

**City of Killeen**  
 Regular City Council Meeting  
 Killeen City Hall  
 October 25, 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 Dennis M. Baldwin, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Smith.

Pastor Jones gave the invocation, and Mayor Pro-Tem Moore 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 Rivera. The motion carried unanimously.*

**Minutes**

*Motion was made by Councilmember Kilpatrick to approve the minutes of the October 11th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**Resolutions**

**RS-16-126** Consider a memorandum/resolution appointing members to the Youth Advisory Commission.

**Staff comments:** Roxanne Flores

<b>KILLEEN VOLUNTEERS, INC.-YOUTH ADVISORY COMMISSION</b>		
<i>Sub-Committee: All Council</i>		
Current Members	New YAC Members	Special Qualifications
Kayla Anderson	Jeremiah Belser	Student Representative
Jeremiah Belser	Hyelim Choung	Student Representative
De'Veon Bradford	Hyewon Choung	Student Representative
Janella Calvillo	Arianna Chavez	Student Representative
Camryn Cotton	Julian Chavez	Student Representative
Ravyn Dietzman	Ravyn Dietzman	Student Representative
Sara Drussell	Abraham Everett	Student Representative
Abraham Everett	Loveless Gatewood	Student Representative
Loveless Gatewood	Crystal Graupman	Student Representative
Isaiah Grant	Madison Henry	Student Representative
Madison Henry	Lexy Hicks	Student Representative
Sierra Holland	Mychel Howard	Student Representative
Delano Hudson	Joseph Low	Student Representative
Keith Huey	Kaitlyn Low	Student Representative
Alejandro Jimenez	JoAnn Lomas-Mathis	Student Representative

Madison LaValley	Jason McDonald	Student Representative
JoAnn Lomas-Mathis	Joshua Moses	Student Representative
Adrian Manning	Demetra Paizanis	Student Representative
Rolando Mendoza	Michalis Paizanis	Student Representative
Joshua Moses	Jaelyn Rivas	Student Representative
Aimee Nazario-Ovalle	Mark Thomas	Student Representative
Jacob Nichols	Markeisha Thomas	Student Representative
Wesley Orolla	Skylar Vanderberg	Student Representative
Demetra Paizanis	Daniel Watford III	Student Representative
Deanta Pittman	MyAzia Williams	Student Representative
Keshawn Pittman	Olivia Winder	Student Representative
Nathan Rarangol	Adrian Manning	Student Representative
Cody Reinhard	Jeffrey Jamorabon	Student Representative
Jaelyn Rivas	Jerome Singletary Jr.	Student Representative
Jada Roper	La'Shaun Wright	Student Representative
Alana Shoemo	Marjerie Castro	Student Representative
Kristiane Smith	Vacancy	Student Representative
Monika Symonds	Vacancy	Student Representative
Markeisha Thomas	Vacancy	Student Representative
Skylar Vanderberg	Vacancy	Student Representative
Olivia Winder	Vacancy	Student Representative
Megan Young	vacancy	Student Representative

Staff recommends that the City Council appoint the nominated individuals.  
Mayor Pro-Tem Moore swore-in the new YAC members.

*Motion was made by Councilmember Fleming to approve RS-16-126. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

**RS-16-127** Consider a memorandum/resolution authorizing a commercial lease at 207 and 209 West Avenue D, Killeen, Texas.

**Staff comments:** Stu McLennan

The current lease agreement ended on September 30, 2016. Staff and International Realtors have coordinated a 1-year lease extension through September 30, 2017. Staff recommends council authorize the City Manager to sign a commercial lease for the period October 1, 2016, to September 30, 2017, for property located at 207 and 209 West Avenue D, Killeen, Texas.

*Motion was made by Councilmember Young to approve RS-16-127. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-16-128** Consider a memorandum/resolution adopting a master plan and approving an airport layout plan for Skylark Field.

**Staff comments:** Matthew Van Valkenburgh

Staff recommends City Council adopt the master plan for Skylark Field and authorize the City Manager to approve the Skylark Field Airport Layout Plan on behalf of the City upon its completion of review and approval by the Federal Aviation Administration and TxDOT Aviation Division.

