



# City of Killeen

## Legislation Details (With Text)

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**Type:** Minutes    **Status:** Minutes

**File created:** 9/27/2016    **In control:** City Council

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**Title:** Consider Minutes of Regular City Council Meeting of September 27, 2016.

**Sponsors:** City Secretary

**Indexes:**

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| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 10/4/2016 | 1    | City Council Workshop |        |        |

Consider Minutes of Regular City Council Meeting of September 27, 2016.

**City of Killeen**  
 Regular City Council Meeting  
 Killeen City Hall  
 September 27, 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 Lillian Ann Farris, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Cole.

Carlos Lopez gave the invocation, and Councilmember Young 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. Councilmember Okray requested that PH-16-035 be moved up on the agenda to precede OR-16-020. The motion carried unanimously to approve the agenda and consider PH-16-035 prior to OR-16-020.*

### Minutes

*Motion was made by Councilmember Kilpatrick to approve the minutes of the September 13th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### Resolutions

**RS-16-108** Consider a memorandum/resolution approving the investment report for the quarter ended June 30, 2016.

**Staff comments:** Susan Anderson, Valley View Consulting presented the June 30<sup>th</sup> report.

Staff recommends that the City Council approve the investment report as presented for the quarter that ended June 30, 2016.

*Motion was made by Mayor Pro-Tem Moore to approve RS-16-108. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-16-109** Consider a memorandum/resolution approving the revised City of Killeen Investment Policy.

**Staff comments:** Susan Anderson, Valley View Consulting

The Investment Committee met and reviewed investment policy adjustments suggested by the City's Investment Advisor, Valley View Consulting. The primary adjustments were revisions needed to align the City's Investment Policy with statutory requirements. Staff recommends approval of the revised City of Killeen Investment Policy.

*Motion was made by Councilmember Kilpatrick to approve RS-16-109. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-16-110** Consider a memorandum/resolution accepting a Texas Department of Transportation Routine Airport Maintenance Program (RAMP) Grant for Skylark Field.

**Staff comments:** Matthew Van Valkenburgh

TxDOT has offered to the City of Killeen a RAMP grant of \$15,000 for use at Skylark Field. This grant will be used to match an equal amount of airport enterprise funds to finance up to \$30,000 of airport maintenance expenses or minor capital improvements at Skylark Field. Staff recommends the City Council accept the TxDOT Routine Airport Maintenance Program grant, TxDOT Project No. M1709KILE, in the amount of \$15,000; adopt all assurances, statements, representations, covenants, and agreements incorporated into this grant agreement; and authorize the City Manager to execute the agreement as accepted by the City and the City Manager be expressly authorized to execute any and all amendments to the grant within the amounts set by state and local law.

*Motion was made by Councilmember Fleming to approve RS-16-110. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**RS-16-111** Consider a memorandum/resolution accepting a Texas Department of Transportation Routine Airport Maintenance Program (RAMP) Grant for Killeen-Fort Hood Regional Airport.

**Staff comments:** Matthew Van Valkenburgh

TxDOT has offered to the City of Killeen a RAMP grant of \$50,000 for use at Killeen-Fort Hood Regional Airport. This grant will be used to match an equal amount of airport enterprise funds to finance up to \$100,000 worth of airport maintenance at Killeen-Fort Hood Regional Airport. Staff recommends the City Council accept the TxDOT Routine Airport Maintenance Program grant, TxDOT Project No. M1709FHOO, in the amount of \$50,000; adopt all assurances, statements, representations, covenants, and agreements incorporated into this grant agreement; and authorize the City Manager to execute the agreement as accepted by the City. The City Manager is expressly authorized to execute any and all amendments to the grant within the amounts set by state and local law.

*Motion was made by Councilmember Okray to approve RS-16-111. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.*

**RS-16-112** Consider a memorandum/resolution approving the Genesis Flight Academy, L.L.C. lease agreement extension at Skylark Field.

**Staff comments:** Matthew Van Valkenburgh

Staff has negotiated an addendum with the tenant that will extend the term by one additional year at a monthly rate of \$854.27.

Staff recommends City Council approve Addendum No. 2 to the Genesis Flight Academy, L.L.C. lease agreement, extending the lease for a duration of one year from October 1, 2016, through September 30, 2017, and authorize the City Manager to execute same.

*Motion was made by Councilmember Kilpatrick to approve RS-16-112. Motion was seconded by Councilmember Young. Motion carried unanimously.*

**RS-16-113** Consider a memorandum/resolution approving Killeen-Fort Hood Regional Airport rental car lease agreement renewals.

