as a separate and distinct tract or lot number or symbol on a duly approved plat filed of record. The terms "lot" and "tract" shall be used interchangeably.

Master plan shall mean the comprehensive plan of the city adopted by the city council.

Notice of Intent (NOI) see Texas Commission on Environmental Quality General Permit TXR150000, as amended.

Off-site shall mean any premises not located within the property to be developed, regardless of ownership.

Owner shall mean any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal or equitable title in the land sought to be subdivided under these regulations.

Plat shall mean a map representing a tract of land showing the boundaries of individual properties and streets or a map, drawing, chart, or plan showing the layout of a proposed subdivision into lots, blocks, streets, parks, school sites, commercial or industrial sites, drainage ways, easements, alleys, which an applicant submits for approval and a copy of which he intends to record with the County Clerk of the County or Counties within which the subdivision or parcel resides.

Plat, final, shall mean the map or plan of a proposed development submitted for approval by the planning and zoning commission and city council, where required, prepared in accordance with the provisions of this chapter and requested to be filed with the county clerk of the County within which the subdivision or parcel resides.

Right-of-way shall mean a strip of land, shown to be separate and distinct from adjacent lots or parcels of land, and not included in the dimensions or areas of such lots or parcels, acquired by dedication, prescription or condemnation and intended to be occupied by a road, sidewalk, railroad, electric transmission facility, oil or gas pipeline, water mains, sewer mains, storm drainage or other similar facility. Rights-of-way intended for streets, sidewalks, water mains, sewer mains, storm drainage, or any other use involving maintenance by a public agency shall be dedicated to the public use by the plat applicant either by easement or in fee simple title.

Sediment shall mean soils or other surface materials transported by surface water as a product of erosion.

Sedimentation shall mean the process of action of depositing sediment generally caused by erosion.

Storm Water Pollution Prevention Plan (SWPPP). See Texas Commission on Environmental Quality General Permit TXR150000, as amended.

Streets and alleys shall mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, alley, place, or however otherwise designated. City streets shall conform to the following classifications:

- (1) Arterial streets and highways are those which are used primarily for higher speed and higher volume traffic. Routes for such streets shall provide for cross-town circulation and through-town movements.
- (2) Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways, including the principal entrance, circulation streets of a residential development and streets for circulations within such a development of a residential subdivision.
- (3) Minor streets are those which are used primarily for access to abutting properties.
- (4) Marginal access streets are minor streets located parallel to and adjacent to arterial streets and highways, providing access to abutting properties and protection from the traffic of the thoroughfares.
- (5) Alleys are minor ways used primarily for access to abutting properties for vehicle service usually to the back or side of a property.

Structure shall mean anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, buildings of all types and ground signs, but exclusive of customary fences or boundary or retaining walls.

Subdivision shall mean:

- (a) Any land, vacant or improved, which is divided into two (2) or more parts, or alternatively assembly of two or more parts into one tract, for the purpose of:
 - (1) transfer of ownership; or
 - (2) creating lots, including an addition to the city,
 - (3) to lay out suburban, building or other lots; or
 - (4) to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts.
- (b) "Subdivision" refers to any division irrespective of whether the actual division is made by metes and bounds description in a deed of

conveyance or a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

- (c) A subdivision does not include a division of land into parts greater than five (5) acres, where each part has access and no public improvement is being dedicated.
- (d) Subdivision shall apply to land within the city or its ETJ.

Sec. 17.5-137. Enforcement; penalty. (Replaces Sections 17.5-137 and 17.5-138)

(a) Unless otherwise stated, violations of this chapter shall be punishable under the provisions of section 1-8 of the City Code of Ordinances and/or as provided in paragraphs (b) through (g) below.

(b) If it appears that a violation or threat of a violation of this subchapter or plan, rule, or ordinance adopted under this subchapter consistent with this subchapter exists, the municipality is entitled to appropriate injunctive relief against the person who committed, is committing, or is threatening to commit the violation.

(c) A suit for injunctive relief may be brought in the county in which the defendant resides, the county in which the violation or threat of violation occurs, or any county in which the municipality is wholly or partly located.

(d) In a suit to enjoin a violation or threat of a violation of this subchapter or a plan, rule, ordinance, or other order adopted under this subchapter, the court may grant the municipality any prohibitory or mandatory injunction warranted by the facts including a temporary restraining order, temporary injunction, or permanent injunction.

(e) A person commits an offense if the person violates this subchapter or a plan, rule, or ordinance adopted under this subchapter or consistent with this subchapter within the limits of the municipality. An offense under this subchapter is a Class C misdemeanor. Each calendar day the violation continues constitutes a separate offense.

(g) It is no defense to a criminal or civil suit under this section that an agency of government other than the municipality issued a license or permit authorizing the construction, repair, or alteration of any building, structure, or improvement. It also is no defense that the defendant had no knowledge of this subchapter or of an applicable plan or rule. Reference L.G.C. § 212.050 (a) (f).

ARTICLE III. DEVELOPMENT PROCESS

Sec. 17.5- 60 Land Disturbance Permit

Purpose(s). The purposes of this section of the subdivision ordinance are to inform the public about the hazards to life and property due to damages created by changes to existing landscape and to provide a means for which to establish and enforce protective measures to reduce these damages. Any change to existing landscape, including cutting and filling of small spaces, may initiate or increase erosion and sedimentation and may also lead to changes in which storm water travels from one property to another.

The National Environmental Protection Agency (NEPA) and the Texas Commission on Environmental Quality (TCEQ) have mandated that local governments monitor and control pollutants entering drainage ways, streams, ponds, rivers, and lakes of the United States and Texas. These regulations require that municipalities act as the local enforcement agencies for all non point pollutants that may enter the aforementioned water ways including those pollutants that are borne in sediments that are carried away due to soil erosion and the sediments they may create in these water ways.

