

City of Killeen
City Council Meeting
Killeen City Hall
July 13, 2021 at 6:15 p.m.

Presiding: Mayor Jose Segarra

Attending: Councilmembers Jessica Gonzalez (via video conference), Nina Cobb (via video conference), Michael Boyd, Ken Wilkerson, Rick Williams, and Mellisa Brown.

Also attending were City Manager Kent Cagle, City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Ache.

Absent: Mayor Pro Tem Debbie Nash-King.

Councilmember Williams gave the invocation. Councilmember Wilkerson led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Councilmember Williams to approve the agenda as written. Motion was seconded by Councilmember Wilkerson. The motion carried unanimously.

Citizen Comments

No one signed up to speak.

Minutes

MN-21-016 Consider Minutes of Regular City Council Meeting of June 22, 2021.

Motion was made by Councilmember Brown to approve MN-21-016 with a correction under RS-21-085 notating that the mayor had approved a point of order to have the minutes noted that a prior point of order to allow discussion after the motion and second on the floor was denied and that councilmembers were not able to fully ask questions before the vote. Motion was seconded by Councilmember Wilkerson. Motion carried unanimously.

Resolutions

RS-21-087 Set the Date of July 27, 2021, to Hold a Public Hearing on the Fiscal Year 2022 Annual Budget.

Staff Comments: Jon Locke, Executive Director of Finance

Local Government Code requires that a public hearing be held after the 15th day after the proposed budget is filed with the City Secretary and the City Charter requires that City Council set the time and place of the public hearing at the meeting when the budget is submitted by the City Manager. The proposed budget was filed with the City Secretary on July 7, 2021, and the public hearing is scheduled to take place on July 27, 2021. City staff recommends that City Council set the public hearing on the budget to occur on July 27, 2021, at 5:00 p.m. at City Hall.

Motion was made by Councilmember Wilkerson to approve RS-20-087, setting the date of July 27, 2021, to hold a public hearing on the fiscal year 2021-22 proposed budget. Motion was seconded by Councilmember Brown. Motion carried unanimously.

- RS-21-088** Consider a memorandum/resolution approving the appointment of Janell J. Lewis Ford as Executive Director of Communications.
Staff Comments: Eva Bark, Executive Director of Human Resources
On April 1, 2021, Hilary Shine, Executive Director of Communications submitted her letter of retirement effective August 1, 2021. On May 5, 2021, Human Resources posted the vacancy on the City’s website, the Texas Municipal League (TML) website, the Texas Association of Municipal Information Officers (TAMIO) website and on the National Information Officers Association (NIOA) website. The City solicited thirty-two (32) applications and narrowed the candidates to three (3) finalists. Mr. Cagle has extended a conditional offer to Mrs. Janell J. Lewis Ford. City staff recommends that the City Council approve the City Manager’s appointment of Mrs. Janell J. Lewis Ford as the Executive Director of Communications.

Motion was made by Councilmember Williams to approve RS-21-088. Motion was seconded by Councilmember Wilkerson. Motion carried unanimously.

- RS-21-089** Consider a memorandum/resolution authorizing an agreement of transfer for Police Service Dog Jaxx.
Staff Comments: Chief Kimble, Police Department
Texas Government Code 614, Subchapter L allows the City to enter into a contract with a person to transfer a police service dog that has been determined by the Chief of Police to be suitable for transfer. K-9 handler Scott Gillman recently transferred within the Police Department and it is no longer feasible for him to remain as a K-9 handler. Officer Gillman has requested that his Police Service Dog Jaxx who has approximately 18 months of service life left be transferred to him. At this time, it is not practical or cost effective to train a new handler and go through the transition process. City staff recommends that the City Council authorize the City Manager to sign the agreement transferring ownership of Jaxx to Officer Scott Gillman.

Motion was made by Councilmember Wilkerson to approve RS-21-089. Motion was seconded by Councilmember Brown. Motion carried unanimously.

- RS-21-090** Consider a memorandum/resolution authorizing the purchase of body worn cameras under a five-year replacement and service plan, in an amount not to exceed \$348,650, from COBAN Technologies, Inc.
Staff Comments: Chief Kimble, Police Department
The Police Department has 190 body worn cameras that have reached the end of their life cycle and must be replaced. Funds are available and budgeted to cover the purchase of a five-year replacement and repurchasing plan offered by COBAN Technologies, Inc. The plan does include 190 new cameras with licensing and

maintenance for five years providing replacement cameras at years two and four. City staff recommends that the City Manager or his designee be authorized to execute the described purchase of new body worn cameras, under the five-year service plan by COBAN Technologies, Inc. through the HGAC purchasing cooperative, in an amount not to exceed \$348,650.

Motion was made by Councilmember Brown to approve RS-21-090. Motion was seconded by Councilmember Williams. Motion carried unanimously.

RS-21-091 Consider a memorandum/resolution approving the renewal of a professional services contract with Lockton Dunning Benefits for self-funding consulting services in an amount not to exceed \$95,000.
Staff Comments: Eva Bark, Executive Director of Human Resources
In 2020, Lockton Dunning Benefits was selected to provide self-funding consulting services. The contract with Lockton Dunning Benefits became effective August 1, 2020 with a term of fourteen months. Ms. Bark reviewed the services that Lockton Dunning provides. As the city transitions into self-insured healthcare, staff is requesting approval to extend the contract with Lockton Dunning Benefits for FY 2022. It is planned that a new Request for Qualifications for self-funding consulting services will be released in FY 2022. City staff recommends City Council approve the renewal contract with Lockton Dunning Benefits as the provider for employee healthcare consultant services, effective October 1, 2021, with total expenses not to exceed \$95,000 and authorize the City Manager to execute any and all necessary change orders in accordance with state and local law.

Motion was made by Councilmember Brown to approve RS-21-091. Motion was seconded by Councilmember Boyd. Motion carried unanimously.

RS-21-092 Consider a memorandum/resolution authorizing the purchase of turnout gear in the amount of \$308,445.99, from North American Fire Equipment Company.
Staff Comments: Deputy Chief Foxx, Fire Department
The Fire Department Support Services Division has identified a need to replace turnout gear, wildland gear and daily uniforms. Funds in the amount of \$308,445.99 (turnout gear: \$230,404.02; wildland gear: \$10,567.12; and uniform shirts and pants: \$67,474.85) are available. City staff recommends that the City Manager or his designee be authorized to execute the purchase of uniforms and personal protective equipment from North American Fire Equipment Company through a Sourcewell Cooperative contract, 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 Wilkerson to approve RS-21-092. Motion was seconded by Councilmember Williams. Motion carried unanimously.

RS-21-093 Consider a memorandum/resolution approving the acceptance and disposition of the Homeland Security Grant – Office of the Governor.

Staff Comments: Chief Kubinski, Fire Department

The Fire Department applied for and has been offered a grant with the Texas Office of Homeland Security for five (5) Harris XL-200P multi-band handheld radios. There is no matching requirement as the grant is funded at 100%. City staff recommends that City Council authorize the City Manager or his designee to accept the grant, 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 Brown to approve RS-21-093. Motion was seconded by Councilmember Boyd. Motion carried unanimously.

RS-21-096 Consider a memorandum/resolution approving a Professional Services Agreement with Garver, LLC, for construction administration/management of the Replacement of Terminal Capital Equipment System at Killeen-Fort Hood Regional Airport, in the amount of \$200,000.

Staff Comments: Mike Wilson, Executive Director of Aviation

City Council accepted a Federal Aviation Administration Airport Improvement Program grant for the replacement of the heating, ventilation, and air conditioning (HVAC) system at the Killeen-Fort Hood Regional Airport terminal building. A professional services agreement for project administration services with Garver, LLC has been negotiated in the amount of \$200,000. City staff recommends that City Council approve the professional services agreement with Garver, LLC in the amount of \$200,000 and authorize the City Manager or his designee to execute all agreement documents and any and all amendments or actions within the amounts set by federal, state and local law.

Motion was made by Councilmember Boyd to approve RS-21-096. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.

RS-21-097 Consider a memorandum/resolution approving amendments to the Communications System Agreement with the Bell County Communications Center.

Staff Comments: Kent Cagle, City Manager

In May 1998 the cities of Belton, Harker Heights, Killeen, and Temple, along with Bell County entered into a system agreement for the purpose of operating and maintaining a consolidated communications system. The Bell County Communications System Board of Directors (E-Board) discussed proposed amendments to the agreement over the course of more than a year. Amendments include: increasing the Regulatory Board of Operations (RBO) voting members from 7 to 11 with police and fire chiefs listed as voting members; updating the System Board and the RBO Board meeting schedule; and adding the due date of the System budget to the cities and county of May 1 for the fiscal year beginning October 1. City staff recommends that City Council approve the requested amendments to the Communications System Agreement with Bell County.

