

CITY OF COPPERAS COVE
CITY COUNCIL WORKSHOP MEETING MINUTES
August 2, 2011 – 6:00 P.M.

A CALL TO ORDER

B ROLL CALL

Present: John Hull
Cheryl L. Meredith
Gary L. Kent
Kenn Smith
Jim Schmitz
Frank Seffrood

Absent: Charlie D. Youngs
Danny Palmer

Attendees: Andrea M. Gardner, City Manager
Jane Lees, City Secretary

C WORKSHOP ITEMS

1 Presentation and discussion of the proposed FY 2012 budget. **Andrea M. Gardner, City Manager**

The workshop was introduced by Ms. Gardner, followed by a presentation by Ryan Haverlah. Mr. Haverlah discussed the property tax rate components, effective tax rate, property tax debt requirements, rollback debt tax rate calculation and M&O tax rate calculation, and finally the total rollback tax calculation.

Also discussed were the changes in property tax revenue, the current tax rate compared to the effective tax rate and the options that the Governing body had for the proposed tax rate.

Other discussion included funding of the Library position, a compressed workweek, Council Professional Development expense account, and a Parks & Leisure Services consolidated comparison report.

A review of Other Funds followed, then Mr. Haverlah recapped the changes for the Council.

The full presentation is attached to and made a part of these minutes.

2 Discussion on tax rate. **Andrea M. Gardner, City Manager**

Discussion on this item took place with item C-1.

3 Direction to staff on items C-1 and C-2. **Andrea M. Gardner, City Manager**

The Council present concurred that staff should bring forth Option 2, the Effective Tax Rate to be considered.

Council requested to see a timeline on the Golf Course Effluent project.

Council Member Schmitz requested that staff explore the possibility of allocating HOT funds to assist for its share of the audit and also put funds into transfers to administration.

D **ADJOURNMENT** - There being no further business, Mayor Hull adjourned the meeting at 6:55 p.m.

John Hull, Mayor

ATTEST:

Jane Lees, City Secretary

CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
August 2, 2011 – 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 Brian Hawkins of Cove Fellowship Church gave the invocation and Mayor Hull led the pledge of allegiance.

C **ROLL CALL**

Present: Cheryl L. Meredith
Gary L. Kent
Kenn Smith
Jim Schmitz
Frank Seffrood
John Hull

Absent: Charlie D. Youngs
Danny Palmer

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

D **ANNOUNCEMENTS** - Council Member Seffrood stated that watering the ground around a house may assist in not developing foundation problems later. Council Member Kent asked that everyone keep in mind as the new school year approaches, to please do what you can to assist families with children that cannot provide the school supplies needed for them. City Manager Gardner announced that Hill Country Community Action needs donations for "Meals on Wheels" due to cuts in federal funding.

E **PUBLIC RECOGNITION**

1 Employee of the Quarter Recognitions – 2nd Quarter 2011. **Michael Ramminger, Fire Battalion Chief**

- William Hughes, Patrol Officer
- James Dudden, Patrol Officer

2 Employee Service Awards – August 2011. **Andrea M. Gardner, City Manager**

- Trudy Chapman, Laborer, Parks and Recreation Department, 5 Years

3 Storm Water Pollution Prevention Week - August 1-7, 2011. **John Hull, Mayor**

F **CITIZENS FORUM**

George Cooney, 2613 Freedom Lane. Mr. Cooney recently opened a business in Copperas Cove and stated he was concerned about the City ordinance on signs. He was told by City employees that his temporary signs had to be removed. He believes he is losing business because he is unable to put up his temporary signs. He asked Council to consider allowing

him to place his temporary sign at his place of business. Ms. Gardner stated to the Council that the Planning & Zoning Commission is the entity that would take this type of request into consideration.

Mr. Whited, Terrace Drive. Mr. Whited said that he thought that the \$6.00 drainage fee on utility bills were supposed to be in effect for only five years after they began. He said that the fee has been charged for many more years than that and would like to know why. Council Member Schmitz stated that he was the mayor when the fee was started and a limit of five years was never in the plan.

