

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
September 7, 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 Amy Forsythe, Grace United Methodist Church, gave the Invocation and Mayor Hull led the Pledge of Allegiance.

C. ROLL CALL

John Hull
Cheryl L. Meredith
Charlie D. Youngs
Gary L. Kent
Danny Palmer
Kenn Smith
Jim Schmitz
Frank Seffrood

ALSO PRESENT

Andrea M. Gardner, City Manager
George Hyde, City Attorney
Jane Lees, City Secretary

D. ANNOUNCEMENTS – None.

E. PUBLIC RECOGNITION

1. Employee Service Awards – September 2010. ***Andrea M. Gardner, City Manager***

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

- Thomas Brooks Jr., Wastewater Operator II – 5 years
- Christopher Cullar, Parks & Recreation Laborer – 5 years
- Jose Velazco, Parks & Recreation Light Equipment Operator – 5 years
- Joseph Ngiraklang, Parks & Recreation Laborer – 5 years
- Roger Bekkerus, Fleet Maintenance Mechanic – 10 years
- Shane Kieltyka, Police Corporal – 10 years
- Shannon Thompson, Police Communications Operator – 10 years

2. Proclamation: National Library Card Sign Up Month. ***John Hull, Mayor***

Mayor Hull read the proclamation and presented it to Margaret Handrow, Library Director.

3. Proclamation: National Preparedness Month. ***John Hull, Mayor***

Mayor Hull read the proclamation and presented it to Mike Baker, Fire Chief.

F. CITIZENS' FORUM – None.

G. CONSENT ITEMS

1. Consideration and action on approving the minutes from the workshop council meeting on August 17, 2010. **Jane Lees, City Secretary**

2. Consideration and action on approving the minutes from the special council meeting on August 17, 2010. **Jane Lees, City Secretary**

3. Consideration and action on approving the minutes from the regular council meeting on August 17, 2010. **Jane Lees, City Secretary**

5. Consideration and action authorizing the City Manager to execute a Memorandum of Agreement with the Texas Department of State Health Services for personnel assets in the event of a pending or actual disaster. **J. Mike Baker, Fire Chief/EMS**

6. Consideration and action on authorizing the City Manager to execute a Memorandum of Agreement with the Central Texas Regional Advisory Council (CTRAC) for apparatus personnel assets in the event of a disaster. **J. Mike Baker, Fire Chief**

Council Member Kent requested that consent item G-4 be removed from the consent agenda for further discussion.

Council Member Palmer made a motion to approve G-1, G-2, G-3, G-5 and G-6 as presented. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on authorizing the City Manager to enter into an agreement with the Copperas Cove Athletic Officials Association to provide sports officiating for the Parks and Recreation Department. **Danny Zincke, Assistant Director of Community Services**

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

Council Member Kent said he would like to see other associations be approached for this contract in the future. Council Member Seffrood commented that the Copperas Cove Athletic Officials Association exists for the purpose of handling the officiating for the Parks & Recreation Department. Council Member Kent stated that he believed that competition is good and perhaps another organization should have a chance in the future..

Council Member Kent made a motion to approve the agreement with the Copperas Cove Athletic Officials Association as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION – None.

I. ACTION ITEMS

1. Consideration and action on approval of the Copperas Cove Economic Development Corporation FY 2010-2011 Budget. **Polo Enriquez, CCEDC Executive Director**

Polo Enriquez, CCEDC Executive Director, gave an overview of agenda item I-1.

Council Member Smith made a motion to approve the Copperas Cove Economic Development Corporation FY2010-2011 Budget as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

2. Reappointment of Lay Representative to the Central Texas Library System. **Margaret Handrow, Library Director**

Margaret Handrow, Library Director, gave an overview of agenda item I-2.

Council Member Meredith made a motion to reappoint Marion Palumbo as the Lay Representative to the Central Texas Library System. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on authorizing the City Manager to enter into a Letter of Agreement with Grant Development Services, Inc. to provide all professional services associated with the preparation of an application for funding to the Texas Department of Rural Community Affairs (TDRA) under the Texas Community Development Program (TCDP) 2011/2012 Funding Cycle for water or sewer system improvements in an amount not to exceed \$2,450. **Andrea M. Gardner, City Manager**

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

Council Member Palmer made a motion to approve item I-3 as presented. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

4. Consideration and action on authorizing the City Manager to complete the merger ballot approving the proposed merger of CAPP (Cities Aggregation Power Project) and STAP (South Texas Aggregation Project) effective January 1, 2011 and changes the name of CAPP to Texas Coalition for Affordable Power (TCAP) effective November 1, 2010 and acceptance of the Texas Coalition for Affordable Power (TCAP) Bylaws to become effective November 1, 2010. **Andrea M. Gardner, City Manager**

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

Council Member Palmer made a motion to authorize the City Manager to approve item I-4 as presented. Council Member Kent seconded the motion, and with a unanimous vote, motion carried.

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

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

Council Member Schmitz made a motion to approve item I-5 as presented, to include the net payment due of \$50,257.60. Council Member Seffrood seconded the motion, and with a unanimous vote, motion carried.

6. Consideration and action on an ordinance to annex 6.8 acres owned by the City of Copperas Cove to the City. **J. Mike Baker, Fire Chief/EMS**

J. Mike Baker, Fire Chief/EMS, gave an overview of agenda item I-6.

Council Member Kent made a motion to approve Ordinance No. 2010-37 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING THE 6.8 ACRE TRACT, BEING OWNED BY THE CITY OF COPPERAS COVE, TEXAS, TO THE CITY AND EXTENDING THE BOUNDARY OF SAID CITY SO AS TO INCLUDE THIS TRACT WITHIN THE CITY LIMITS; AND DECLARING AN EFFECTIVE DATE.

