

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
February 13, 2018 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Councilmembers Debbie Nash-King, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Steve Harris

Absent: Mayor Pro-Tem Jim Kilpatrick

Also attending were City Manager Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Ache.

Emilio Fenderson gave the invocation, and Michael and Ava Jane Linnemann led everyone in the Pledge of Allegiance.

**Approval of Agenda**

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

**Minutes**

*Motion was made by Councilmember Fleming to approve the minutes of the January 23rd Regular City Council Meeting. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**Ordinances**

**OR-18-001** Consider an ordinance calling the May 5, 2018 General Election.

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 MAYOR AND THREE COUNCIL MEMBERS-AT-LARGE; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; FIXING THE TIME WITHIN SUCH APPLICATION MAY BE FILED; 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:** Kathy Davis

The attached ordinance has been prepared calling the election and giving notice of an election for the purpose of electing a Mayor and three Council Members-at-Large and designating the polling places and times. Staff recommends City Council approve the ordinance calling for a May 5, 2018 general election to elect a Mayor and three Council Members-at-Large.

*Motion was made by Councilmember Okray to approve OR-18-001. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**OR-18-002** Consider an ordinance calling a charter amendment election on May 5, 2018.

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 SUBMITTING TO THE VOTERS OF THE CITY PROPOSED AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY; 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:** Kathy Davis

The City Manager has identified two changes to the charter that would enable him to better administer the city's finances. A proposed revision to Section 71 would make changes to transfers of appropriations. It would authorize the City Council to make transfers from one fund to another, authorize the City Manager to make interdepartmental transfers within a fund, and authorize the Executive Director of Finance to make intradepartmental transfers within a fund. With a proposed revision to Section 73, appropriations made as part of a Capital Improvement Program would not lapse at the end of the fiscal year, but rather would continue until the purpose for which it was made has been accomplished or abandoned. The charter amendment election will be May 5, 2018, to coincide with the general election for Mayor and Councilmembers At Large.

*Motion was made by Councilmember Okray to approve OR-18-002. Motion was seconded by Councilmember Rivera.*

Some concerns were expressed that the change in the Charter to section 71 did not specify a dollar amount cap for transfers that the City Manager could make and that this change would not allow for a secure check-and-balance.

City Manager Olson explained the reasons for the proposed charter changes.

*Motion tied 3 to 3 with Councilmember Fleming, Councilmember Johnson, and Councilmember Harris opposing. Mayor Segarra broke the tie by voting for the ordinance as written. Motion carried 4 to 3.*

**OR-18-003** Consider an ordinance reappointing the Presiding Municipal Court Judge.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, REAPPOINTING THE PRESIDING MUNICIPAL JUDGE TO A FOUR-YEAR TERM; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Eva Bark

The position of Presiding Municipal Judge is currently filled by Mr. Mark D. Kimball.

Judge Kimball has served in this capacity since February 24, 2014. Charter authorizes the City Council to appoint the Presiding Municipal Judge for a four-year term. Staff recommends that the Council reappointment Judge Mark D. Kimball to the position of Presiding Municipal Court Judge for a four-year term.

*Motion was made by Councilmember Fleming to approve OR-18-003. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

### **Public Hearings**

**PH-18-004** HOLD a public hearing and consider an ordinance adopting a substantial amendment to the 2016-17 Annual Action Plan describing use of funds and allocation of Community Development Block Grant (CDBG) program funds. (2nd of 2 Public Hearings)

The City Secretary read the caption of the ordinance.

**AN ORDINANCE ADOPTING A SUBSTANTIAL AMENDMENT OF THE 2016-17 ANNUAL ACTION PLAN DESCRIBING THE USE OF FUNDS AND ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Staff comments:** Leslie Hinkle

The Killeen City Council allocated \$209,248.00 to Girl Scouts of Central Texas for renovations to the Killeen Service Center during the regular budget process in June 2016. After an unsuccessful bidding attempt and uncertainty of contractor and construction material prices after Hurricane Harvey in Texas, the entity surrendered the FY2016-17 CDBG funds and City Council agreed to a mid-year allocation of those funds. Three applications requesting the available funds were received with presentations to the CDAC. CDAC recommended funding to Killeen Community Services - Gilmore Center Restroom and Entry Renovations in the amount of \$209,248.00. Following this second public hearing, staff recommends approval of the proposed substantial amendment to the 2016-17 Community Development Annual Action Plan and approval of CDBG funding recommendation to the Killeen Community Services Department Gilmore Center Restroom and Entry Renovations public facility improvement project.

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

*Motion was made by Councilmember Johnson to approve PH-18-004. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 5:34 p.m.

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Jose L. Segarra, Mayor

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Dianna Barker, City Secretary