Additionally, the Federal Emergency Management Agency (FEMA) has released flood hazard maps for Bell County (adopted in 2008), and new flood hazard maps for Coryell County are scheduled for adoption on February 17, 2010. Recent heavy rainfall events (the years 2007 and 2008) have led to numerous properties being flooded and caused considerable injury to persons and property. This section of the subdivision ordinance will provide a method for staff review of proposed grading and how this affects area drainage.

The provisions within this ordinance do not relieve any entity or property owner from storm water runoff related damages caused by their land disturbing activity, or the responsibility to adhere to all Federal and State requirements.

Sec. 17.5 - 61. Land disturbance permit required.

(a) *When required.* A land disturbance permit shall be obtained before any land disturbance activity, including grubbing, grading, or excavating, that causes to be moved more than three (3) cubic yards of soil, fill, or other material. A permit shall be obtained whenever the land disturbance activity is within the corporate limits of the City of Copperas Cove.

(b) *When not required.* A land disturbance permit is not required for the following land disturbing activities:

- (1) The removal of woody or herbaceous plants on existing, individual one and two family residential parcels less than two (2) acres in size. All other properties shall be subject to permitting. In instances where, in the

opinion of the City Engineer or designee, the removal of woody or herbaceous plants would not result in significant drainage or erosion control issues, permit may be waived.

(2) Tree removal that does not disturb the root system or soil.

(3) Agricultural activities such as clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities.

(4) Clearing of narrow sightlines for the specific purpose of conducting measurements and surveys.

(5) Trenching required for structural foundations or utility improvements.

(6) Routine maintenance of existing landscaping.

(c) *Required components.* An applicant proposing land disturbance must submit an application for a Land Disturbance Permit, a copy of their Notice of Intent (NOI) (when required by any agency), proof of a Storm Water Pollution Prevention Plan (SWPPP) (when required by any agency), along with the following items:

(1) Completed permit application signed by the property owner or, in the case of a corporation/partnership, a party empowered to sign such actions (supported with authorizing documentation);

(2) Nonrefundable permit application fee, as established by the City Council;

(3) Deed showing current ownership of the subject property;

(4) Existing topographic survey (including all existing facilities, both under and above ground);

(5) Proposed grading plan (including all existing and proposed facilities, both under and above ground);

(6) Erosion control plan detailing how silt, sediment, and pollutants will remain onsite and how soil will be stabilized once land disturbance is complete.

(7) Homeowners of one and two family residential lots less than two (2) acres shall be required to provide *required components (1), (2), and (3)*. Hand sketches combined with written descriptions of proposed modifications shall suffice for *required components (4), (5), and (6)* for permitting purposes of one and two family residential lots less than two (2) acres.

(d) *Review process.* The city staff agency responsible for the intake of the permit shall be the Building Department and the review of land disturbance permit applications shall be made by the City Engineer. Applications shall be submitted on a form provided by the Building Department. The City Engineer shall advise the applicant in writing of any concerns with the permit application. The City Engineer shall approve the issuance of the land disturbance permit if all components required by this section have been submitted, the fee paid, and all concerns have been addressed.

(f) *Issuance of permit.* The Building Official shall issue a permit within ten (10) working days after the permit application is received or give a detailed written notice to the applicant that the permit application is unapproved. If response is not given within ten (10) days, applicant may request to have the permit taken to the City Manager's office for consideration.

If the permit application is returned as being unapproved, the applicant may correct the deficiencies and resubmit the permit application for approval without paying any additional fees. If the permit application is returned a second time or if a second request is not received within forty-five (45) calendar days of the date of notice of the first written notice, the applicant shall be required to resubmit the permit application and shall be required to pay all standard permit application fees.

(g) *Appeal.* The applicant for a land disturbance permit may file an appeal of a non-issuance by staff with the City Manager's office within fifteen (15) calendar days. The appeal request must detail the applicant's basis for challenging the written findings of the City Engineer. The City Manager shall consider the merits of the appeal and shall either resolve the appeal in the applicant's favor and have the permit issued or, upon applicant's request, schedule the appeal for the next available City Council meeting agenda for final resolution.

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
May 18, 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

ALSO PRESENT

John Hull
Cheryl L. Meredith
Charlie D. Youngs
Chuck Downard
Danny Palmer
Bill L. Stephens - Absent
Frank Seffrood

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

D. ANNOUNCEMENTS

Council Member Downard announced the 2010 Volunteer Board Recruitment Reception to be held on Monday, May 24, 2010 at 7:00 p.m. in the Library.

Mayor Hull announced the Relay for Life event starting on Friday night at 7:00 p.m. and running through Saturday morning. He reminded everyone that it was for a good cause and to participate in any way they could.

City Manager Gardner announced the Hog Wild Seminar provided to municipal clients of Denton, Navarro, Rocha & Bernal on June 25, 2010 in New Braunfels, Texas.

Mayor Hull stated that the annual Rabbit Fest was held over the weekend and was attended well. He thanked everyone for their efforts in helping put this event together.

