

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
May 23, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers Debbie Nash-King, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Steve Harris

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

Chaplin Robin Durham gave the invocation, and Eastwood Elementary kids led everyone in the Pledge of Allegiance.

**Approval of Agenda**

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

**Minutes**

*Motion was made by Councilmember Okray to approve the minutes of the May 9th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

*Motion was made by Councilmember Rivera to approve the minutes of the May 16th Special City Council Meeting. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**Resolutions**

City Council considered Resolutions A and B together.

**RS-17-047A** Consider a memorandum/resolution authorizing the acceptance of an \$80,000 contribution from the Greater Killeen Lions Foundation in exchange for agreeing to purchase, install, insure, and maintain a special needs playground to the standards outlined in the mutual agreement.

**RS-17-047B** Consider a memorandum/resolution authorizing the purchase, installation, and insurance of special needs playground equipment at Lions Club Park through the TASB BuyBoard.

**Staff comments:** Brett Williams

The Greater Killeen Lions Foundation seeks to have a signed agreement in place to ensure the City of Killeen is committed to maintaining a special needs playground for the duration of the life of Lions Club Park. The organization seeks assurances that the City of Killeen provide annual funding to ensure that any repairs required to the special needs playground as a result of normal wear and tear, vandalism, or misuse will be repaired in a timely fashion. Staff recommends City Council authorize the city manager to enter into an agreement with the Greater Killeen Lions Foundation to access \$80,000 for the construction of a special needs playground with the stipulations outlined in the mutual agreement. Staff recommends that City Council authorizes the purchase of playground equipment and associated amenities from The PlayWell Group through the TASB BuyBoard in the amount of \$158,621.41. This amount features an \$80,000 contribution from the Greater Killeen Lion's Foundation.

*Motion was made by Councilmember Rivera to approve RS-17-047A & 047B. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**RS-17-051** Consider a memorandum/resolution authorizing a lease agreement for the procurement of greens and fairways mowers for Stonetree Golf Course.

**Staff comments:** Brett Williams

The maintenance of turf grass requires specialized equipment. Stonetree Golf staff has identified cost savings by leasing mowing equipment as opposed to the traditional method of outright purchase. This change in approach results in staff having access to modern, up-to-date equipment that is under warranty for the duration of the lease. Staff is recommending that the City utilize the lease method to procure mowing equipment for Stonetree Golf Course via the TASB BuyBoard. The City will incur monthly payments in the amount of \$2,846.27 for 48 months. Staff recommends City Council authorizes the City Manager to execute a contract with Professional Turf Products for the lease of mowing equipment for Stonetree Golf Club in the amount of \$136,620.96, and that the City Manager is expressly authorized to execute any and all change orders within the amounts set by state and local law.

*Motion was made by Councilmember Fleming to approve RS-17-051. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-17-052** Consider a memorandum/resolution to enter into a Memorandum of Understanding with Central Texas College and Texas A & M University - Central Texas regarding educational initiatives.

**Staff comments:** Eva Bark

The resolution reflects a local community collaboration that began in 2009. The collaboration included connecting the city, the local community college, and the university, providing an affordable terminal degree (bachelor's) for less than \$18,000. Staff recommends formalizing the collaboration with Central Texas College and Texas A&M University-Central Texas to provide affordable opportunities for both our citizens and employees to achieve an affordable education. Staff recommends that the City Council authorize the City Manager to execute the City of Killeen's memorandum of understanding with Central Texas College and Texas A&M University - Central Texas. Dr. Marc Nigliazzo from TAMUCT and Jim Yeonopolus from CTC thanked the Council for the opportunity to enter into this agreement and their support.

*Motion was made by Mayor Pro-Tem Kilpatrick to approve RS-17-052. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.*

### **Public Hearings**

**PH-17-025** HOLD a public hearing and consider an ordinance readopting the youth curfew. (2nd of 2 readings)

The City Secretary read the caption of the ordinance.

**AN ORDINANCE READOPTING A CURFEW FOR PERSONS UNDER SEVENTEEN YEARS OF AGE TO PROHIBIT THEIR BEING IN ANY PUBLIC PLACE FROM 11:00PM ON ANY SUNDAY, MONDAY, TUESDAY, WEDNESDAY, OR THURSDAY UNTIL 6:00AM THE FOLLOWING DAY, AND FROM 12:01 AM UNTIL 6:00AM ON ANY FRIDAY OR SATURDAY OR ON ANY DAY FROM JUNE 1 THROUGH AUGUST 15; PROVIDING DEFINITIONS; PROVIDING ENFORCEMENT PROCEDURES; PROVIDING PENALTIES CONSISTING OF A FINE FOR MINORS NOT TO EXCEED \$500.00, AND FOR PARENTS OF MINORS CONSISTING OF A FINE OF NOT LESS THAN \$50.00, BUT NOT TO EXCEED \$500.00; ADOPTING CERTAIN DEFENSES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**Staff comments:** Chief Margaret Young

The City of Killeen adopted the current version of the youth curfew ordinance in 1996. The last re-adoption was in 2014. The Killeen Police Department has gathered statistics that show while juveniles continue to commit offenses during the curfew hours, the number of juvenile arrests during curfew has remained fairly constant in each of the preceding three years. This indicates that the enforcement of the curfew ordinance has kept juveniles off the streets during the curfew hours. The Police Department recommends council re-adopt the Youth Curfew ordinance.

Councilmember Okray submitted a statement for the record. See attached.

Mayor Segarra opened the public hearing.

Bill Paquette, 515 Ray Ave – spoke in favor of the ordinance and suggested the city come up with a brochure that explains the reasoning behind the ordinance.

With no one else appearing the public hearing was closed.

*Motion was made by Councilmember Rivera to approve PH-17-025. Motion was seconded by Councilmember Nash-King.*

After much discussion the Council reached a consensus to look at this ordinance closer and get KISD's input, then bring back to a future workshop for further discussion.

*Motion carried 6 to 1 with Councilmember Fleming opposing.*

**PH-17-026** 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 transfer budgeted funds between departments within the General Fund and Solid Waste 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 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO TRANSFER BUDGETED FUNDS BETWEEN DEPARTMENTS WITHIN THE GENERAL FUND AND SOLID WASTE FUND; 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

At the April 18, 2017, City Council Workshop, staff provided a FY 2017 Mid-Year Budget presentation which included forecasted revenue and expenditure information as well as recommended budget amendments for projected funding shortfalls in specific departments.

The amendments include adjusting departmental budgeted funds within the General Fund and Solid Waste Fund. The budget amendment does not increase the overall budget of the General Fund or Solid Waste Fund. Staff recommends that City Council approve the budget amendment moving budgeted funds between departments within the General Fund and Solid Waste Fund.

Mayor Segarra opened the public hearing. With no one appearing the public hearing was closed.

*Motion was made by Councilmember Okray to approve PH-17-026. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Okray, seconded by Mayor Pro-Tem Kilpatrick, and unanimously approved, the meeting was adjourned at 5:47 p.m.

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Jose L. Segarra, Mayor

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Dianna Barker, City Secretary