

City of Killeen
Regular City Council Meeting
Killeen City Hall
August 23, 2016 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Brockley Moore, Councilmembers Jim Kilpatrick, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Richard Young

Also attending were Interim City Manager Lillian Ann Farris, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Gillman.

Mr. Jones gave the invocation, and Councilmember Fleming led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Moore to approve the agenda as written. Motion seconded by Councilmember Fleming. The motion carried unanimously.

Minutes

Motion was made by Councilmember Kilpatrick to approve the minutes of the August 9th Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Motion was made by Councilmember Kilpatrick to approve the minutes of the August 16th Special City Council Meeting. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

Resolutions

RS-16-097 Consider a memorandum/resolution authorizing the rejection of Bid No. 16-21 for the F.M. 3470 and Bunny Trail Drainage Improvement project.

Staff comments: Scott Osburn

One (1) bid was received from TTG Utilities, LP. The bid was evaluated and a discrepancy in the base bid was found. City staff recommends that the City Council reject the bid submission from TTG Utilities, LP, for Bid 16-21 for the F.M. 3470 and Bunny Trail Drainage Improvement project due to cost.

Motion was made by Councilmember Okray to approve RS-16-097. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-16-098 Consider a memorandum/resolution approving a proposal for the purchase and installation of wildlife hazard reduction equipment at Killeen-Fort Hood Regional Airport/Robert Gray Army Airfield.

Staff comments: Matthew Van Valkenburgh

Staff has negotiated a contract with Reed-Joseph International for the purchase and installation of the Wildlife Hazard Reduction Equipment at KFHRA/RGAFF, for the

amount of \$147,135.00. Staff recommends the City Council award a contract to Reed-Joseph International in the amount of \$147,135.00 for the Wildlife Hazard Reduction Equipment and authorize the City Manager to execute all necessary contract documents and any and all change orders within the amounts set by state and local laws.

Motion was made by Councilmember Johnson to approve RS-16-098. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

RS-16-099 Consider a memorandum/resolution authorizing the execution of Change Order No. 10 to McLean Construction, Inc. for the Trimmier Road Widening Project.

Staff comments: David Olson

Change Order No. 10 modifies plan quantities for items of work to the City's Trimmier Road Widening project. The additional quantities are needed to ensure connectivity of the new intersections to the City's existing signalization system and Traffic Management Center and to meet new accessibility standards. City staff recommends the City Council authorize the City Manager to execute Change Order No. 10 with McLean Construction, Inc., increasing the cost of the contract by \$128,861.10.

Motion was made by Councilmember Okray to approve RS-16-099. Motion was seconded by Councilmember Rivera. Motion failed 3 to 4 with Councilmember Johnson, Councilmember Young, Councilmember Kilpatrick, and Councilmember Fleming opposing.

RS-16-100 Consider a memorandum/resolution authorizing a lease agreement amendment with Bell County Human Services for space at the Killeen Arts & Activities Center.

Staff comments: Kathy Davis

The county would like to propose a one-year term with two (2) additional one (1) year terms. Staff recommends that council approve this lease amendment with Bell County and authorize the interim city manager to execute the lease agreement - Amendment No.1 with Bell County for the space at the Killeen Arts & Activities Center occupied by Bell County Human Services.

Motion was made by Councilmember Fleming to approve RS-16-100. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

RS-16-101 Consider a memorandum/resolution authorizing completing the process to establish a Transportation Utility and implement a Transportation Utility Fee.

Staff comments: Scott Osburn

A Transportation Utility Fee (TUF) or Transportation User Fee (TUF) is a monthly fee based on use of the transportation system. The fees are calculated proportionately to road demand usage based on vehicle miles traveled per land use. The establishment of a TUF to fund road maintenance lessens the reliance on general funds for roadway maintenance and improvements and provides a sustainable source of funding for street maintenance. City staff recommends that City Council formally authorize the completion of the TUF establishment and TUF fee implementation processes, to include authorizing the City Manager to move forward with the process as detailed above.

Dr. Farris spoke on the 'why' the city needs a TUF and explained what the TUF funds would be used for.

Councilmember Young stated for the record that he is in favor of TUF as a solution to long term street problems.

Motion was made by Councilmember Rivera to disapprove RS-16-101. Motion was seconded by Councilmember Kilpatrick. Motion carried 6 to 1 with Councilmember Young opposing.

Ordinances

OR-16-011 Consider an ordinance repealing Chapter 24, Article II, Division 4, Section 24-87 of the Killeen Code of Ordinances dissolving residential curbside recycling service and amending Chapter 24, Article II, Division 6, Recycling rates.

The City Secretary read the caption of the ordinance.

AN ORDINANCE REPEALING CHAPTER 24, ARTICLE II, DIVISION 4, SECTION 24-87 RESIDENTIAL CURBSIDE RECYCLING SERVICE AND AMENDING CHAPTER 24, ARTICLE II, DIVISION 6, SECTION 24-117 RECYCLING RATES, OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, OF THE SOLID WASTE SYSTEM; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Scott Osburn

The City's adopted Solid Waste Master Plan recommends dissolving residential curbside collection of recyclable materials because it is not cost effective. City staff recommends that City Council approve the attached ordinance repealing the residential curbside recycling program and amending related fees, effective October 1, 2016, and authorize the City's Solid Waste Division to effectuate the cessation of the program to include, without limitation, notifying customers, ceasing to accept new recycling customers, and ceasing to replace bins of existing customers when lost, damaged or destroyed, and liquidating assets in accordance with City policies.

Motion was made by Councilmember Okray to approve OR-16-011. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Public Hearings

PH-16-028 HOLD a public hearing and consider an ordinance requested by 439 Lakeview Development Ltd. (Case #Z16-14) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to a Planned Unit Development (PUD) for "SF-2" (Single-Family Residential District) uses. The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-3 (MULTIFAMILY RESIDENTIAL DISTRICT) AND B-3 (LOCAL BUSINESS DISTRICT) TO A PLANNED UNIT

DEVELOPMENT (PUD) WITH SF-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The staff notified sixteen (16) surrounding property owners regarding this request. Staff has received a response of support from Dale Hennig, the owner of 1700 and 1702 Cedarview Circle. The Planning and Zoning Commission recommended approval of the applicant's PUD request, excluding Lots 1 through 3 and the remainder tract, which are located at the northwest corner of the concept plan. The purpose of excluding this portion of the property from the concept plan is to reduce the total number of lots from thirty-three (33) to thirty (30), thus removing the need for two access points.

Mayor Segarra opened the public hearing.

Ben Purser, 3306 Lineage Loop - spoke in favor of request.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Fleming to approve PH-16-028. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Mayor Segarra announced that the City Council will adopt the FY 2017 Annual Budget and Tax Rate at the regular city council meeting on Tuesday, September 13th, 5:00p.m. at City Hall Council Chambers.

Adjournment

With no further business, upon motion being made by Mayor Pro-tem Moore, seconded by Councilmember Kilpatrick, and unanimously approved, the meeting was adjourned at 6:15 p.m.