Michele Maguire, 2890 FM 1113. Ms. Maguire stated that he husband works for the Copperas Cove Fire Department and that she follows politics in the City. Within the last 10 days she said she has heard that a few in the Fire Department want to turn it into a civil service organization. She said that she has researched the civil service laws over the last week and is very concerned about the cost to taxpayers. She is upset over the way that the entire process is being handled by those who are working on a petition. She said that the petitioners appeared to be speaking to the public on behalf of the entire Fire Department. She asked the Council to be sure to find out facts for themselves, including the ramifications this could cause for the City, the citizens, and employees of the City.

Tamara Martin, 906 Sherry Lane. Ms. Martin stated that she has supported and invested her time and efforts in the Copperas Cove Fire Department for the last 25 years. She stated that the entire Fire Department does not want to become civil service. She asked the Council to be cautious and research the subject. Ms. Martin said that the petitioners are telling people that there is no cost to the City, however, she stated that the first time someone complains, the cost of arbitration must be paid by the City. She said hiring will be done through civil service tests and a person who is a great test taker may be granted the job over someone who is a poor test taker, when in fact the poor test taker, would be the better employee. She stated that she is offended that a group would be pushing civil service without the entire Fire Department being involved. She asked that citizens talk to people and study the ramifications of civil service.

Marty Smith, President, Chamber of Commerce. Ms. Smith stated that during an incident at the Chamber yesterday, the Copperas Cove Fire Department, Hazmat Team and Fort Hood responders did an excellent job and we should be proud of them.

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 July 19, 2011. **Jane Lees, City Secretary**
- 2 Consideration and action on approving minutes from the regular council meeting of July 19, 2011. **Jane Lees, City Secretary**
- 3 Consideration and action on approving minutes from the workshop council meeting of July 26, 2011. **Jane Lees, City Secretary**
- 4 Consideration and action on approving the revised Unity Committee Bylaws. **Stephen Clendenen, Unity Chairman**

- 5 Consideration and action on an ordinance amending Chapter 3, subsections 3-6(c), 3-6(d), Animal control department, and subsection 3-73(b), Investigation of attack, of the City of Copperas Cove Code of Ordinances. **Andrea M. Gardner, City Manager**

ORDINANCE NO. 2011-27

AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Council Member Smith made a motion to approve the Consent Agenda as written. Council Member Kent seconded the motion, which passed unanimously.

H PUBLIC HEARINGS/ACTION

- 1 Public hearing and action on an ordinance amending the 2010-2011 fiscal year budget for special revenue and other funds for the City of Copperas Cove. Ryan D. Haverlah, Assistant Director of Financial Services/Budget Director

ORDINANCE NO. 2011-26

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO THE BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF COPPERAS COVE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING ON SEPTEMBER 30, 2011; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

Mayor Hull opened the public hearing at 7:37 p.m.

Speaking: None.

Mayor Hull closed the public hearing at 7:38 p.m.

Council Member Meredith made a motion to approved Ordinance No. 2011-26 as presented. Council Member Smith seconded the motion, which passed unanimously.

- 2 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, Division Head of Public Works/City Engineer

ORDINANCE NO. 2011-28

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 MAP.

Mayor Hull opened the public hearing at 7:43 p.m.

Speaking: None.

Mayor Hull closed the public hearing at 7:44 p.m.

Council Member Smith made a motion to approve Ordinance No. 2011-28 as presented. Council Member Kent seconded the motion, which passed unanimously.

- 3 Public hearing and action on an ordinance to rezone 6.857 acres of Meadowbrook Estates, Section Two, Commercial Property from B-4 (Business) to R-3 (Multi-Family Residential).
Wesley Wright, Division Head of Public Works/City Engineer

ORDINANCE NO. 2011-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS APPROVING A ZONING CHANGE BY REZONING 6.857 ACRES OF MEADOWBROOK ESTATES, SECTION TWO, COMMERCIAL PROPERTY, FROM B-4 (BUSINESS) TO R-3 (MULTI-FAMILY RESIDENTIAL).

Mayor Hull opened the public hearing at 7:46 p.m.

Speaking: Jack Purcell, 1375 West Avenue D. Mr. Purcell supports the request.

Mayor Hull closed the public hearing at 7:55 p.m.

Council Member Schmitz made a motion to approve Ordinance No. 2011-29 as presented. Council Member Seffrood seconded the motion, which passed unanimously.