Motion was made by Councilmember Wilkerson to approve RS-21-097. Motion was seconded by Councilmember Williams. Motion carried unanimously.

RS-21-098 Consider a memorandum/resolution approving an Interlocal Cooperation Contract between the City of Killeen, City of Temple, Temple Independent School District, and Bell County engaging Bickerstaff Heath Delgado Acosta to perform redistricting services in relation to the 2020 Census.

Staff Comments: Kent Cagle, City Manager

Every ten years, the U. S. Census Bureau conducts a census. The information is used to draw boundaries. City staff met with representatives from the City of Temple and Bell County and conducted interviews with law firms who have expertise in joint redistricting efforts. The law firm of Bickerstaff Heath Delgado Acosta was selected as the firm with the most experience. Each entity will be responsible for paying their own estimated costs with the City of Killeen's estimated cost being approximately \$27,190. City staff recommends that City Council authorize the City Manager or his designee to execute an Interlocal Cooperation Contract with Bickerstaff Heath Delgado Acosta for joint redistricting services with the City of Temple and Bell County.

Motion was made by Councilmember Brown to postpone RS-21-098 to the next regularly scheduled meeting. Motion was seconded by Councilmember Wilkerson. Motion carried 5 to 1 with Councilmember Williams in opposition.

RS-21-099 Consider a memorandum/resolution appointing Councilmembers to various boards and commissions.

Staff Comments: Traci Briggs, City Attorney

Following the annual election, the City Council makes the appointment of councilmembers to boards and commissions. Due to the second election resulting in a new councilmember to District 4, the appointments made in June need to be reviewed and updated. City staff recommends that City Council consider and approve the appointment of councilmembers to boards and commissions.

Motion was made by Councilmember Brown to approve RS-21-099. Motion was seconded by Councilmember Wilkerson. Motion carried unanimously.

Ordinances

OR-21-012 Consider an ordinance amending the Code of Ordinances Chapter 19, Parks and Recreation and Chapter 31, Zoning, addressing signage in the park system.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 19, PARKS AND RECREATION, ARTICLE II – PARK RULES AND CHAPTER 31, ARTICLE V- SUPPLEMENTAL REGULATIONS, DIVISION 4 - SIGNS AND OUTDOOR DISPLAYS, OF THE CODE OF ORDINANCES; REGULATING SIGNAGE WITHIN PARKS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Director of Development Services
Currently, Recreation Services does not have language within Chapter 19 addressing signage within the park system. The City's practice in the past, as a property owner, has been to not allow signs to be placed in parks. This requested amendment will define the term "sign" and clearly identify unlawful placement of signs in the parks. In addition, Chapter 31 will be amended by deleting Sec. 31-503 (13) Signs Allowed without a Permit, which pertains to signs located within or on the grounds of public facilities as with the Chapter 19 amendment addressing the section. City Staff recommends that City Council approve the amendment within Chapters 19 and 31, adding clarity and direction for future requests related to placing park signage within the park system. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve OR-21-012. Motion was seconded by Councilmember Cobb. Motion carried unanimously.

Public Hearings

PH-21-030 **HOLD** a public hearing and consider an ordinance granting Atmos Energy a .202 acre temporary construction easement to be located on Lot 16, Block 1, Hunter's Chase Subdivision (Hunt Neighborhood Park), Killeen, Texas. (1st of 3 readings)

The City Secretary read the caption of the ordinance.

AN ORDINANCE GRANTING EASEMENTS TO ATMOS ENERGY CORPORATION FOR APPROXIMATELY .202 ACRE OUT OF LOT 16, BLOCK 1, HUNTER'S CHASE SUBDIVISION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Development Services
Atmos Energy Corporation is requesting a grant of a 0.202 acre temporary construction easement at 2301 Hunt Drive for a pipeline replacement. The location is the site of the Hunt Neighborhood Park and the easement will encompass the basketball court and a portion of the playground and sidewalk. The easement shall automatically terminate the earlier of: (a) the date on which Atmos Energy's activities are completed, or (b) eighteen months from the date of approval of the ordinance. Atmos Energy will be invoiced for replacement costs of the park areas affected by the construction easement. City staff recommends that the first of three public hearings be held with the second being scheduled for July 27th and the third and final scheduled for August 24th.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

PH-21-031 **HOLD** a public hearing and consider an ordinance submitted by Republic Engineering & Development Services on behalf of Generation III L.P., (**Case #FLUM21-02**) to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from a ‘General Commercial’ (GC) designation to a ‘General Residential’ (GR) designation for approximately 5.88 acres, being part of Tract D of the Killeen Area Investment Group Corp., Inc. Industrial Tract. The property is locally addressed as 5200 East Veterans Memorial Boulevard, Killeen, Texas.