E. PUBLIC RECOGNITION

1. Employee of the First Quarter 2010. **Andrea M. Gardner, City Manager**

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

- Public Safety Division – Carla Polidoro, Fire Captain
- Community Services Division – Billy King, Light Equipment Operator
- Public Works Division – Noel Watson, Heavy Equipment Operator Compost
- Administrative Services Division – Desiree Mundell, Human Resources Coordinator

2. Proclamations. **John Hull, Mayor**

- a. Mayor John Hull read the “Law Enforcement Torch Run Day for Special Olympics Texas” proclamation and presented it to Cpl. Kevin Keller of the Police Department. Cpl. Keller brought several Special Olympians with him, who are members of the local S.M.I.L.E. team. Those present were Shannon Fitzgerald, Ramona Lopez, Casey Fitzgerald, Aaron Parris, Ruthie Ellis and Coaches Myra Lopez and Mary Fitzgerald. Coach Lopez thanked the Council for the proclamation, saying that she started the S.M.I.L.E. Team five years ago in honor of her daughter Ramona.
- b. Mayor John Hull read the “Hurricane Awareness Week” proclamation and presented it to Fire Chief Mike Baker.
- c. Mayor John Hull read the “Trauma Awareness Month and EMS Week” proclamation and presented it to Deputy Fire Chief Gary Young, who introduced the following nine members present from the Fire Department’s C Shift:

Michael Fleming – Battalion Chief/Paramedic
Jim Bednar – Investigator/Paramedic
Stephen Clendenen – Lieutenant/Paramedic
Heather Frink – Firefighter/Paramedic
Carlos Maridueno – Firefighter/Paramedic
Andy Smith – Firefighter/Paramedic
Mike Brazill – Firefighter/EMT-Intermediate
Kris Hurst – Firefighter/EMT
Mike Mayfield – Firefighter/EMT

F. CITIZENS’ FORUM

Roger O’Dwyer, 1703 Highland Drive. Mr. O’Dwyer stated that approximately 8-10 days ago, Time Warner Cable did something to their system and Channel 10 can no longer be viewed on cable.

G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the regular council meeting on May 4, 2010. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the workshop council meeting on May 10, 2010. **Jane Lees, City Secretary**

3. Consideration and action on a resolution authorizing the City Manager to apply for, accept, reject, alter or terminate a grant from the U.S. Department of Justice for a Bulletproof Vest Grant. **Eddie Wilson, Police Lieutenant**

4. Consideration and action on a resolution authorizing and supporting the City Manager in the submission of a grant application and other related mandatory documents to the U.S. Department of Justice, Office of Justice Programs’ (OJP) Bureau of Justice Assistance (BJA) 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. **Eddie Wilson, Police Lieutenant**

Council Member Downard made a motion to approve 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

1. Public Hearing and action on an ordinance amending Chapter 16.5 of the Code of Ordinances of the City of Copperas Cove. **Andrea M. Gardner, City Manager**

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

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

Council Member Seffrood asked about free standing banners, saying that it was not included in the sign ordinance. The City Attorney stated a banner is still a banner whether it is attached to a building or to poles. Fire Chief, Mike Baker referenced the definition section, which clearly defines "banner". He also stated Section 16.5-5 references banners as well.

Speaking for: None.

Speaking Against: None.

Mayor Hull closed the public hearing at 7:36 p.m.

Council Member Youngs made a motion to approve Ordinance No. 2010-20 as presented. Council Member Downard 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 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.

I. ACTION ITEMS

1. Consideration and action on the appointment of members to the Keep Copperas Cove Beautiful Commission. **Robert Schumacher, President, Keep Copperas Cove Beautiful**

Robert Schumacher, President of Keep Copperas Cove Beautiful, gave an overview of agenda item I-1.

Council Member Meredith made a motion to appoint Stefanie Brown to the Keep Copperas Cove Beautiful Commission. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

2. Consideration and action on authorizing the City Manager to execute a contract with Bell Contractors, Inc. for Phase III of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. **Robert M. McKinnon, Public Works Director**

Robert M. McKinnon, Public Works Director, gave an overview of agenda item I-2.

Council Member Downard made a motion to authorize the City Manager to execute a contract with Bell Contractors, Inc. for Phase III of the Community Development Block Grant (CDBG) Sewer Rehabilitation Project. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on a resolution authorizing the Fire Chief to apply for a grant through the United States Department of Homeland Security, Federal Emergency Management Agency, Assistances to Firefighters Grant Program for the purchase of Self Contained Breathing Apparatus and Related Equipment. **Mike Baker, Fire Chief**

Mike Baker, Fire Chief, gave an overview of agenda item I-3.

Council Member Meredith made a motion to approve Resolution No. 2010-19 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2010-19

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, ALLOWING THE FIRE DEPARTMENT TO APPLY FOR AN ASSISTANCE TO FIREFIGHTER'S GRANT THROUGH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, FOR THE PURCHASE OF NEW SELF CONTAINED BREATHING APPARATUS AND RELATED EQUIPMENT NOT TO EXCEED \$175,000.00.

4. Consideration and action on a resolution, canvassing returns and declaring the results of the General Election held on May 8, 2010. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-4. Election Judge Mary Howell was present to present the final numbers.

Council Member Downard made a motion to approve Resolution No. 2010-20 as presented. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2010-20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CANVASSING RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 8, 2010.

5. Consideration and action on an ordinance canvassing returns and declaring the results of a Special Election, held on May 8, 2010, for amendments to the Charter of the City of Copperas Cove, and containing other provisions incident and related to the purposes hereof, and declaring an effective date. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-5. Election Judge Mary Howell was present to present the final numbers.

Council Member Downard made a motion to approve Ordinance No. 2010-21 as presented. Council Member Palmer 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 CANVASSING RETURNS AND DECLARING THE RESULTS OF A SPECIAL ELECTION, HELD ON MAY 8, 2010, FOR PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF COPPERAS COVE, AND CONTAINING OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSES HEREOF, AND DECLARING AN EFFECTIVE DATE.

6. Consideration and action on a written order to declare the approved amendments of the Charter of the City of Copperas Cove as adopted. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-6.