*Motion was made by Councilmember Okray to approve RS-16-128. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.*

**RS-16-129** Consider a memorandum/resolution authorizing the lease with purchase option of a wheel loader for the Solid Waste Transfer Station.

**Staff comments:** Frank Tydlacka

Staff recommends the procurement of the wheel loader from Holt CAT, through the TASB BuyBoard, on a three-year lease of \$2,231.80 per month, and that the City Manager or designee is authorized to approve the purchase of the equipment at the end of the three-year lease period for \$133,744.00 if the purchase is approved in the FY19 budget, and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.

*Motion was made by Councilmember Rivera to approve RS-16-129. Motion was seconded by Councilmember Fleming. Motion carried 5 to 2 with Councilmember Johnson and Councilmember Okray opposing.*

**RS-16-130** Consider a memorandum/resolution authorizing Change Order No. 29 to the Stagecoach Road Reconstruction, Phase 2 Project with McLean Construction, Inc.

**Staff comments:** David Olson

To correct an elevation difference, the driveways will need to be re-graded, the parking lot will need to be re-paved, and a Keystone wall will need to be added for stabilization. City staff recommends that City Council authorize the Interim City Manager to execute Change Order No. 29 in the amount of \$118,923.00 for the Stagecoach Road Reconstruction, Phase 2 project with McLean Construction, Inc.

*Motion was made by Mayor Pro-Tem Moore to approve RS-16-130. Motion was seconded by Councilmember Okray. Motion carried 6 to 1 with Councilmember Johnson opposing.*

**RS-16-131** Consider a memorandum/resolution authorizing the award of a construction contract to Austin Filter System, Inc., for the South Nolan Creek Capital Improvement Program Bank Stabilization Phase 2 project.

**Staff comments:** David Olson

One bid was received from Austin Filter Systems, Inc. for a total bid amount of \$1,144,051.50. City staff recommends the City council award a construction contract to the lowest responsible responsive bidder meeting the specifications, Austin Filter System, Inc. in the amount of \$1,144,051.50.

*Motion was made by Councilmember Kilpatrick to approve RS-16-131. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-16-132** Consider a memorandum/resolution appointing a replacement to the Technical Advisory Committee for the Killeen Temple Metropolitan Planning Organization.

**Staff comments:** Dennis Baldwin

The City of Killeen is a member of the Killeen Temple Metropolitan Planning Organization (KTMPO). The City Manager was appointed to serve as a voting member on the

Committee. It is recommended that the City Council appoint Dennis Baldwin to replace Ann Farris.

*Motion was made by Councilmember Fleming to approve RS-16-132. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-16-133** Consider a memorandum/resolution appointing citizen members to the City of Killeen Audit Committee.

**Staff comments:** Kathy Davis

The City of Killeen Audit Committee reached a consensus to recommend adding two citizen members to the Committee to provide another perspective for the forensic audit. Staff recommends that the City Council appoint James "Jack" Ralston and Bob Blair to the Audit Committee.

*Motion was made by Councilmember Young to approve RS-16-133. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-16-134** Consider a memorandum/resolution to create an evaluation committee to review forensic audit RFQs.

**Staff comments:** Kathy Davis

On October 9, 2016, Council reached a consensus to appoint an evaluation committee consisting of seven public members and three council members.

The Council wishes to appoint the following individuals to the Evaluation Committee:

Councilmember Jim Kilpatrick (Chair)	Councilmember Shirley Fleming
Councilmember Dick Young	Megan Bradley
Richard Banta	Butch Menking
David Cole	Gregory Hughes
Dr. Jim Anderson	Kathy Harkin

Staff recommends that the City Council appoint the above individuals to the evaluation committee.

*Motion was made by Councilmember Fleming to approve RS-16-134. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

**RS-16-135** Consider a memorandum/resolution creating a Citizens' Advisory Committee to assist in the selection of the new City Manager.

**Staff comments:** Eva Bark

As part of the interview process, SGR recommends that the City Council create and utilize a Citizens' Advisory Committee of 8 public members to assist in the selection of the new City Manager. The council wishes to appoint the following individuals to the Citizens' Advisory Committee: Jimmy Towers, Tim Hancock, Dr. John Craft, Pat Kaufman, Frank Plowick, Ramon Alvarez, Maureen Jouett, Tim Doerbaum.

Staff recommends that the City Council appoint the above individuals to the Citizens' Advisory Committee.

Councilmember Fleming does not believe the committee should be comprised of citizens who do not live in Killeen.

*Motion was made by Councilmember Rivera to approve RS-16-135. Motion was seconded by Councilmember Okray. Motion carried 5 to 2 with Councilmember Fleming and Councilmember Young opposing.*

### **Ordinances**

**OR-16-022A** Consider an ordinance to amend the Fire Department Classification Plan and Rank Structure.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, MERGING CLASSIFICATIONS IN THE FIRE DEPARTMENT OF THE CITY OF KILLEEN; ABOLISHING ALL CLASSIFICATIONS IN CONFLICT HEREWITH AND HERETOFORE EXISTING IN SUCH DEPARTMENT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; TO COMPLY WITH THE PROVISIONS OF TEXAS LOCAL GOVERNMENT CODE §143.021; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**Staff comments:** Interim Fire Chief Brank

The Fire Chief is requesting that the City Council eliminate the two-career-ladder promotional system by merging the separate career ladders in the Fire Department into one, creating a seamless promotional progression through the Fire Department rank structure. This internal restructuring does not involve any changes in existing staffing salaries or duties. This action does not create any new classifications, nor does it create any new positions in any existing classifications. The intent of merging is to transfer positions from one classification to another within the same grade level; this action does not constitute a promotion or demotion of a person occupying any position affected. Staff recommends that the City Council authorize the changes to the Fire Department structure by changing the Fire Department to a single career ladder.

*Motion was made by Councilmember Rivera to approve OR-16-022A. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**OR-16-022B** Consider an ordinance to amend the Fire Department pay plan.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS AMENDING THE FIRE DEPARTMENT PAY PLAN; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**Staff comments:** Eva Bark

Staff recommends that the City Council authorize the changes to the Fire Department pay plan to reflect the change in the Fire Department to a single career ladder.

*Motion was made by Councilmember Kilpatrick to approve OR-16-022B. Motion was seconded by Councilmember Young. Motion carried unanimously.*

## Public Hearings

**PH-16-036** HOLD a public hearing and consider an ordinance requested by Scott Lewellen of SiteExcel L.L.C. on behalf of Garland and Jo Ann Kelley (Case #Z16-17) to rezone approximately .229 acre (100 x 100 foot area), being part of the M. T. Martin Survey, Abstract No. 963, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for a 120' tall monopole communication tower. The subject area is located approximately 3,000 feet east of S. Fort Hood Street and approximately 2,500 feet west of Kelley Lane, Killeen, Texas. (Requires a 3/4 majority vote.)

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 "A" (AGRICULTURAL DISTRICT) TO "A" (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR A 120' MONOPOLE COMMUNICATION TOWER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

The staff notified two (2) surrounding property owners regarding this request. Staff has received one response from Mr. Wayne Duncan; he is not in opposition to the request. The Planning & Zoning Commission recommended approval (vote of 6 to 0) of the applicant's Conditional Use Permit request. The recommendation is based upon the adherence to the submitted site plan and communication monopole design, as well as the installation of an obstruction light for the tower.

Mayor Segarra opened the public hearing.

Scott Lewellen with SiteExcel LLC, representative of the property owners - available for questions.

With no one else appearing the public hearing was closed.

*Motion was made by Councilmember Johnson to approve PH-16-036. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

Councilmember Okray submitted a statement for the record on item RS-16-133 and 134. See attached.

## Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Fleming, and unanimously approved, the meeting was adjourned at 5:40 p.m.