

**CITY OF COPPERAS COVE  
CITY COUNCIL WORKSHOP MEETING MINUTES  
October 18, 2011 – 6:00 P.M.**

- A     **CALL TO ORDER** - Mayor Hull called the workshop to order at 6:06 p.m. and announced that the City Council would meet in Executive Session pursuant to Section 551.071, Consultations with Attorney, of the Open Meetings Act, Tex. Gov't. Code, to discuss issues with outsourcing EMS.

Mayor Hull recessed the workshop at 6:07 p.m.

Mayor Hull reconvened the workshop at 6:22 p.m.

B     **ROLL CALL**

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

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

C     **WORKSHOP ITEMS**

- 1     Review of Civil Service/Outsourcing EMS. **Andrea M. Gardner, City Manager**

Ms. Gardner presented a PowerPoint presentation, which is attached to and made a part of these minutes.

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

Mayor Hull requested that City staff further research the issue of outsourcing EMS and bring findings back to Council at a later date. The Council concurred.

- D     **ADJOURNMENT** - There being no further business, Mayor Hull adjourned the meeting at 7:00 p.m.

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John Hull, Mayor

ATTEST:

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Jane Lees, City Secretary

**CITY OF COPPERAS COVE**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**October 18, 2011 – 7:00 P.M.**

**A CALL TO ORDER**

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

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

**D ANNOUNCEMENTS** - Council Member Kent stated that he had the opportunity this past week to visit with and lobby members of Congress on behalf of Copperas Cove during his attendance at the Annual AUSA Convention in Washington, D.C. He thanked the other members of the Council for their support in sending him on behalf of the City.

**E PUBLIC RECOGNITION**

**1 Employee Service Awards – October 2011. Andrea M. Gardner, City Manager**

- Jeffrey Stoddard, Police Lieutenant, Police Department , 20 Years of Service
- Cheryl Forester, Executive Secretary, Police Department , 15 Years of Service
- Carla Polidoro, Fire Captain, Fire Department, 15 Years of Service
- Tanja Martin, Firefighter/Paramedic, Fire Department 10 Years of Service
- Steven Spink, Battalion Chief, Fire Department, 10 Years of Service
- Jason Kruttlin, Patrol Officer, Police Department , 5 Years of Service
- Gene Williams, Parks Supervisor, Parks & Leisure Services, 5 Years of Service

**2 Breast Cancer Awareness Month Proclamation. John Hull, Mayor**

Gary Young, Deputy Fire Chief, accepted the proclamation.

**3 Texas Amateur Athletic Federation (TAAF) Female and Male Athlete of the Year. Andy Cedillo, Director of Parks & Leisure Services**

Mr. Cedillo recognized Haley Petet, a ten-year old fifth grade A/B honor roll student, as the Local Female Athlete of the Year and Cameron Everts, a nine-year old fourth grade honor roll student as the Local Male Athlete of the Year. Both athletes are involved in multiple sports and are eligible to be considered at the regional level for Regional Athlete of the Year. If that is

achieved, they would be eligible for consideration of the Federations (State) Athlete of the Year.

F **CITIZENS FORUM** – Jim Rudd, 2310 Veterans Avenue. Mr. Rudd said that he was representing the Exchange Club. The Exchange Club held their 13th annual golf tournament on October 8 to raise funds for the upcoming year. He thanked the golf course staff for all their help prior to and during the tournament. He said that they would not have been able to get everything done if it had not been for the excellent help from Ken Wilson, Andy Cedillo, Davis Dewald, Mike Chandler and the entire golf course staff. He said that the golf course employees have a 'can do' attitude and it was very much appreciated.

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 regular council meeting of October 4, 2011. **Jane Lees, City Secretary**

2 Consideration and action on authorizing the City Manager to extend the Interlocal Agreement with Central Texas Council of Governments for Public Safety Answering Points (PSAPs) maintenance. **Kevin Keller, Police Sergeant.**

3 Consideration and action on authorizing the Mayor of Copperas Cove to execute a letter to Texas State Senator Brian Birdwell, Texas State Senator Troy Fraser, Texas State Representative Sid Miller and Texas State Representative Jimmy Don Aycock requesting an extension for compliance with the State of Texas mandated Project 25 radio requirements. **Andrea M. Gardner, City Manager**

4 Consideration and action to authorize the City Manager to renew a contract for Fire Department uniform rental and cleaning services with ZIP Uniform and Rentals. **Gary D. Young, Deputy Fire Chief**

Council Member Kent made a motion to approve the Consent Agenda, Items G-1, G-2, G-3 and G-4 as presented. Council Member Smith seconded the motion, which passed unanimously.

H **PUBLIC HEARINGS/ACTION**

1 Public hearing and action on adoption of an ordinance amending the 2011-2012 fiscal year budget for the City of Copperas Cove. **Ryan D. Haverlah, Assistant Director of Financial Services/Budget Director**

Mayor Hull opened the public hearing at 7:39 p.m.

Speaking: Council Member Palmer requested an explanation regarding the purpose of the stem wall. Ms. Gardner stated that the item would be coming back to the Council for approval as a separate agenda item and that questions and/or concerns about the construction/engineering would better be answered after design for the project has been completed.

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

Council Member Smith made a motion to approve Ordinance No. 2011-51 as presented.

Council Member Meredith seconded the motion, which passed unanimously.