Council Member Palmer made a motion on a written order to declare the approved amendments of the Charter of the City of Copperas Cove as adopted. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

7. Consideration and action on a resolution ordering and establishing procedures for a Special Election on July 20, 2010 in Copperas Cove, Texas, to fill a vacancy on the City Council. **Jane Lees, City Secretary**

Jane Lees, City Secretary, gave an overview of agenda item I-7.

Council Member Palmer made a motion to approve Resolution No. 2010-22 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2010-22

A RESOLUTION ORDERING AND ESTABLISHING PROCEDURES FOR A SPECIAL ELECTION ON JULY 20, 2010 IN COPPERAS COVE, TEXAS, TO FILL A VACANCY ON THE CITY COUNCIL.

8. Discussion on proposed revisions to 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-7.

The City Manager stated she contacted Mr. Mike Fry, who is educated in feral cat management programs. The City Manager requested guidance from the Council on how to proceed in this matter. She further stated that Mr. Fry looked at the proposed ordinance and provided comments.

Council Member Meredith stated she would like to have Mr. Fry brought here to do a presentation before the final ordinance is adopted. She further stated that it would be beneficial for everyone if he came.

Council Member Youngs stated this is an emotional issue within community. He prefers to not pay someone to fly here, but concluded it would be worth the money if it helps the City and the community clarify and understand the issues better. In addition, he stated that for the price of a flight and hotel, the City would be getting a good deal, rather than paying additional money to hire a consultant.

Council Member Palmer stated the matter was a hot topic that deserves all the attention we need to give it. Mr. Fry should be given a chance to address those who would like to hear him in a public meeting.

Council Member Seffrood stated that more participation from citizens is needed. He concluded that the money spent for a flight and hotel for Mr. Fry would be well worth it. However, he appealed to citizens to show up and participate in public meetings so the City Council can hear their opinions.

Council Member Youngs stated this may help lay the groundwork for an ordinance that will solve the problems the City has had with feral cats.

Council Member Downard stated the draft ordinance looked good, but preferred it go back to the Animal Advisory Board for further recommendations.

J. REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

- | |
|--------------------------------------------------------------------------------------------|
| 1. Update on the CCEDC Concept Plan. <i>Polo Enriquez, CCEDC Executive Director</i> |
|--------------------------------------------------------------------------------------------|

Polo Enriquez, CCEDC Executive Director, gave an update on the CCEDC Concept Plan. Mr. Enriquez stated that issues were raised when the Concept Plan was first introduced and that hopefully at the conclusion of the presentation those questions will be answered. He introduced Otto Weiderhold of Walker Partners to make a presentation and answer any questions that the Council may have.

Mr. Weiderhold presented maps showing the project location, existing zoning for the Business Industrial Park, the existing and proposed lot layout, the water concept plan, the wastewater concept plan, and the drainage area map. The presentation is attached and made a part of these minutes.

In addition, the maps showed the proposed Shops at Five Hills, along with additional street plans which will match up to the proposed streets in the shopping center. An Oncor substation is planned for the area as well as land for a future fire substation. Constitution Drive will eventually be connected to Mueller Street in the next Phase. The future wastewater lines will be gravity fed and once completed, the temporary lift station can be decommissioned as well as the one in Thousand Oaks. Drainage must meet City detention requirements on each individual lot. He stated that a regional detention facility could be developed instead, but the water may not drain to all one point. This alternative can be looked into further. Runoff from the Shops at Five Hills has not been determined yet since it is still unknown how it will be developed.

K. ITEMS FOR FUTURE AGENDAS – None.

Meredith – would like City Manager to include discussion item on Land Disturbance Ordinance.

Meredith – City Attorney to discuss in a workshop the legal requirements for various types of committees, the purpose of the committees, and council involvement.

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

DRAWINGS
for
CITY OF COPPERAS COVE
CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER
COPPERAS COVE, TEXAS

