CITY OF COPPERAS COVE
CITY COUNCIL WORKSHOP MEETING MINUTES
October 5, 2010 – 6:00 P.M.

A **CALL TO ORDER**

B **ROLL CALL**

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

Attendees: Andrea M. Gardner
Charles E. Zech
Jane Lees

C **WORKSHOP ITEMS**

1 Presentation and discussion on recommendations from the Animal Rescue Committee. ***George Fox, Chair, Animal Rescue Committee***

George Fox, Chairperson for the Animal Rescue Committe, presented the proposed changes to the Council. The proposed changes should cut down on euthanasia and increase adoptions within the City. Along with the proposed changes, a Rescue group application was submitted.

Mike Heintzelman stated that the Animal Advisory Board met on September 29, 2010 and reviewed the proposed changes and they did have a couple of recommendations that the Council will hear at a later date. One in particular was that the Animal Advisory Board wants to remove the word "shall" in Section 3-51 and replace it with the word "may." One of the Animal Advisory Board members, Barbara Story, stated that the Animal Rescue Committee did an excellent job, however, she asked the Council to please take into consideration the comments and suggestions from the Animal Advisory Board.

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

Andrea Gardner stated that the Council will hear the recommendations from the Chapter 3 Ordinance Committee at the next Council workshop on October 19, 2010. At that time, the Council will hear all the recommendations from the Animal Advisory Board. No specific direction was given by the Council for this item.

D **ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 6:52 p.m.

_____
John Hull, Mayor

ATTEST:

_____
Jane Lees, City Secretary

CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
October 5, 2010 – 7:00 P.M.

A CALL TO ORDER

Mayor Hull called the meeting to order at 7:00 p.m.

B INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Brett Sanders of North Pointe Church gave the invocation and Mayor Hull led the pledge of allegiance.

C ROLL CALL

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

Attendees: Andrea M. Gardner
Charles E. Zech
Jane Lees

D ANNOUNCEMENTS

Council Member Kent said he was glad to see so many people in the audience. He asked citizens to keep coming to council meetings and learn what is going on in the City.

Council Member Smith complimented Danny Zincke, Assistant Director of Community Services, for putting on a great golf tournament last weekend.

Mayor Hull thanked Corporal Keller, the Chamber and the Police Department for putting on a good National Night Out last Saturday night. He said that a good time was had by all.

E PUBLIC RECOGNITION

1 Texas Amateur Athletic Federation Young Professional of the Year Presentation. ***Ken Wilson, Director of Community Services***

Danny Zincke, Assistant Director of Community Services, was recognized at the annual meeting of the Texas Amateur Athletic Federation as the Young Professional of the Year. Danny has served in the position of Liaison for the TAAF Summer Games and currently serves as a Chair and Co-Chair in TAAF Committees. He is also the State Youth Flagball Commissioner. He supports City staff in his work, registering teams and individuals as well as training coaches. The City of Copperas Cove and Region 5 have benefited greatly from his dedication, service and efforts to promote the athletics.

2 Texas Amateur Athletic Federation Athlete of the Year Presentation. ***Danny Zincke Assistant Director of Community Services***

Mr. Zincke said that the Texas Amateur Athletic Federation promotes, organizes and conducts amateur athletics in the State of Texas. There are over 140 organizations with over 210,000 individual participants. Each year the TAAF recognizes a male and female athlete for each of its member cities. The winners of the Local Athlete of the Year are eligible for the Regional, then the TAAF State Athlete of the Year awards.

Parks and Recreation, in partnership with TAAF, honors Riley Collier with the 2010 City of Copperas Cove Female Athlete of the Year. The 2010 City of Copperas Cove Male Athlete of the Year honored is Kyle Stifflemire. Riley and Kyle each received a plaque. The City of Copperas Cove congratulates these fine young athletes for their achievements both on and off the playing field.

3 Employee Service Awards - October 2010. ***Andrea M. Gardner, City Manager***

- Richard Buttshaw, Heavy Equipment Operator - 5 Years
- Damon Randolph, Patrol Officer - 5 Years
- James Mullen, Assistant Street/Drainage Superintendent - 10 Years
- Richard Williams, Police Communications Operator - 10 Years
- Michael Fleming, Battalion Chief - 25 Years

4 Proclamation: International Walk to School Day. ***John Hull, Mayor***

Mayor Hull read the proclamation and presented it to Katie Rudesheim, Public Information Officer for the Copperas Cove Independent School District. Ms. Rudesheim thanked the Council for the proclamation and stated that the teachers and principals of the district schools had been notified of the proclamation and hoped that there would be more children walking to school and usual tomorrow.