**Staff comments:** Matthew Van Valkenburgh

Staff recommends City Council approve Addendum No. 1 to Checker Leasing, Inc., Addendum No. 1 to Clearwater Transportation, Ltd., Addendum No. 1 to EAN Holdings, LLC (Lease #1) d/b/a Enterprise Rent-A-Car Company, Addendum No. 1 to EAN Holdings, LLC (Lease #2) d/b/a National Car Rental, and Addendum No. 1 to The Hertz Corporation Rental Car Company Lease Agreements, extending the term for a period of two years beginning October 1, 2016, and ending September 30, 2018, and to authorize the City Manager to execute same.

*Motion was made by Councilmember Johnson to approve RS-16-113. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-16-114** Consider a memorandum/resolution approving Killeen-Fort Hood Regional Airport airline lease agreement extensions.

**Staff comments:** Matthew Van Valkenburgh

Staff has reviewed the current airline lease agreements and negotiated with representatives of the three airlines for extensions of their respective lease agreements. The addendums provide for the lease agreements to be extended by one year through September 30, 2017, at the current rate, with an option for an additional one year extension. Staff recommends City Council approve Addendum No. 3 to the American Airlines, Inc. lease agreement, Addendum No. 7 to the Delta Air Lines, Inc. lease agreement, and Addendum No. 3 to the United Airlines, Inc. lease agreement, extending all three airlines for a duration of one year from October 1, 2016, through September 30, 2017, and authorize the City Manager to execute same.

*Motion was made by Mayor Pro-Tem Moore to approve RS-16-114. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-16-115** Consider a memorandum/resolution approving an update to the City of Killeen Purchasing Manual.

**Staff comments:** Kathy Davis and Randy Jimenez

Support Services requested and consolidated feedback from City departments and generated an updated Purchasing Manual. Staff recommends that the City Council approve the updated Purchasing Manual dated October 2016.

*Motion was made by Councilmember Rivera to approve RS-16-115. Motion was seconded by Mayor Pro-Tem Moore. Motion carried 6 to 1 with Councilmember Johnson opposing.*

**RS-16-116** Consider a memorandum/resolution for fiber installation at Fire Station #9.

**Staff comments:** Tom Moore

Staff recommends that the City Council authorize the City Manager to use the JC Communications contract through the Bell County IT interlocal agreement for the completion of the City of Killeen FS #9 fiber project in an amount not to exceed \$65,000.

*Motion was made by Mayor Pro-Tem Moore to approve RS-16-116. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**RS-16-117** Consider a memorandum/resolution appointing members to various boards, commissions, and commissions' sub-committees.

**Staff comments:** Kathy Davis

**Heritage Preservation Board (All Council)**

| Current Member | Status       | New Member     | Comments        | Termed Out? Reappoint? |             |
|----------------|--------------|----------------|-----------------|------------------------|-------------|
| Chian Chi      | Term Expired | Michael DeHart | Member-at-Large | N                      | N           |
| Michelle Lee   | Term Expired | Leonard Mantey |                 | Y(8)                   | No Response |

**Killeen Economic Development Committee - KEDC (All Council)**

| Current Member | Status       | New Member    | Comments    | Termed Out? Reappoint? |   |
|----------------|--------------|---------------|-------------|------------------------|---|
| John Gilmore   | Term Expired | John Gilmore  | KIF Rep     | N                      | Y |
| Charlie Watts  | Term Expired | Charlie Watts | Chamber Rep | N                      | Y |

**Council Member appointments:**

**Killeen Economic Development Committee - KEDC (All Council)**

| Current Member       | Status                  | New Member     | Comments       | Termed Out? Reappoint? |  |
|----------------------|-------------------------|----------------|----------------|------------------------|--|
| Elizabeth Blackstone | Outgoing Council Member | Brockley Moore | Council Member |                        |  |
| Scott Cospers        | Outgoing Council Member | Jose Segarra   | Council Member |                        |  |

It is recommended that the City Council appoint the above new member individuals to fill vacancies and expired terms.

*Motion was made by Councilmember Okray to approve RS-16-117. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-16-118** Consider a memorandum/resolution for a City/Owner Agreement to oversize public drainage infrastructure within the Cospers Ridge Estates, Phase Five Subdivision.

