

City of Killeen
City Council Meeting
Killeen City Hall
January 10, 2023 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

Attending: Mayor Protem Ken Wilkerson, Councilmembers Jessica Gonzalez, Riakos Adams, Michael Boyd, Jose Segarra, Nina Cobb (arrived at 5:03 p.m.), and Ramon Alvarez

Also attending were City Manager Kent Cagle, City Attorney Holli Clements, Administrative Assistant Judy Paradice, and Sergeant-at-Arms Officer Sierra.

Don Smith gave the invocation. Councilmember Adams led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Protem Wilkerson to approve the agenda, removing RS-23-013 and OR-23-002, from the Consent Agenda. Motion was seconded by Councilmember Adams. The motion carried unanimously (6-0).

Citizen Comments

1. Michael Fornino spoke regarding DS-23-005.
2. Mellisa Brown spoke regarding OR-23-001, RS-23-008, and RS-23-009.
3. Jack Ralston spoke regarding RS-23-010.

Consent Agenda

MN-23-001 Consider Minutes of Regular City Council Meeting of December 6, 2022.

MN-23-002 Consider Minutes of Regular City Council Meeting of December 13, 2022.

RS-23-001 Consider a memorandum/resolution for the purchase of consumable medical supplies for the Fire Department in an amount not to exceed \$399,179.

RS-23-002 Consider a memorandum/resolution authorizing the execution of a professional services agreement with Freese and Nichols for the design of the Lift Station No. 6 Rehabilitation and Expansion Project in the amount of \$624,677.

RS-23-003 Consider a memorandum/resolution rejecting bids received for Bid 23 08, Uniform Cleaning Services.

- RS-23-004** Consider a memorandum/resolution authorizing the City Manager to enter into a grant agreement with the Texas Office of the Governor for the purpose of replacing rifle resistant body armor for sworn officers assigned to the Killeen Police Department and modifying the maximum annual expenditure with GT Distributors in an amount not to exceed \$584,565.
- RS-23-005** Consider a memorandum/resolution accepting the Victims of Crime Act (VOCA) Crisis Assistance Program grant through the Office of the Governor, Criminal Justice Division.
- RS-23-006** Consider a memorandum/resolution authorizing a professional services agreement with Freese and Nichols for the design of the Transfer Station Tunnel Repairs Project in the amount of \$141,243.
- RS-23-007** Consider a memorandum/resolution authorizing an Amendment No. 2 to the professional service agreement with K. Friese and Associates for the final design of the Watercrest and Willow Springs Reconstruction Project in the amount of \$77,273.68.
- OR-23-001** Consider an ordinance amending the North Killeen Revitalization Program to waive parkland dedication and development fees and traffic impact analysis worksheet fees for eligible projects within the North Killeen Revitalization Area.

The City Secretary read the caption of the ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE NORTH KILLEEN REVITALIZATION PROGRAM; EXEMPTING PARKLAND DEDICATION AND DEVELOPMENT FEES; WAIVING TRAFFIC IMPACT ANALYSIS WORKSHEET FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

- RS-23-008** Consider a memorandum/resolution authorizing the conveyance of properties located at 414 and 511 N. 4th Street by donation deed to Bell County.
- RS-23-009** Consider a memorandum/resolution confirming the City Manager's annual evaluation and pay increase.
- RS-23-011** Consider a memorandum/resolution approving the appointment of an Executive Director of Finance.
- RS-23-012** Consider a memorandum/resolution appointing Councilmember Segarra to the CTCOG Executive Committee.

Motion was made by Mayor Protem Wilkerson to approve the Consent Agenda. Motion was seconded by Councilmember Boyd. Motion carried unanimously (7-0).

OR-23-002 Consider an ordinance ordering a General Election to be held on May 6, 2023 to elect a district councilmember for each district.

The City Secretary read the caption of the ordinance:

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR EACH OF THE 4 DISTRICTS; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; PROVIDING FOR COMPENSATION; DESIGNATING THE POLLING PLACES , AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.

Staff Comments: Holli Clements, City Attorney
Ms. Clements provided an update on polling precincts for the upcoming election.

Motion was made by Mayor Protem Wilkerson to approve OR-23-002. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously (7-0).

RS-23-013 Consider a memorandum/resolution to hold a Joint General Election with Killeen Independent School District and Central Texas College.

Staff Comments: Holli Clements, City Attorney
Ms. Clements provided an update on the joint election agreement.

Motion was made by Mayor Protem Wilkerson to approve RS-23-013. Motion was seconded by Councilmember Adams. Motion carried unanimously (7-0).

Resolutions

RS-23-010 Consider a memorandum/resolution authorizing Amendment No. 1 to the professional service agreement with Kimley Horn for the final design of the Bunny Trail Reconstruction Project in the amount of \$1,074,914.51.

Staff Comments: Andrew Zagars, City Engineer
This item was presented to City Council during their January 3, 2023 Workshop meeting. Mr. Zagars was available to provide additional information and to answer questions.

Motion was made by Councilmember Boyd to approve RS-23-010, with Alternate 3 as the final design. Motion was seconded by Mayor Protem Wilkerson. Motion carried 6-1, with Councilmember Alvarez in opposition.

Public Hearings

PH-23-001 Hold a public hearing and consider an ordinance amending the Code of Ordinances Chapter 26, Article IV, Division 5, Sections 26-128 through 26-165, establishing parkland dedication and development requirements and establishing fees in lieu thereof.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 26 OF THE CITY OF KILLEEN CODE OF ORDINANCES BY ADDING ARTICLE IV, DIVISION 5, SECTIONS 26-128 THROUGH 26-165 ESTABLISHING PARKLAND DEDICATION AND DEVELOPMENT REQUIREMENTS AND ESTABLISHING FEES IN LIEU THEREOF; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

This item was presented to City Council during their January 3, 2023 Workshop meeting. Ms. Meshier was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Mellisa Brown asked questions regarding several sections of the ordinance.

With no one else appearing, the public hearing was closed.

Motion was made by Mayor Protem Wilkerson to approve PH-23-001. Motion was seconded by Councilmember Alvarez. Motion carried unanimously (7-0).

PH-23-002 HOLD a public hearing and consider an ordinance amending the FY 2023 Annual Budget of the City of Killeen to adjust revenue and expenditure accounts in the General Fund.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2023 ANNUAL BUDGET OF THE CITY OF KILLEEN TO ADJUST REVENUE AND EXPENDITURE ACCOUNTS IN THE GENERAL FUND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Miranda Drake, Director of Budget
This item was presented to City Council during their January 3, 2023 Workshop meeting. Ms. Drake was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Adams to approve PH-23-002. Motion was seconded by Mayor Protem Wilkerson. Motion carried unanimously (7-0).

Discussion Items

DS 23 005 Discuss pending or contemplated litigation related to marijuana enforcement.

At 5:32 p.m., Mayor Nash-King called for City Council to recess the meeting into Executive Session.

Per V.T.C.A., Government Code Section 551.071 the City Council will consult with its attorney regarding pending or contemplated litigation related to marijuana enforcement.

At 6:17 p.m., Mayor Nash-King reconvened the City Council meeting into Regular Session.

Adjournment

With no further business, upon motion being made by Mayor Protem Wilkerson, seconded by Councilmember Boyd, and unanimously approved, the meeting was adjourned at 6:18 p.m.

Debbie Nash-King, Mayor

Laura Calcote, City Secretary