

**City of Killeen**  
Regular City Council Meeting  
(Rescheduled from December 20, 2016)  
Killeen City Hall  
December 6, 2016 at 5:00 p.m.

Presiding: Mayor Pro-Tem Brockley Moore

Attending: Councilmembers Jim Kilpatrick, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Richard Young

Absent: Mayor Jose Segarra

Also attending were Interim City Manager Dennis M. Baldwin, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Cole.

Mr. Jones gave the invocation, and the Killeen Cowboy Cheerleaders and Football Players led everyone in the Pledge of Allegiance.

**Approval of Agenda**

*Motion was made by Councilmember Okray to approve the agenda as written. Motion seconded by Councilmember Fleming. The motion carried unanimously.*

**Presentations**

**PR-16-002** Presentation - Bell County Child Safety Check  
Sharon Long, Bell County Tax Assessor Collector, presented the council with a check in the amount of \$158,988.65, money collected for child safety fees. The money is to be spent on specific programs.

**Citizens Petitions**

**CP-16-009** Howard Kinsel (4004 Gus Drive) - City Council Conduct  
Mr. Kinsel expressed his embarrassment regarding what he has read about city council members behavior during meetings and wants the council to better conduct themselves. Mr. Kinsel believes the council owes the city of Killeen an apology for its conduct and wants the council members to have more respect for the offices they hold.

**Minutes**

*Motion was made by Councilmember Kilpatrick to approve the minutes of the November 22<sup>nd</sup> Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**Resolutions**

**RS-16-146** Consider a memorandum/resolution authorizing the City Manager to enter into an agreement with the Texas Department of Transportation for reimbursable STEP grant funds.

**Staff comments:** Interim Police Chief Young

TXDOT has authorized the City of Killeen a grant for the purpose of conducting a combined enforcement program that targets driving while intoxicated, speeding, intersection traffic control and distracted driving. If accepted, the City of Killeen is obligated to provide matching funds in the amount of \$36,803.88. TXDOT will reimburse \$117,291 to meet the total award amount of \$154,094.88. The staff recommends approval of this resolution and requests the City Manager be authorized to sign an agreement with TXDOT on behalf of the City of Killeen for receipt of up to \$117,291 in reimbursable STEP grant funding.

*Motion was made by Councilmember Rivera to approve RS-16-146. Motion was seconded by Councilmember Okray. Motion carried 5 to 1 with Councilmember Young opposing.*

### **Public Hearings**

**PH-16-045** HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen for the termination of the Fleet Funding Program.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN FOR THE TERMINATION OF THE FLEET FUNDING PROGRAM; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Jonathan Locke

After the FFP (Fleet Funding Program) was established, the outlook on the City's financial health changed significantly. The newly adopted FFP is intensifying the strain on the operating funds. The recommendation is to terminate the FFP and return the remaining funds to the original source on a pro-rata basis. Staff recommends that City Council approve the termination of the Fleet Funding Program and the corresponding budget amendment that permits the remaining funds to be distributed back to the Water/Sewer and Solid Waste funds.

Mayor Pro-Tem Moore opened the public hearing.  
With no one appearing the public hearing was closed.

*Motion was made by Councilmember Fleming to approve PH-16-045. Motion was seconded by Councilmember Johnson. Motion carried 5 to 1 with Councilmember Okray opposing.*

**PH-16-046A** Consider a memorandum/resolution establishing a special revenue fund for wellness.

**Staff comments:** Eva Bark

Employees who chose not to participate in the city's wellness programs are paying an engagement surcharge of \$50 per month, a total of \$600 annually. For FY18, the City is considering an additional wellness surcharge for tobacco use. Staff recommends that the City Council approve establishing a special revenue fund for wellness to be spent on employee wellness programs.

*Motion was made by Councilmember Rivera to approve PH-16-046A. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

**PH-16-046B** HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to create a special revenue fund for wellness.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY ESTABLISHING A SPECIAL REVENUE FUND FOR THE WELLNESS PROGRAM; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Jonathan Locke

Currently 209 employees pay the non-participation wellness fee. It is estimated that approximately \$100,000 in revenue will be deposited into the special revenue fund. Expenditures directly related to wellness will be \$100,000. Staff recommends that the City Council approve the budget amendment establishing a special revenue fund for wellness.

Mayor Pro-Tem Moore opened the public hearing.  
With no one appearing the public hearing was closed.

*Motion was made by Councilmember Kilpatrick to approve PH-16-046B. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**PH-16-047** HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen for roof repairs due to hail damaged roof coverings at Killeen Arts and Activities Center and Stonetree Golf Club.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE GENERAL FUND REVENUE ACCOUNTS BY \$56,275; INCREASING GENERAL FUND EXPENDITURE ACCOUNTS BY \$56,275; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Jonathan Locke

Quotations have been obtained from Harrison Roofing Company Incorporated for replacement of hail damaged roof coverings at the Killeen Arts & Activities Center and Stonetree Golf Club. Total replacement cost of both quotes combined is \$81,399.75. The city will be responsible for \$4,400.00. Staff recommends that City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services in Building Maintenance fund to allow for insurance proceeds.

Mayor Pro-Tem Moore opened the public hearing.  
With no one appearing the public hearing was closed.

*Motion was made by Councilmember Okray to approve PH-16-047. Motion was seconded by Councilmember Rivera. Motion carried 5 to 1 with Councilmember Kilpatrick opposing.*

### **Ordinances**

**OR-16-023** Consider an ordinance to amend the number of authorized civil service positions for the Killeen Fire Department.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, TO AUTHORIZE THE NUMBER OF FIRE DEPARTMENT CIVIL SERVICE EMPLOYEES 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:** Eva Bark

TLGC chapter 143 provides the department head of a civil service fire department with fewer than 300 certified fire fighters may make one appointment occupying the position immediately below that of the department head. The other Deputy Chief positions are tested positions. The Deputy Chief holding the appointed position retired on October 3, 2016. This ordinance will eliminate that position, which will aid in the resolution of the projected budget shortfalls. The Human Resources Department is requesting changes to the current fire staffing by eliminating one (1) appointed Deputy Chief position. Staff recommends the adoption of the proposed ordinance to eliminate one (1) appointed Deputy Chief, full-time position.

*Motion was made by Councilmember Okray to approve OR-16-023. Motion was seconded by Councilmember Fleming. Motion carried 5 to 1 with Councilmember Kilpatrick opposing.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Fleming, and unanimously approved, the meeting was adjourned at 5:45 p.m.

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Brockley K. Moore, Mayor Pro-Tem

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Dianna Barker, City Secretary