**ORDINANCE NO. 2011-51**

**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, 2011, AND ENDING ON SEPTEMBER 30, 2012; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

- 2 Public hearing, discussion and possible action to vacate the Morse Valley Addition, Phase 8 Plat. **Chris Stewart, AICP, Planning Consultant**

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

Speaking: None.

Mayor Hull closed the public hearing at 7:47 p.m.

Council Member Schmitz made a motion to approve the vacation of Morse Valley Addition, Phase 8 Plat. Council Member Kent seconded the motion, which passed unanimously.

- 3 Public hearing, discussion and possible action on the final plat of the Five Hills Subdivision. **Chris Stewart, AICP, Planning Consultant**

Mr. Stewart noted that there was a sentence on General Note No. 4 of the plat relating to the development of a spine road and given that we don't have full information about the full development of this site, staff believes that it is premature to put that on the plat. He requested that the motion include the removal of General Note No. 4 regarding the spine road. He also requested that the motion include the addition of a note regarding the possible resubdivision of Lot 3.

Mayor Hull opened the public hearing at 7:50 p.m.

Speaking: None.

Mayor Hull closed the public hearing at 7:51 p.m.

Council Member Palmer made a motion to approve the final plat of the Five Hills Subdivision based on the recommendations of staff to delete the sentence regarding the spine road and the addition of a general note stating that resubdivision of Lot 3 may necessitate the dedication of public improvements, easements and right-of-way. Council Member Smith seconded the motion, which passed unanimously.

**I ACTION ITEMS**

- 1 Consideration and action on an ordinance amending Chapter 10 of the City of Copperas Cove Code of Ordinances. **Margaret Handrow, Library Director**

Council Member Meredith made a motion to approve Ordinance No. 2011-58 as presented. Council Member Palmer seconded the motion, which passed unanimously.

**ORDINANCE NO. 2011-58**

**AN ORDINANCE OF THE CITY OF COPPERAS COVE, TEXAS, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE;**

**PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

- 2 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**

Council Member Palmer stated that there are situations that have come up in various areas of the City where weeds are not being trimmed, cut down, or at least taken care of, particularly in undeveloped lots. Other issues include bushes that block views at intersections and trees that extend over sidewalks. Some people believe that this presents a fire hazard and also goes against City Code Section 8-9 (c)(3). Council Member Palmer read the following from the Code: "On tracts of land of more than two (2) acres, it shall be unlawful to permit or allow grass, weeds and brush in excess of twelve (12) inches in height to grow uncultivated within one hundred (100) feet adjacent to and along any dedicated public street within the corporate limits of the city or within one hundred (100) feet on either side of any lot that is occupied by a residence or business. Such condition or conditions are hereby defined as public nuisances." Council Member Palmer stated that this tells him that people with undeveloped lots that allow the weeds to grow up next to a citizen's property that is being maintained is against the City Code.

Council Member Palmer said that he would like to have the Code revised to state that a triangle should exist on a corner lot for vegetation as well as for fences. He also stated that many sidewalks are inaccessible because of the trees that extend over them. He said that City Code should be revised to state that trees should be trimmed at least 14 feet from the curb line off the sidewalk areas.

Mayor Hull stated that these problems would be better worked out if the City formed a committee to rewrite the ordinance and then bring it back to the Council.

Mr. Zech stated that the things that were just discussed are not actually nuisances. He said that the appropriate place to make the changes suggested are not in the nuisance ordinance. Mr. Zech said that the City probably has ordinances which state how rights of ways and encroachments upon rights of ways should be handled. Those areas in the ordinances is where these issues should be addressed. He said that the section of the code that was read aloud is actually straight from the Texas Health & Safety Code and the City could not change that without violating the law. The issue needs to be addressed in another area of the ordinances.

Ms. Gardner stated that she already has plenty of documentation on this subject. She said that if it is a staff committee, she would be more than happy to have Council Member Palmer participate in the discussions. Mayor Hull said it should be a staff committee and anyone who wished to sit in on the discussions could do so. Council direction was to defer the issues to a staff committee.

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

- K ITEMS FOR FUTURE AGENDAS -** Council Member Palmer stated that he would like to go over the Drainage Plan for the future and the CIP. Council Member Youngs asked if the City needed to look at a Charter Review Committee for 2012. Ms. Gardner said that she was working on that item. Council Member Youngs stated that the City has been working on solving the easement problems over on the east side. He stated that he knows the EDC, the Industrial Foundation and the developer has various projects within the Industrial Park area. There is the Northeast Sewer Line Phase IA, Northeast Sewer Line Phase IB, Northeast Sewer Line Phase II, Northeast Water Line and Ground Storage Tank, and the Transfer Station. All these projects are have been on hold until the City resolves the easement issues

in that area. Council Member Youngs requested for an update on those projects because they are high priority in 2012.

- L     **EXECUTIVE SESSION** - Mayor Hull recessed the open meeting at 8:12 p.m. to hold Executive Session.
- 1     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.
- 2     Pursuant to §551.087, Deliberation Regarding Economic Development Negotiations, of the Open Meetings Act, Tex. Gov't Code, Council will meet in Executive Session to deliberate the offer of a financial or other incentive to a business prospect - First Advisors, Inc.
- M     **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION** - Mayor Hull reconvened the open session at 9:11 p.m. and stated that there was no action to be taken as a result of Executive Session discussions.
- N     **ADJOURNMENT** - There being no further business, Mayor Hull adjourned the meeting at 9:12 p.m.

**ATTEST:**

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John Hull, Mayor

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Jane Lees, City Secretary