5 Proclamation: Fire Prevention Week 2010. ***John Hull, Mayor***

Mayor Hull read the proclamation and presented it to Captain Martin, Inspector Bednar and Sparky the Fire Dog. Inspector Bednar thanked the Council for the proclamation and reminded everyone that the Fire Department will be holding their annual Open House this coming Saturday, October 9, 2010 from 10:00 a.m. to 1:00 p.m.

6 Proclamation: Crime Prevention Month 2010. ***John Hull, Mayor***

Mayor Hull read the proclamation and presented it to Corporal Keller and McGruff the Crime Dog. Corporal Keller thanked the Council for recognizing the month of October as Crime Prevention Month. He said that the Neighborhood Block Parties were going on this evening and they would be leaving the Council Meeting to attend some of the Block Parties. McGruff handed out National Night Out T-shirts to Council members.

7 Presentation of 1st place, 2nd place and 3rd place winners for the "Meet the City" favorite booth election. ***Andrea M. Gardner, City Manager***

Ms. Gardner announced the top three winners for the election:

3rd Place - Animal Control. Beau Brabbin accepted the certificate for the department.
2nd Place - Police Department. Chief Molnes accepted the certificate for the department.
1st Place - Fire Department. Chiefs Baker, Young and Martin accepted the certificate for the department.

F **CITIZENS FORUM** – None.

G **CONSENT AGENDA** – All matters listed under this item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

1 Consideration and action on approving minutes from the workshop council meeting of September 21, 2010. ***Jane Lees, City Secretary***

2 Consideration and action on approving minutes from the regular council meeting of September 21, 2010. ***Jane Lees, City Secretary***

3 Consideration and action on approving minutes from the special council meeting on September 23, 2010. ***Jane Lees, City Secretary***

Consent Agenda Vote:

Motion made to approve items G-1, G-2 and G-3 as presented.

Motion by Council Member Kenn Smith Seconded by Council Member Danny Palmer

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood

Passed

H **PUBLIC HEARINGS/ACTION - None.**

I **ACTION ITEMS**

1 Consideration and action on rejecting all bids received for Solid Waste Transfer Station Tipping Floor Resurfacing project. ***James A. Trevino, Assistant Public Works Director***

Motion made to reject all bids.

Motion by Council Member Danny Palmer Seconded by Council Member Gary L. Kent

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood

Passed

2 Consideration and action on authorizing the City Manager to enter into an agreement with Jani King Commercial Cleaning service of Austin for cleaning services of municipal buildings. ***Ken Wilson, Director of Community Services***

Motion made to authorize the City Manager to enter into an agreement with Jani King Commercial Cleaning Service of Austin as presented.

Motion by Council Member Cheryl L. Meredith Seconded by Council Member Frank Seffrood

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood

Passed

3 Consideration and action on authorizing the City Manager to enter into an agreement with Pattillo, Brown & Hill, L.L.P. for the 2009-10 fiscal year audit. ***Andrea M. Gardner, City Manager***

Motion made to authorize the City Manager to enter into an agreement with Pattillo, Brown & Hill, L.L.P. as presented.

Motion by Council Member Danny Palmer Seconded by Council Member Kenn Smith

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz

Council Member Frank Seffrood

Passed

4 Consideration and action on appointment of Commissioners to the Housing Authority of the City of Copperas Cove. ***Jane Lees, City Secretary***

Motion made to re-appoint Billy Minton and Buddy Southards, and appoint Adam Martin to two-year terms beginning October 1, 2010 through September 30, 2012, and further appoint Mariea Mann as the Resident Commissioner, filling an unexpired term ending September 30, 2011.

Motion by Council Member Frank Seffrood Seconded by Council Member Gary L. Kent

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood

Passed

5 Discussion and possible action on amending Chapter 12, Section 12-4 (Garage Sales) of the Code of Ordinances of the City of Copperas Cove. ***Mike Morton, Chief Building Official***

Motion made to accept the possible action as presented for the garage sale ordinance. Discussion items included:

- Allowing more than two sales per year. There were suggestions of four and six.
- If allowing more than two sales, reduce the cost of a permit.
- Because the City is a military community, two garage sales do not work. More are needed due to the movement in the community.
- Type of complaints received by Code Compliance include people reporting that a neighbor already had two sales, cars are blocking neighboring driveways, and people are cutting through neighboring yards to get to a yard sale.
- Suggestion that the permit issued by the City be posted so that it is visible to the street.
- Request that subsection (d) be written to be consistent with subsection (e) in the ordinance regarding the occupants.

Motion by Council Member Danny Palmer Seconded by Council Member Jim Schmitz

NAY: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood

Failed

6 Discussion and possible action on swimming pool requirements/safety. ***Mike Morton, Chief Building Official***

Motion made to take no action at this time.

Discussion items included:

- Staff proposal that the City do away with the swimming pool ordinance and use the State requirements.
- The current City ordinance requires a 6 foot fence around any pool containing 24 inches or more of water. The current State fence requirement is 4 feet. The City ordinance may cause an undue burden on citizens.
- A request was made for staff to obtain information of any accidents or fatalities regarding swimming pools in the City.

Motion by Council Member Gary L. Kent Seconded by Council Member Danny Palmer

AYE: Council Member Cheryl L. Meredith
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
NAY: Council Member Charlie D. Youngs
Council Member Jim Schmitz
Council Member Frank Seffrood
Passed

7 Consideration and action on an ordinance adopting a new Personnel Policy No. 421, Blogging & Social Networking and Media. ***Kelli Sames, Human Resources Director***

Motion made to approve Ordinance No. 2010-44 as presented.

ORDINANCE NO. 2010-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ADOPTING EMPLOYEE PERSONNEL POLICY NO. 421, BLOGGING AND SOCIAL NETWORKING AND MEDIA AND DECLARING AN EFFECTIVE DATE.

Motion by Council Member Danny Palmer Seconded by Council Member Gary L. Kent

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Danny Palmer
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood
Passed

8 Consideration and action on adopting a resolution containing findings of and establishing a public necessity requiring the condemnation of property owned by Mr. Freddie Dewald, owner of 1.534 acre or 66,677 square feet more or less, tract of land being a out of a called 49.8 acre tract conveyed to Freddie A. Dewald recorded in Volume 365, Page 12 of the Deed Records of Coryell County, Texas, and a portion out of a 25-foot Perpetual Utility Easement recorded in Volume 338, Page 273 of the Deed Records of Coryell County, Texas, out of the W. P. Hardeman Survey, Abstract 454, of Coryell County, Texas, contained in the attached proposed resolution, the acquisition of which is necessary for the fulfillment of the Eastside Wastewater Line Project. ***Charles E. Zech, City Attorney***

Motion made to approve Resolution No. 2010-37 as presented.

RESOLUTION NO. 2010-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, AUTHORIZING THE CONSTRUCTION OF THE NORTHEAST SEWER LINE (EASTSIDE INFRASTRUCTURE) PROJECT; DETERMINING THE PUBLIC NECESSITY; AUTHORIZING THE ACQUISITION OF PROPERTY RIGHTS NECESSARY FOR THE PROJECT; AUTHORIZING AND RATIFYING THE APPOINTMENT OF AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE CITY MANAGER OF THE CITY OF COPPERAS COVE, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHT TO BE ACQUIRED; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, INCLUDING MAKING A FINAL OFFER FOR THE PURCHASE OF THE PROPERTY; AND, FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Motion by Council Member Jim Schmitz Seconded by Council Member Charlie D. Youngs

AYE: Council Member Cheryl L. Meredith
Council Member Charlie D. Youngs
Council Member Gary L. Kent
Council Member Kenn Smith
Council Member Jim Schmitz
Council Member Frank Seffrood
NAY: Council Member Danny Palmer
Passed

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

K **ITEMS FOR FUTURE AGENDAS**

Council Member Schmitz requested that the swimming pool ordinance be placed on the next agenda. The Council agreed by consensus.

Council Member Smith requested an excused absence for the October 19, 2010 regular council meeting. The Council agreed by consensus.

Council Member Kent requested an item be placed on the next agenda to discuss citizens who serve on committees and requirements of appointment. Council Members Palmer and Smith concurred.

L **EXECUTIVE SESSION**

1 Pursuant to §551.072 of the Open Meetings Act, Tex. Gov't Code, Council will meet in Executive Session to deliberate the purchase, exchange, lease, or value of real property - Northeast Sewer and Water Line Projects.

2 Pursuant to §551.074 of the Open Meetings Act, Tex. Gov't Code, Council will meet in Executive Session to deliberate the employment of a public officer or employee - Director of Financial Services.

3 Pursuant to §551.074 of the Open Meetings Act, Tex. Gov't Code, Council will meet in Executive Session to deliberate the appointment of a public officer or employee - Assistant Director of Financial Services.

Mayor Hull closed the open meeting at 8:27 p.m. for the Council to meet in Executive Session.

M **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION**

Mayor Hull reconvened the open meeting at 8:51 p.m. and announced that there was no action to be taken by the Council as a result of Executive Session.

N **ADJOURNMENT**

There being no further business, Mayor Hull adjourned the meeting at 8:52 p.m.

ATTEST:

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John Hull, Mayor

_____
Jane Lees, City Secretary