**Staff comments:** David Olson

The developer of the Cospers Ridge Estates, Phase Five Subdivision, has requested that the City of Killeen materially participate to increase the size of certain public infrastructure. The developer submitted a project proposal for oversizing a storm conduit and a downstream channel for regional benefit within the development. The proposed City/Owner Agreement addresses the completion of selected drainage improvements in the subdivision with ultimate public dedication. Staff recommends that the City Council agree to participate in oversizing public drainage infrastructure within the Cospers Ridge Estates, Phase Five Subdivision, and to authorize the Interim City Manager to execute a City/Owner Agreement for these public improvements.

Pedro Quintero, representative of the client, 415 E. Ave D - Spoke in favor of the request and requested the Council grant

the reimbursement to the developer for using oversized drainage pipes.

*Motion was made by Councilmember Kilpatrick to approve RS-16-118. Motion was seconded by Councilmember Fleming. Motion carried 5 to 2 with Councilmember Young and Councilmember Okray opposing.*

**PH-16-035** HOLD a public hearing and consider an ordinance amending the FY 2016 Annual Budget and Plan of Municipal Services of the City of Killeen.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2016 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN; 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

This ordinance is a cleanup budget amendment ordinance for FY 2016.

Staff recommends that the City Council approve this ordinance amending the FY 2016 Annual Budget and Plan of Municipal Services.

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

*Motion was made by Councilmember Okray to conduct two votes, one for the General Fund 442-40-05 account(full time salaries account) and one for the rest of the amendments. Motion was seconded by Councilmember Young. After discussion, Councilmember Okray withdrew his motion and Councilmember Young withdrew his second.*

*Motion was made by Councilmember Okray to approve PH-16-035 as presented. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

### **Ordinances**

**OR-16-020** Consider an ordinance to approve, for FY 17, suspension of compensation step increases for all city employees, including civil service employees.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, SUSPENDING THE COMPENSATION STEP INCREASES OF ALL EMPLOYEES FOR FY 17; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**Staff comments:** Eva Bark

The City Council adopts the pay plan for all employees, which establishes the salary of all city employees. This ordinance will approve a suspension of compensation step increases for all city employees in FY 17. The suspension will be effective October 1, 2016. The approval of the ordinance authorizes the use of the 2016-2017 pay plan, with no employee movement across. It is recommended that the City Council approve this ordinance, suspending compensation step increases for all city employees, including each classification in the City of Killeen Fire and Police Department, as provided in the previously-approved pay plan.

Fire Fighter Marc Clifford, 1006 San Antonio Street, requested to address the Council.

Mr. Clifford spoke against the request to suspend the Step increases and feels doing so could cause more fire fighters to resign.

*Motion was made by Councilmember Kilpatrick to table this item and place it on a future workshop agenda for further discussion. Motion was seconded by Councilmember Rivera. Motion carried 4 to 3 with Councilmember Young, Councilmember Johnson, and Councilmember Fleming opposing.*

### Public Hearings

**PH-16-034A** HOLD a public hearing and consider an ordinance to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Rural' to 'Suburban Commercial' (FLUM# Z16-16) for approximately 11 acres, being part of the T. Robinett Survey, Abstract No. 686. The property is addressed as 3901 and 4001 Robinett Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'RURAL' TO 'SUBURBAN COMMERCIAL' FOR APPROXIMATELY 11 ACRES, BEING PART OF THE T. ROBINETT SURVEY, ABSTRACT NO. 686, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**PH-16-034B** HOLD a public hearing and consider an ordinance requested by Thayne and Rikki Bright (Case #Z16-16) to rezone approximately 11 acres, being part of the T. Robinett Survey, Abstract No. 686, from "A-R1" (Agricultural Single-Family Residential District) to "B-3" (Local Business District) for prospective commercial uses. The property is addressed as 3901 and 4001 Robinett Road, 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 CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM A-R1 (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT) TO B-3 (LOCAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony Mellwain

The Planning and Zoning Commission recommended approval of the applicant's request for an amendment of the Future Land Use Map (FLUM) from 'Rural' to 'Suburban Commercial' by a vote of 4 to 0.

The staff notified sixteen (16) surrounding property owners regarding this request. Staff has received one response in opposition from the owner of 4101 Janelle Court.

The Planning & Zoning Commission recommended approval of "B-3" zoning by a vote of 4 to 0.

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

*Motion was made by Councilmember Rivera to approve PH-16-034A&B. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.*

### Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Rivera, and unanimously approved, the meeting was adjourned at 6:12 p.m.