The applicant requested to withdraw the request prior to the meeting.

PH-21-032 **HOLD** a public hearing and consider an ordinance submitted by Republic Engineering & Development Services on behalf of Generation III L.P., (**Case #Z21-013**) to rezone approximately 5.88 acres from “R-1” (Single-Family Residential District) and “M-1” (Manufacturing District) to “R-2” (Two-Family Residential District), being part of Tract D of the Killeen Area Investment Group Corp., Inc. Industrial Tract. The property is locally addressed as 5200 East Veterans Memorial Boulevard, Killeen, Texas. (**Requires 3/4 Majority Vote**)

The applicant requested to withdraw the request prior to the meeting.

PH-21-033 **HOLD** a public hearing and consider an ordinance submitted by OW Clear Creek LLC, (**Case #Z21-15**) to rezone approximately 0.44 acres out of the J.E. Maddera Survey, Abstract No. 600 from “R-MS” (Manufactured Housing District) to “B-3” (Business District). The property is locally addressed as 5314 Tiffany Circle, 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 APPROXIMATELY 0.44 ACRES OUT OF THE J.E. MADDERA SURVEY, ABSTRACT NO. 600, FROM “R-MS” (MANUFACTURED HOUSING DISTRICT) TO “B-3” (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Development Services. The applicant intends to lease the existing structure for use as a commercial business. Staff notified forty-one (41) surrounding property owners. No responses have been received. City staff recommends approval of the zoning request. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant was in the audience available to provide additional information and answer questions. No questions were asked.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-21-033. Motion was seconded by Councilmember Boyd. Motion carried unanimously.

PH-21-034 **HOLD** a public hearing and consider an ordinance submitted by Quintero Engineering LLC on behalf of E. Construction, LLC (**Case #Z21-16**) to rezone approximately 1.50 acres from “B-5” (Business District) to “B-C-1” (General Business and Alcohol Sales District), being Lot 1, in Block 1, Faucett Commercial Subdivision. The property is locally addressed as 3700 South W.S. Young Drive, 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 LOT ONE, BLOCK ONE OF THE FAUCETT COMMERCIAL SUBDIVISION FROM “B-5” (BUSINESS DISTRICT) TO “B-C-1” (GENERAL BUSINESS AND ALCOHOL SALES DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Development Services. The request B-C-1 zoning district allows for the on-premise consumption of alcohol without a food and beverage certificate and shall follow the rules and regulations established under the Texas Alcoholic Beverage Code and/or promulgated by the Texas Alcoholic Beverage Commission, as amended. The applicant intends to lease the property to one or more commercial businesses providing for the on-site consumption of alcoholic beverages. City staff notified thirteen (13) surrounding property owners regarding this request. Two (2) responses have been received in favor of the request. City staff recommends approval of the applicant’s request. The Planning and Zoning Commission recommends approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, George Mesa with Quintero Engineering, appeared before City Council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-21-034. Motion was seconded by Councilmember Williams. Motion carried 5 to 1 with Councilmember Brown in opposition.

PH-21-035 **HOLD** a public hearing and consider an ordinance amending the FY 2021 Annual Budget of the City of Killeen to increase revenue and expenditure accounts in the General Fund and Aviation Funds.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2021 ANNUAL BUDGET OF THE CITY OF KILLEEN TO INCREASE REVENUE AND EXPENDITURE ACCOUNTS IN THE GENERAL FUND AND AVIATION FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Jon Locke, Executive Director of Finance.

This budget amendment addresses two initiatives that include appropriating additional funds for the Homeland Security Grant – Office of the Governor (OOG) grant award to purchase P25 compliant radios, and appropriate a Federal Aviation Administration (FAA) grant and transfer to cover costs for the heating, ventilation and air-conditioning (HVAC) system not covered by the grant. City staff recommends that City Council approve the ordinance amending the FY 2021 annual budget.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Williams to approve PH-21-035. Motion was seconded by Councilmember Brown. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Brown, seconded by Councilmember Wilkerson, and unanimously approved, the meeting was adjourned at 8:19 p.m.

Jose Segarra, Mayor

Lucy C. Aldrich, City Secretary