I ACTION ITEMS

- 1 Consideration and action on an appointments to the Copperas Cove Economic Development Corporation (CCEDC) Board of Directors for the unexpired term of Position Two and the regular term for Position Five. **Polo Enriquez, Executive Director CCEDC**

Council Member Meredith made a motion to appoint Bradi D. Diaz to Position Two, to fill an unexpired term ending September 30, 2013. Council Member Schmitz seconded the motion, which passed unanimously.

Council Member Kent made a motion to appoint Josefina 'Fina' Castillo to Position Five, to fill a regular term ending September 30, 2014. Council Member Smith seconded the motion. A roll call vote was taken as follows:

Cheryl L. Meredith	Nay
Charlie D. Youngs	Absent
Gary L. Kent	Aye
Danny Palmer	Absent
Kenn Smith	Aye
Jim Schmitz	Nay
Frank Seffrood	Aye

Motion failed.

Council Member Schmitz made a motion to appoint Ira Brand to Position Five, to fill a regular term ending September 30, 2014. Council Member Meredith seconded the motion. A roll call vote was taken as follows:

Cheryl L. Meredith	Aye
Charlie D. Youngs	Absent
Gary L. Kent	Nay

Danny Palmer	Absent
Kenn Smith	Nay
Jim Schmitz	Aye
Frank Seffrood	Aye

Motion failed.

Council Member Schmitz made a motion to appoint Frank Somera to Position Five, to fill a regular term ending September 30, 2014. Council Member Seffrood seconded the motion.

Council Member Smith made a motion to postpone the question until a full council is present. Council Member Kent seconded the motion, which passed unanimously.

- 2 Consideration and action on an ordinance updating Personnel Policy No. 316, Birthday Leave. **Kelli Sames, Human Resources Division Head**

ORDINANCE NO. 2011-30

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. 316, (BIRTHDAY LEAVE), AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 316, (BIRTHDAY LEAVE) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

Council Member Smith made a motion to approve Ordinance No. 2011-30 as presented. Council Member Kent seconded the motion, which passed unanimously.

- 3 Consideration and action on an ordinance updating Personnel Policy No. 410, Employee Conduct and Work Rules/Disciplinary Action. **Kelli Sames, Human Resources Division Head**

ORDINANCE NO. 2011-31

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. 410, (EMPLOYEE CONDUCT AND WORK RULES/DISCIPLINARY ACTION), AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 410, (EMPLOYEE CONDUCT AND WORK RULES/DISCIPLINARY ACTION) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

Council Member Schmitz made a motion to approve Ordinance No. 2011-31 as presented. Council Member Smith seconded the motion, which passed unanimously.

- 4 Consideration and action on an ordinance updating Personnel Policy No. 740, Workplace Violence. **Kelli Sames, Human Resources Division Head**

ORDINANCE NO. 2011-32

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. 740, (WORKPLACE VIOLENCE), AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 740, (WORKPLACE VIOLENCE) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

Council Member Kent made a motion to approve Ordinance No. 2011-32 as presented. Council Member Meredith seconded the motion, which passed unanimously.

- 5 Consideration and action on an ordinance updating Personnel Policy No. 735, On-The-Job Injuries. **Kelli Sames, Human Resources Division Head**

ORDINANCE NO. 2011-33

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. 735, (ON-THE-JOB INJURIES), AND REPLACING THE EXISTING POLICY WITH A REVISED PERSONNEL POLICY, NO. 735, (ON-THE-JOB INJURIES) AND RATIFYING THE REMAINING SECTIONS OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL; AND DECLARING AN EFFECTIVE DATE.

Council Member Kent made a motion to approve Ordinance No. 2011-33 as presented. Council Member Meredith seconded the motion, which passed unanimously.

- 6 Consideration and action on authorizing the City Manager to amend an agreement for Planning Services with Stewart Planning Consulting, LLC. **Andrea M. Gardner, City Manager**

Council Member Kent made a motion to authorize the City Manager to amend an agreement for Planning Services with Stewart Planning Consultin, LLC. Council Member Smith seconded the motion, which passed unanimously.

- 7 Consideration and action on updating the City's Code of Ordinances establishing school zones for House Creek North Elementary. **Wesley Wright, Division Head of Public Works/City Engineer**

ORDINANCE NO. 2011-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS MODIFYING SECTION 18-17 (11) AND ADDING SECTION 18-17 (12); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS AMENDMENT; PROVIDING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE.