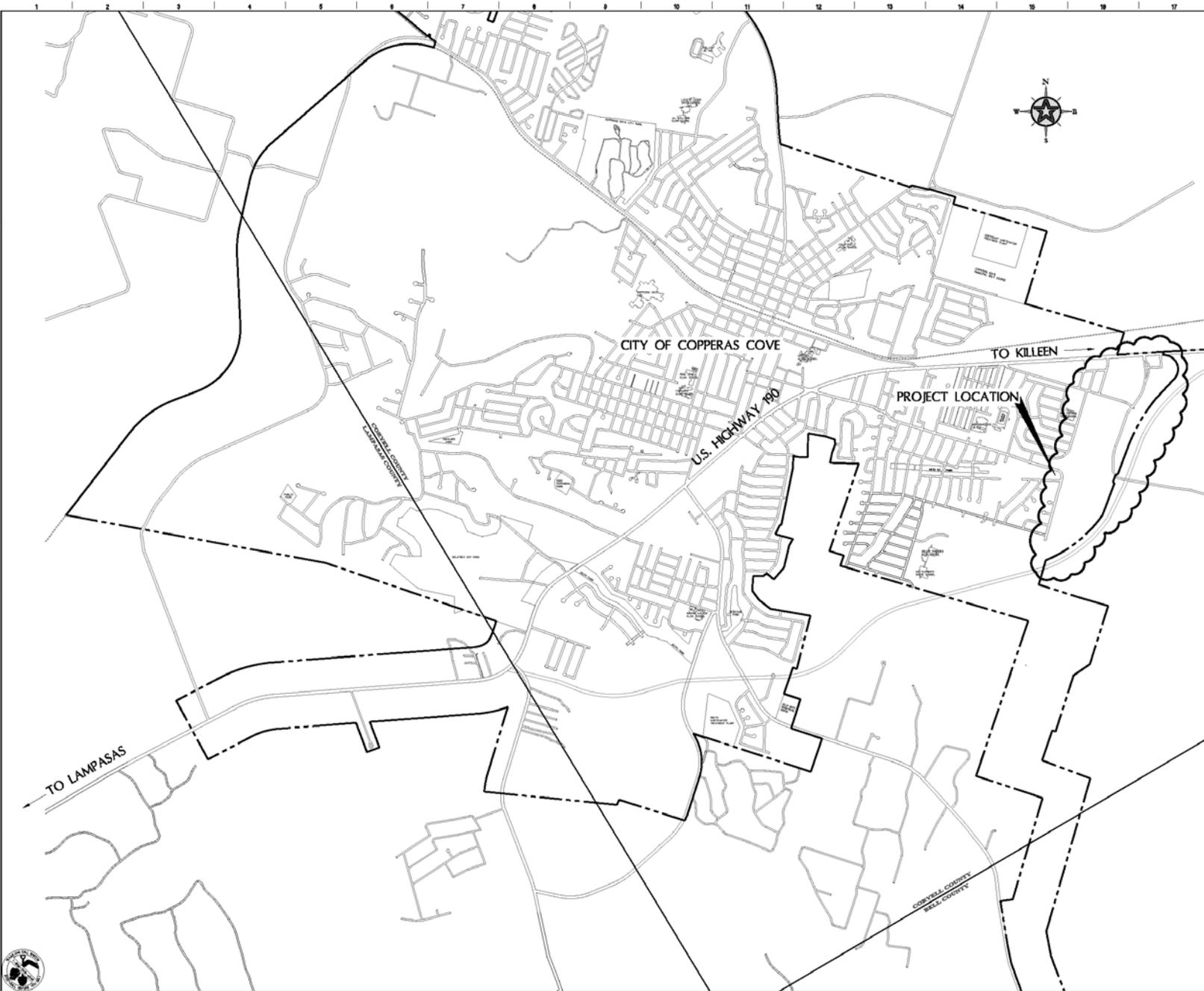
OWNER: COPPERAS COVE E.D.C.
210 SOUTH FIRST STREET
COPPERAS COVE, TEXAS 76522

INDEX OF DRAWINGS

CS	COVER SHEET
	GENERAL
C001	LOCATION MAP
C002	ZONING MAP
C003	EXISTING LOT LAYOUT
C004	PROPOSED LOT LAYOUT
C005	WATER LAYOUT
C006	WASTE WATER LAYOUT
C007	DRAINAGE PLAN

FOR REVIEW ONLY





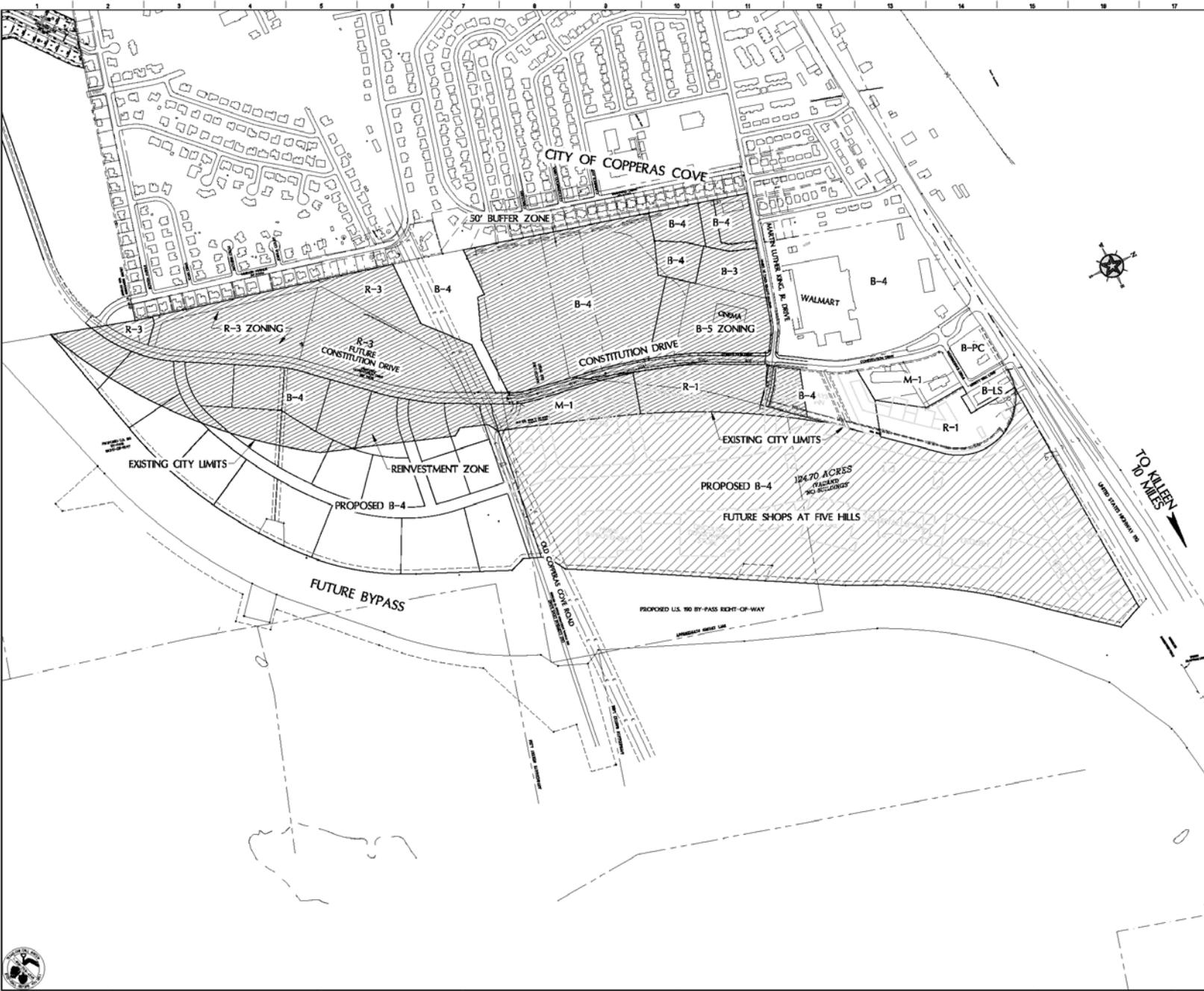
REV.	DESCRIPTION	DATE


Walker Partners
 ENGINEERS + SURVEYORS
 11211 WOODBRIDGE BLVD.

COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION
 CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER

PROJECT LOCATION MAP
 PRELIMINARY FOR REVIEW ONLY

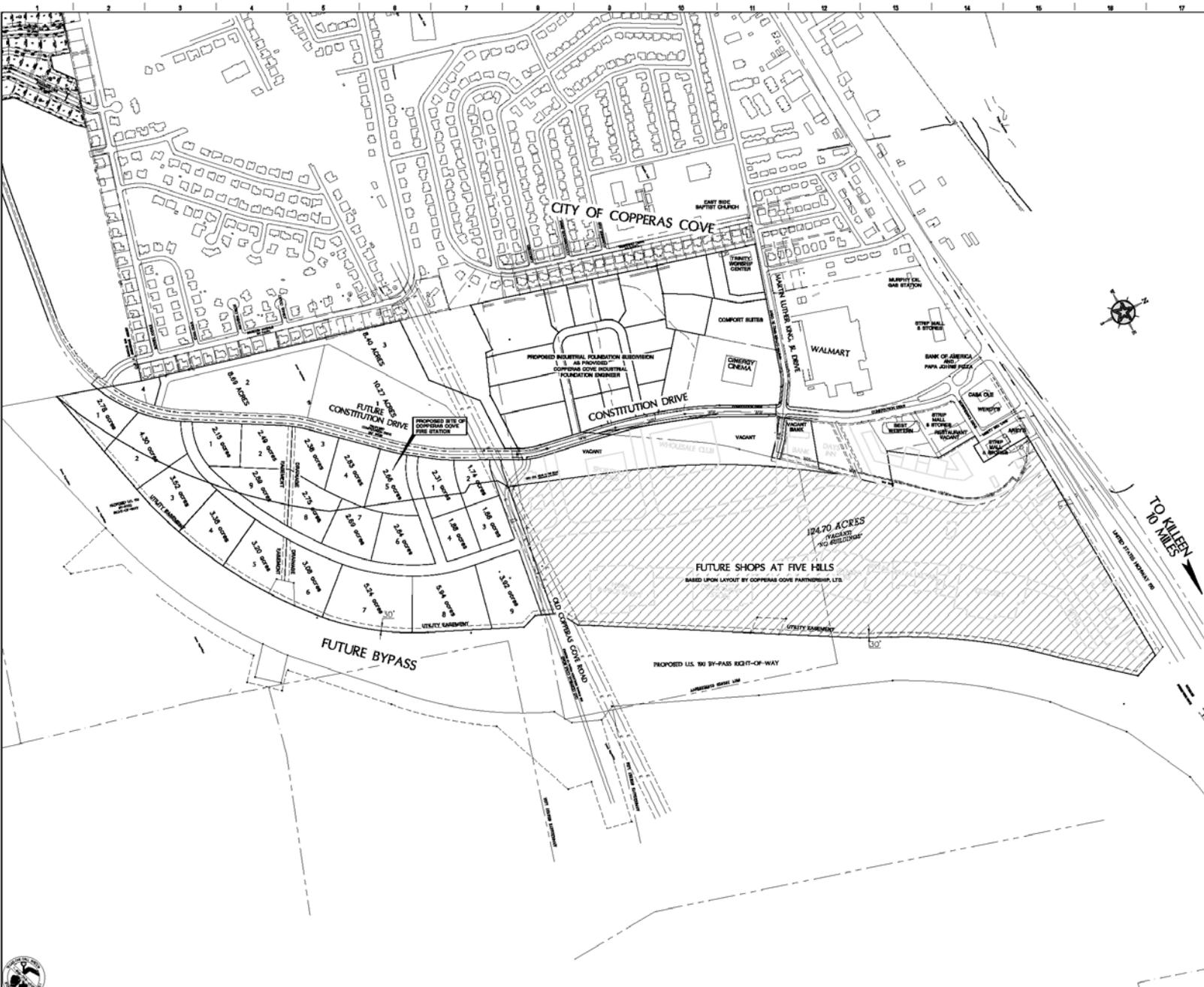
<small>THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF PUBLIC REVIEW ONLY. THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.</small>	<small>DATE:</small> <small>BY:</small>	<small>DRAWING NO.</small> C001
	<small>DESIGNED BY:</small> <small>CHECKED BY:</small>	<small>DATE:</small>
	<small>PROJECT MANAGER:</small> <small>DATE:</small>	<small>BY:</small>
	<small>DATE:</small>	<small>BY:</small>