7. Consideration and action on an ordinance approving the annexation of 155.8906 acres of land in Coryell County, Texas being owned by the Copperas Cove Economic Development Corporation and generally located east of Constitution Drive and south of US Highway 190 to the City of Copperas Cove. **Wesley Wright, P.E., City Engineer**

Wesley Wright, City Engineer, gave an overview of agenda item I-7.

Council Member Smith made a motion to approve Ordinance No. 2010-36 as presented. Council Member Kent seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING 155.8906 ACRES OF LAND, BEING OWNED BY THE COPPERAS COVE ECONOMIC DEVELOPMENT CORPORATION, TO THE CITY AND EXTENDING THE BOUNDARY OF SAID CITY SO AS TO INCLUDE THIS PROPERTY WITHIN THE CITY LIMITS; AND DECLARING AN EFFECTIVE DATE.

8. Consideration and action on an ordinance amending the City of Copperas Cove's Code of Ordinances, Chapter 2, Article V, Section 2-124(a). **Imelda Rodriguez, Director of Financial Services**

Imelda Rodriguez, Director of Financial Services, gave an overview of agenda item I-8.

Council Member Kent made a motion to approve Ordinance No. 2010-42 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-42

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, FINANCIAL PROCEDURES AND FISCAL POLICY, DIVISION 3, FUND BALANCES AND OPERATING PROCEDURES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

9. Consideration and action on an ordinance approving and adopting a budget for operating the municipal government of the City of Copperas Cove for fiscal year 2010-11. ***Imelda Rodriguez, Director of Financial Services***

Imelda Rodriguez, Director of Financial Services, gave an overview of agenda item I-9.

Council Member Schmitz made a motion to approve Ordinance No. 2010-41 as presented. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-41

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING ON SEPTEMBER 30, 2011; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

10. Consideration and action on an ordinance adopting the tax rate for fiscal year 2010-11. ***Imelda Rodriguez, Director of Financial Services***

Imelda Rodriguez, Director of Financial Services, gave an overview of agenda item I-10.

Council Member Palmer made a motion to approve item I-10 to adopt the tax rate for fiscal year 2010-11. Ms. Gardner stated that there was specific language that has to be used for this motion. Council Member withdrew his motion.

Council Member Seffrood made a motion to accept the tax rate of .76 per \$100 of taxable value for the 2010-2011 fiscal year. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

City Attorney, George Hyde, requested that Mayor Hull recall item I-10. He stated that the council should reconsider the motion to include specific language on the .76 on the taxable value of real property in order to meet the statutory requirement. Mr. Hyde stated that in section 1 of the ordinance, the language that was provided by ordinance includes the .76 for each \$100 of taxable value of real and personal property not exempt by taxation by the constitution and laws of the state. He asked that the council reconsider the item to amend the motion to include that language to comply with statutory requirements.

Council Member Seffrood stated that he would amend his original motion as follows: He made a motion to adopt the tax rate of .76 per \$100 of taxable value of real and personal property for the 2010-2011 fiscal year in the City of Copperas Cove. Council Member Palmer seconded the amended motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-40

AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF COPPERAS COVE, TEXAS, FOR THE 2010 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND ENDING ON SEPTEMBER 30, 2011; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

11. Consideration and action to ratify the property tax increase reflected in the fiscal year 2010-11 budget. ***Imelda Rodriguez, Director of Financial Services***

Imelda Rodriguez, Director of Financial Services, gave an overview of agenda item I-11.

Council Member Kent made a motion to ratify the property tax increase reflected in the fiscal year 2010-11 budget. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

12. Consideration and action on an ordinance amending the City's "Fee Schedule". ***Imelda Rodriguez, Director of Financial Services***

Imelda Rodriguez, Director of Financial Services, gave an overview of agenda item I-12.

Council Member Schmitz made a motion to approve Ordinance No. 2010-38 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING THE FEE SCHEDULE FOR THE CITY OF

**COPPERAS COVE; REPEALING ALL ORDINANCES IN CONFLICT;
PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

13. Consideration and action on an ordinance amending Personnel Policy No. 030, Employee Evaluation Period. ***Kelli Sames, Human Resources Director***

Kelli Sames, Human Resources Director, gave an overview of agenda item I-13.

Council Member Meredith made a motion to approve Ordinance No. 2010-39 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

The ordinance caption is as follows:

ORDINANCE NO. 2010-39

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. 030, (EMPLOYEE EVALUATION PERIOD), AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 030, (EMPLOYEE EVALUATION PERIOD) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

14. Consideration and action on a resolution authorizing the City to apply for a grant through the United States Department of Homeland Security, Federal Emergency Management Agency, Staffing for Adequate Fire and Emergency Response Grants program (SAFER) to hire Firefighter/EMT personnel. ***Gary D. Young, Deputy Fire Chief***

Gary D. Young, Deputy Fire Chief, gave an overview of agenda item I-14.

Council Member Palmer made a motion to approve Resolution No. 2010-30 as presented. Council Member Meredith seconded the motion, and with a unanimous vote, motion carried.

The resolution caption is as follows:

RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY OF COPPERAS COVE, TEXAS, ALLOWING THE CITY TO APPLY FOR A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT (SAFER) THROUGH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, TO HIRE FIREFIGHTER/EMT PERSONNEL NOT TO EXCEED \$889,107.

15. 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-15.

Council Member Smith made a motion to approve item I-15 as presented. Council Member Palmer seconded the motion, and with a unanimous vote, motion carried.

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

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 8:44 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary