



# City of Killeen

## Legislation Text

---

**File #:** MN-19-003, **Version:** 1

---

Consider Minutes of Regular City Council Meeting of January 29, 2019.

**City of Killeen**  
Regular City Council Meeting  
Killeen Utilities Collections Conference Room  
January 29, 2019 at 5:03 p.m.

**Presiding:** Mayor Jose Segarra

**Attending:** Mayor Pro Tem Jim Kilpatrick, Councilmembers, Butch Menking, Gregory Johnson, Debbie Nash-King and Steve Harris

Also attending were City Manager Ron Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gilman.

**Absent:** Councilmembers Shirley Fleming (Excused) and Juan Rivera (Excused)

Reverend Sampson gave the invocation, and Ms. Marie Joseph 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 was seconded by Councilmember Nash-King. The motion carried unanimously.*

### Minutes

*Motion was made by Councilmember Nash-King to approve the minutes of the January 15, 2019 Regular City Council Meeting. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

### Resolutions

**RS-19-009** Consider a memorandum/resolution authorizing the award of Bid No. 19-09 to Four Seasons Equipment, LLC for purchase of a replacement crane for use at the Transfer Station.

**Staff Comments:** David Olson, Executive Director of Public Works.

The stationary grapple crane currently used at the transfer station was purchased in March 2007 and is no longer manufactured. Repairs have been made to the current Apprentice crane by utilizing parts from the one that has already been replaced. However, there are no longer any salvageable parts left. Request for bids were made on December 9, 2018. At the close of the bidding process, one bid was received from Four Seasons Equipment, LLC in the amount of \$243,675. With funds being available in the FY19 budget, staff recommends the City Council authorize the City Manager, or his designee, to execute a contract for the procurement of a

replacement crane from Four Seasons Equipment, LLC and that the City Manager, or designee, be further authorized to execute any change orders in compliance with state law and city policy.

*Motion was made by Councilmember Menking to approve RS-19-009. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.*

**RS-19-010** Consider a memorandum/resolution authorizing the award of a professional services agreement with CP&Y to design the Septic Tank Elimination Program, Phase XI Project.

**Staff Comments:** David Olson, Executive Director of Public Works.

In 2002, the City implemented the Septic Tank Elimination Program (STEP) to connect properties served by septic systems to the city sanitary sewer system. STEP Phases I through X have been completed. This new phase (Phase XI) will provide 95 service taps with 74 of those being connected to the homes in the Morning Sun Mobile Home Park and 21 connected to the homes on Tiffany Circle. CP&Y has submitted a proposal in the amount of \$105,920 to design the STEP Phase XI Project. Funding for this project is available in the 2013 Water and Sewer Bond. Staff recommends that the City Council authorize the City Manager, or designee, to enter into a PSA with CP&Y for the design and construction administration of the STEP Phase XI in the amount of \$105,920, and that the City Manager, or designee, be authorized to execute any and all changes to the contract within amounts set by state and local law.

*Motion was made by Mayor Pro Tem Kilpatrick to approve RS-19-010. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-19-011** Consider a memorandum/resolution authorizing a professional services agreement with Kimley-Horn & Associates, Inc. to develop land use assumptions and water, wastewater, and roadway impact fees in accordance with Texas Local Government Code Chapter 395.

**Staff Comments:** David Olson, Executive Director of Public Works.

In October 2018, City Council authorized the creation of the Capital Improvements Advisory Committee (CIAC). In order to move forward with work on Impact Fees, the CIAC must develop the following for council approval: land use assumptions, water impact fee study and CIP, wastewater impact fee study and CIP, and a roadway impact fee study and CIP. Kimley-Horn & Associates, Inc. has provided a proposal to develop the necessary documents for committee/council action in the amount of \$70,000. With funds being available in the FY2019 budget, staff recommends that City Council authorize the City Manager, or designee, to enter into a professional services agreement with Kimley-Horn & Associates, Inc. to develop land use assumptions and water, wastewater, and roadway impact fees in accordance with Texas Local Government Code Chapter 395 in the amount of \$70,000, and that the City Manager, or designee, is expressly authorized to execute any and all changes within the amounts set by state and local law.

*Motion was made by Councilmember Harris to approve RS-19-011. Motion was seconded by Mayor Pro Tem Kilpatrick. Motion carried unanimously.*

**RS-19-012** Consider a memorandum/resolution issuing Express Cab an operating authority.

**Staff Comments:** Kathy Davis, City Attorney.

Express Cab has filed an application seeking operating authority to provide taxi services in the city of Killeen. Upon approval; authorities are valid for 5 years and are not transferable, each vehicle must obtain and display a permit, and each driver must obtain a driver's permit from the police

department. Express Cab has operated in the city since 2007 without incident. The application submitted is complete and in compliance with ordinance requirements. Staff recommends approval of the operating authority application from Express Cab.