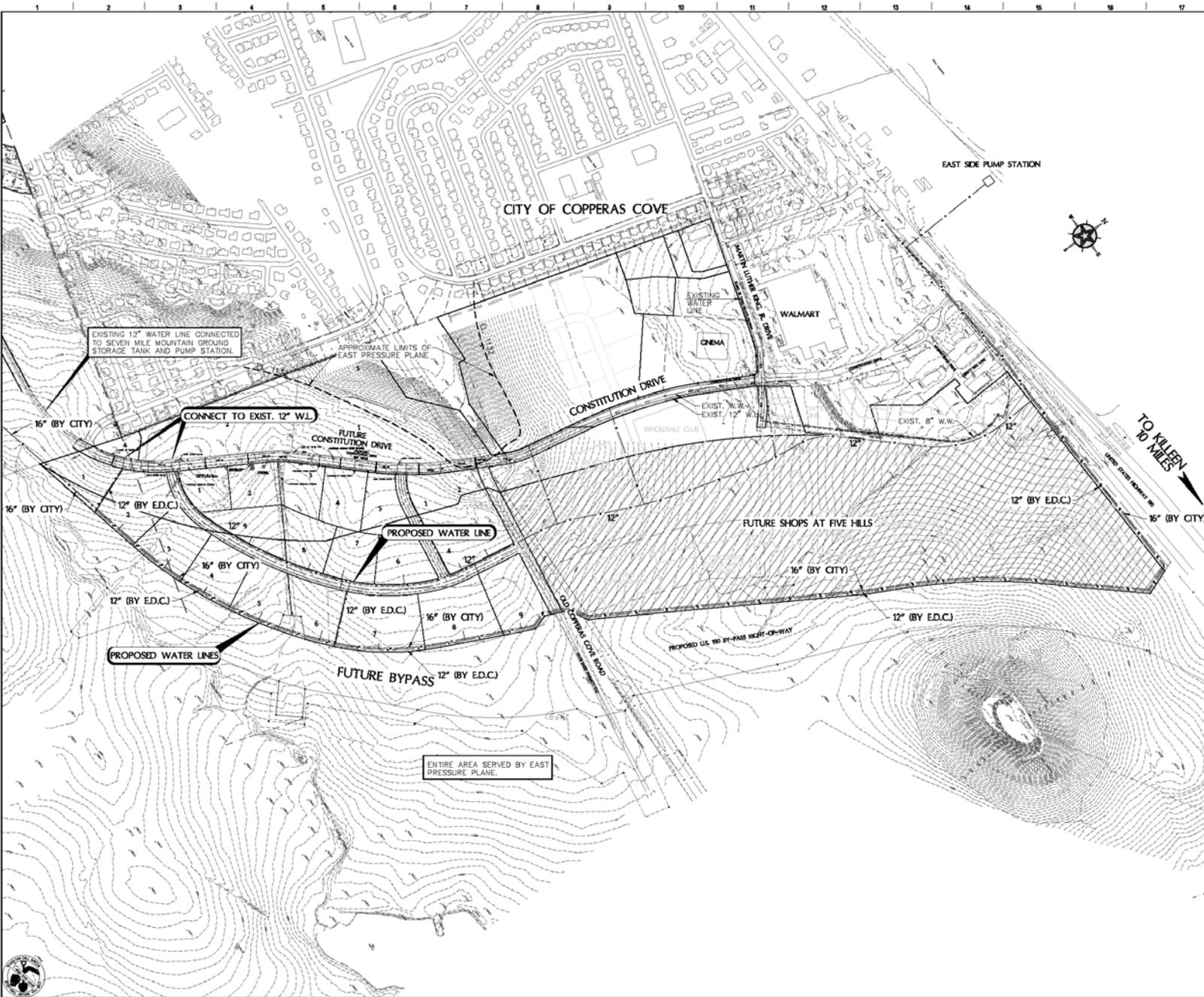
REV	DESCRIPTION	DATE
 Walker Partners ENGINEERS • SURVEYORS 1821 J. WILSON ROAD, WACO, TX 76798		
COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER		
ZONING MAP		
PRELIMINARY FOR REVIEW ONLY		
<small>THIS DOCUMENT IS PRELIMINARY AND IS NOT TO BE USED FOR CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</small>	DWG NO. C002	DATE 1/11/2011



REV.	DESCRIPTION	DATE
 Walker Partners ENGINEERS - SURVEYORS 1822 E. WASHINGTON ST. WYOMING, WY 82001		
COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER		
EXISTING LOT LAYOUT		
PRELIMINARY FOR REVIEW ONLY		
THE DESIGN IS BASED ON THE RECORD SURVEY OF THE PROPERTY AND THE RECORD SURVEY OF THE ADJACENT PROPERTY OWNED BY THE CITY OF COPPERAS COVE AND THE RECORD SURVEY OF THE ADJACENT PROPERTY OWNED BY THE CITY OF COPPERAS COVE. THE DESIGN IS BASED ON THE RECORD SURVEY OF THE PROPERTY AND THE RECORD SURVEY OF THE ADJACENT PROPERTY OWNED BY THE CITY OF COPPERAS COVE AND THE RECORD SURVEY OF THE ADJACENT PROPERTY OWNED BY THE CITY OF COPPERAS COVE.	DRAWING NO. C003	



REV	DESCRIPTION	DATE
 Walker Partners ENGINEERS • SURVEYORS 1821 WILSONVILLE RD.		
COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER		
PROPOSED LOT LAYOUT		
PRELIMINARY FOR REVIEW ONLY		
<small>THIS DRAWING IS RELEASED FOR THE PURPOSE OF REVIEW ONLY AND SHOULD BE APPROVED BY PROFESSIONAL SERVICE</small> <small>OTTO E. WISSEKLOD</small> <small>REGISTERED PROFESSIONAL ENGINEER</small> <small>STATE OF MISSOURI</small>	DEW JAB TMM DEW	DRAWING NO. C004



EAST SIDE PUMP STATION

CITY OF COPPERAS COVE



EXISTING 12" WATER LINE CONNECTED TO SEVEN MILE MOUNTAIN GROUND STORAGE TANK AND PUMP STATION

APPROXIMATE LIMITS OF EAST PRESSURE PLANE

EXISTING WATER LINE

WALMART

GENMA

CONSTITUTION DRIVE

EXIST. W.W. EXIST. 12" W.W.