Council Member Meredith made a motion to approve Ordinance No. 2011-34 as presented. Council Member Seffrood seconded the motion, which passed unanimously.

- 8 Discussion on Section 8-9, Allowing high weeds, grass, rubbish, junk or other objectionable, unsightly or unsanitary matter on premises, of the City of Copperas Cove Code of Ordinances. **Danny Palmer, City Council Place 4**

This item pulled from the agenda as Council Member Palmer was absent.

- 9 Consideration and action on the proposed changes to the 2011 Lampasas Central Appraisal District Budget. **Ryan Haverlah, Assistant Director of Financial Services/Budget Director**

Council Member Schmitz made a motion to amend the budget to return \$394.04 to the City and increase the 2010 operating budget revenues, based on the City's allocation of excess appraisal funds in the 2010 Lampasas Central Appraisal District. Council Member Meredith seconded the motion, which passed unanimously.

- 10 Discussion on a resolution for the 2011 TML Annual Conference. **Andrea M. Gardner, City Manager**

Ms. Gardner stated that City staff requests the governing body to consider a resolution requesting financial assistance to offset the property tax exemption losses experienced in recent years. The resolution will propose legislation for the entire state to assist in exemptions for disabled veterans. Council agreed by consensus for a resolution to be brought back on this subject for consideration.

- 11 Consider and take action on the adoption of a resolution supplementing Resolution No. 2010-37 adding two temporary construction easements to the amount of property to be acquired from Freddie A. and Joan Dewald, specifically described in "Exhibit A" attached to the proposed Resolution; establishing a public necessity and public use; authorizing the City Manager to negotiate the lease of the temporary easements throughout the duration of the Northeast Sewer Line (Eastside Infrastructure) Project and, if necessary, to initiate proceedings to acquire property interests through eminent domain. **Andrea M. Gardner, City Manager**

This item was pulled from the agenda.

- 12 Consideration and action on an ordinance establishing a moratorium on Chapter 13, Article I, Section 11 of the code of ordinances. **Andrea M. Gardner, City Manager**

ORDINANCE NO. 2011-35

AN ORDINANCE ESTABLISHING A NINETY (90) DAY MORATORIUM ON THE REQUIREMENT FOR COMMERCIAL ACTIVITIES PERMITTED IN THE CITY PARK LOCATED ON FM 1113 DURING THE MONTHS OF APRIL THROUGH OCTOBER; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Smith made a motion to approve Ordinance No. 2011-35 as presented. Council Member Kent seconded the motion, which passed unanimously.

J REPORTS FROM OUTSIDE ENTITIES, ADVISORY COMMITTEES AND BOARDS

- 1 HOT Bowl Annual Report. **Jack Welch, Chairman/CCISD Athletic Director/Head Coach**

Coach Welch gave the report and stated that the next game is on December 3, 2011 at Bulldawg Stadium. This event has been run for the last 10 years.

- 2 Chamber of Commerce 2nd Quarter Report for 2011. **Marty Smith, President, Copperas Cove Chamber of Commerce**

Chamber President, Marty Smith, discussed the results of the various events held in the last quarter.

- K **ITEMS FOR FUTURE AGENDAS** - Mayor Hull requested City staff to research outsourcing EMS for the budget year 2013. Ms. Gardner requested feedback on having two workshops on September 6, 2011, one at 5:00 p.m. and the second one at 6:00 p.m. Council agreed.
- L **EXECUTIVE SESSION** - Mayor Hull adjourned the open meeting at 8:42 p.m. to hold Executive Session.
- 1 Pursuant to §551.072, Deliberations about Real Property, and Section 551.071, Consultations with Attorney, 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 and consult with attorney regarding the purchase of real property.
- 2 Pursuant to §551.074 of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to deliberate the evaluation and duties of the City Manager, Andrea M. Gardner.
- 3 Pursuant to §551.074 of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to deliberate the evaluation and duties of the City Secretary, Jane Lees.
- 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 9:54 p.m. and announced there was no action to be taken in open session as a result of discussions in Executive Session.
- N **ADJOURNMENT** - There being no further business, Mayor Hull adjourned the meeting at 9:54 p.m.

ATTEST:

John Hull, Mayor

Jane Lees, City Secretary