*Motion was made by Councilmember Johnson to approve RS-19-012. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.*

**RS-19-013** Consider a memorandum/resolution of support for Bell County Water Control and Improvement District #1 in its efforts to expand the district boundary to include all of its wholesale customers.

**Staff Comments:** David Olson, Executive Director of Public Works.

Mr. Olson gave a brief overview of the recent events associated with WCID #1: on 12/18/2018 WCID #1 board voted to expand the boundary to all wholesale water customers, increase the number of board members to 9 and to have governing bodies of each customer appoint board members; on 01/22/19 City Council directed city staff to prepare a resolution supporting the expansion of the boundary, and not to support the appointment of board members; and on 01/23/19 WCID #1 board voted to amend its proposal to expand the boundaries to all wholesale water customers, increase the number of board members to 7 with 1 ex-officio and continue to elect board members. Per the direction received during the January 22, 2019 workshop meeting, city staff recommends that the City Council adopt a resolution supporting the expansion of the boundary of Bell County Water Control & Improvement District #1, and not supporting the appointment of board members.

*Motion was made by Councilmember Nash-King to approve RS-19-013. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-19-014** Consider a memorandum/resolution confirming the City Auditor's annual evaluation and pay increase.

**Staff Comments:** Eva Bark, Executive Director of Human Resources.

Following City Council's annual evaluation of City Auditor Matt Grady on January 22, 2019 which resulted in an EXCELLENT review, council directed staff to submit a resolution supporting a 2% step pay increase be given to Mr. Grady.

*Motion was made by Mayor Pro Tem Kilpatrick to approve RS-19-014. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

## Ordinances

**OR-19-001** Consider an ordinance ordering a general election to be held on May 4, 2019 to elect a district council member for each district.

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 COUNCILMEMBER FOR EACH OF THE 4 DISTRICTS; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; 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, City Attorney.

The purpose of the 2019 General Election is being ordered to elect a district council member for each of the 4 districts. Ms. Davis reviewed the dates of application for name placement on ballots, as well as Election Day and early voting dates and times. In December 2018, city council discussed reducing the amount of Election Day polling locations from 13 to 8 resulting in 2 polling locations in each district. Staff recommends City Council approve the ordinance calling for a May 4, 2019 general election to elect a council member for each district.

*Motion was made by Councilmember Menking to approve OR-19-001. Motion was seconded by Councilmember Nash-King. Following discussions to retain 13 polling locations, Councilmember Nash-King made an amended motion to approve OR-19-001 with the 13 Election Day polling locations that were used during the 2018 General Election. Councilmember Johnson seconded the amended motion. Motion carried 4 to 1 with Councilmember Menking in opposition. Mayor Segarra called for a vote on the main motion as amended. Motion as amended, carried unanimously.*

**OR-19-002** Consider an ordinance amending Chapter 4, Article II, Municipal Ambulance Service.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING ARTICLE II, MUNICIPAL AMBULANCE SERVICE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

**Staff comments:** Brian Brank, Fire Chief.

Revisions of the ordinance include clarification of outdated definitions and language, updates to the current transportation practices and revises destinations of emergency trips to the most appropriate medical facility. Staff recommends that the City Council authorize amending Chapter 4 of the Code of Ordinances.

*Motion was made by Mayor Pro Tem Kilpatrick to approve OR-19-002. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

### Public Hearings

**PH-19-002 HOLD** a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize the carry forward of FY 2018 expenditure budgets to the FY 2019 budget.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2019 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS TO ESTABLISH THE STREET MAINTENANCE SPECIAL REVENUE FUND BUDGET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

**Staff comments:** Jon Locke, Executive Director of Finance.

Mr. Locke gave an overview of the proposed budget amendment that would increase revenue and expenditure accounts to establish the Street Maintenance Special Revenue Fund budget. Staff recommends that City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive - spoke against the budget amendment.

With no one else appearing, the public hearing was closed.

*Motion was made by Councilmember Nash-King to approve PH-19-002. Motion was seconded by Mayor Pro Tem Kilpatrick. Motion carried 3 to 2 with Councilmember Harris and Councilmember Johnson in opposition.*

**Adjournment**

With no further business, upon motion being made by Councilmember Johnson, seconded by Councilmember Menking, and unanimously approved, the meeting was adjourned at 5:47 p.m.