EXIST. 8" W.W.

TO KILBURN 10 MILES

CONNECT TO EXIST. 12" W.L.

FUTURE CONSTITUTION DRIVE

FUTURE SHOPS AT FIVE HILLS

PROPOSED WATER LINE

PROPOSED WATER LINES

FUTURE BYPASS 12" (BY E.D.C.)

ENTIRE AREA SERVED BY EAST PRESSURE PLANE



REV.	DESCRIPTION	DATE
 Walker Partners ENGINEERS • SURVEYORS <small>1811 S. WILSON ROAD, SUITE 100, WILSON, TEXAS 76798</small>		
COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER		
WATER CONCEPT PLAN		
PRELIMINARY FOR REVIEW ONLY		
<small>THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF WITHIN LOCAL AGENCY BE AWARENESS OF PROFESSIONAL LICENSE</small> <small>OTTO E. WISSEKORD</small> <small>REGISTERED PROFESSIONAL ENGINEER</small> <small>NO. 100,000, STATE OF TEXAS</small>	DRAWING NO. C005	



REV	DESCRIPTION	DATE
 Walker Partners ENGINEERS • SURVEYORS 1821 J. WILSON ROAD, WACO, TX 76798		
COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER		
WASTE WATER CONCEPT PLAN PRELIMINARY FOR REVIEW ONLY		
<small>THIS DRAWING IS RELEASED FOR THE PURPOSE OF REVIEW ONLY AND SHOULD BE APPROVED BY PROFESSIONAL PERSONNEL.</small> <small>BY THE DESIGNER: OTTO E. WUNDERHOFF, P.E.</small> <small>DATE: 5/24/10</small> <small>BY THE CLIENT: JERRY L. BROWN, P.E.</small> <small>DATE: 5/24/10</small> <small>BY THE REVIEWER: BOBIE M. HARTZ, P.E.</small>	DRAWING NO. C006	DRAWING NO. C006

GENERAL NOTES

RUNOFF FLOWS SHOWN WERE CALCULATED WITH THE INTENTION THAT ALL FUTURE DEVELOPED TRACTS WILL HAVE ONSITE DETENTION FACILITIES.

CITY OF COPPERAS COVE

DRAINAGE DESIGN TO BE PROVIDED BY ONCOR FOR BUILDING PERMIT.

DRAINAGE DESIGN TO BE PROVIDED BY COPPERAS COVE INDUSTRIAL FOUNDATION ENGINEER.

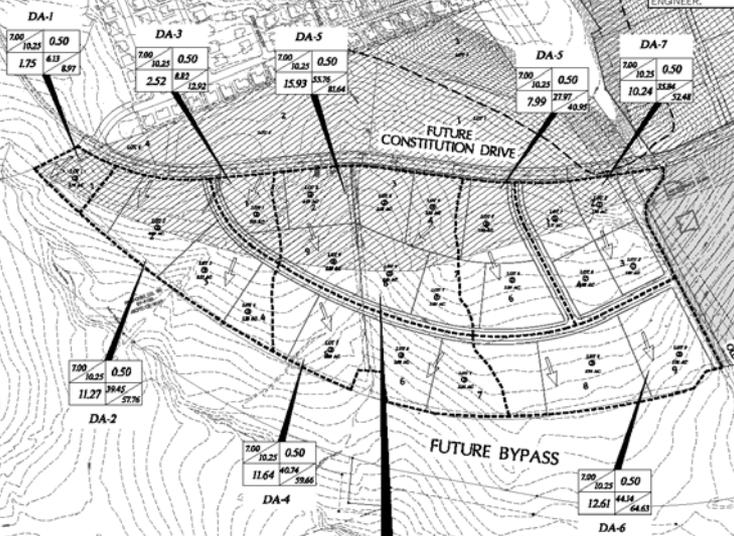
WALMART

GENMA

CONSTITUTION DRIVE

NOTE: DRAINAGE CALCULATION, DETENTION AND DESIGN FOR THE PROPOSED "SHOPS AT FIVE HILLS" SHALL BE PRESENTED AT THE TIME OF APPLICATION FOR THE BUILDING PERMIT.

FUTURE SHOPS AT FIVE HILLS



CITY OF COPPERAS COVE IS RECOMMENDING CONSIDERATION OF "REGIONAL DETENTION" FOR AREA OF PROPOSED DEVELOPMENT EAST OF THE EXTENSION OF CONSTITUTION AND WEST OF THE PROPOSED FUTURE BYPASS.

DRAINAGE SYMBOL LEGEND



C = COEFFICIENT OF RUNOFF
 110 / 1100 = 10 & 100 YR RAINFALL INTENSITY
 A = AREA IN ACRES
 Q10 / Q100 = 10 & 100 YR PEAK FLOW RATE
 → FLOW DIRECTION

REV: DISCUSSION DATE

Walker Partners
 ENGINEERS - SURVEYORS
 1821 J. WALKER ROAD, WACO, TX 76798

COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION
 CONCEPT PLAN FOR REMAINDER OF E.D.C. PROPER

DRAINAGE AREA MAP

PRELIMINARY FOR REVIEW ONLY

THIS DRAWING IS RELEASED FOR THE PURPOSE OF REVIEW ONLY AND SHALL BE APPROVED BY PROFESSIONAL LICENSED ENGINEER	DESIGNER	DRAWING NO.
BY THE DESIGNER IN THE CITY OF TEXAS, THE SEAL OF AN ENGINEER, BOARD OF PROFESSIONAL ENGINEERS	DATE	C007
	JOB	
	SCALE	
	DATE	
	DESIGN	