



# City of Killeen

## Legislation Text

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Consider Minutes of Regular City Council Meeting of March 14, 2017.

### **City of Killeen**

Regular City Council Meeting

Killeen City Hall

March 14, 2017 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 City Manager Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Gilman.

Councilmember Young gave the invocation, and Councilmember Okray 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. The motion carried unanimously.*

### **Citizens Petitions**

**CP-17-004** Shannon Cafagna (2305 Sunny Lane) - STEP Grant Enforcement

Mrs. Cafagna apologized for the harshness of her email. Mrs. Cafagna was opposed to the way patrol officers were bunched up on 190 and suggested officer be spaced out better. Mrs. Cafagna also stated that she was upset about the way she and her daughter were treated by officers during a recent call for assistance.

### **Minutes**

*Motion was made by Councilmember Kilpatrick to approve the minutes of the February 28th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### **Resolutions**

**RS-17-022** Consider a memorandum/resolution approving an Interlocal agreement with the Texas Department of Information Resources (DIR) for long distance telephone services.

**Staff comments:** Colen Wilson

The IT Services Department is seeking approval to use the Texas DIR contract with CenturyLink for long distance services. The current Sprint contract reflects a cost of 4.6 cents per minute. The new CenturyLink contract through the DIR is for 2.4 cents per minute. City staff recommends the City Council approve the interlocal agreement and authorize the City Manager to sign the agreement with the Texas DIR for long distance services with CenturyLink.

*Motion was made by Mayor Pro-Tem Moore to approve RS-17-022. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

**RS-17-023** Consider a memorandum/resolution updating authorized representatives for TexPool.

**Staff comments:** Jon Locke

Add	Remove	Remain
Ronald L. Olson, City Manager	Dennis M. Baldwin	Jonathan Locke
Judith Tangalin, Staff Accountant	Althea Davis	Karen Evans
		Latashia Cherry

*Motion was made by Councilmember Rivera to approve RS-17-023. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-17-024** Consider a memorandum/resolution appointing a replacement to the Technical Advisory Committee for the Killeen Temple Metropolitan Planning Organization.

**Staff comments:** David Olson

In 2013, a Technical Advisory Committee was formed by KTMPO to review technical issues and develop preferred technical alternatives for Policy Board action. The City Manager was appointed to serve as a voting member on the Committee. It is recommended that the City Council appoint Ronald L. Olson to replace Dennis Baldwin.

*Motion was made by Councilmember Rivera to approve RS-17-024. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-17-025** Consider a memorandum/resolution appointing members to various boards and commissions.

**Staff comments:** Kathy Davis

In order to make appointments and reappointments, City Council action is required. The chart below represents recent vacancies for terms beginning October 1, 2016.

**Arts Commission**

Current Member	Status	New Member	Comments
Mike Bartoszek	Declared vacant	Sean Payton	Music/Radio/TV

**Killeen Volunteers, Inc. (Sub-Comm: B. Moore, J. Kilpatrick)**

Current Member	Status	New Member	Comments
Alejandro Jimenez	Graduated	Olivia Winder	YAC Rep
Elizabeth Roberts	Resigned	Elizabeth Blackstone	Citizen Rep
TaNeika Driver-Moultrie	Resigned	Ralph Cossey	Citizen Rep

It is recommended that the City Council appoint the above New Member individuals to fill vacancies and

expired terms.

*Motion was made by Councilmember Kilpatrick to approve RS-17-025. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.*

**RS-17-026** Consider a memorandum/resolution to hold a Joint General Election with Killeen Independent School District.

**Staff comments:** Kathy Davis

The “Contract for Election Services - Early Voting” and “Contract for Election Services - Election Day” provides for voting conducted by the City Secretary on behalf of both entities. KISD will reimburse the City for its one-half (1/2) share of the personnel & equipment costs associated with conducting the voting. Staff recommends that the City Manager be authorized to execute the attached Contracts for Election Services, one for Early Voting and one for Election Day on behalf of the City of Killeen, Texas.

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

**RS-17-027** Consider a memorandum/resolution directing staff to halt the process of implementing impact fees for water, wastewater, and roadway facilities.

**Staff comments:** David Olson

On February 21, 2017, staff briefed the City Council on the status of the process, provided a proposed timeline for the adoption and effective date of an impact fee, and sought guidance regarding the creation of the statutorily-mandated Capital Improvements Advisory Committee. At the conclusion of the briefing, Council’s consensus was not to proceed with the implementation of impact fees. The recommendation is that the City Council formalize its February 21, 2017 consensus to direct staff to halt the implementation process for Impact Fees.

*Motion was made by Councilmember Young to disapprove RS-17-027 and instruct staff to proceed with the impact fee study. Motion was seconded by Councilmember Fleming. Motion carried 4 to 3 to proceed with the impact fee study with Councilmember Johnson, Councilmember Kilpatrick, and Councilmember Rivera opposing.*

**RS-17-028** Consider a memorandum/resolution approving a professional services agreement with McConnell & Jones, LLP for audit services.

**Staff comments:** Matthew Grady

On November 4, 2016, the City received and opened responses from eleven firms. A committee evaluated all eleven responses and presented its findings to the City Council on November 15, 2016. On November 22, 2016, the Council interviewed representatives from the three top selected firms, identified McConnell & Jones, LLP as the most qualified audit firm, and instructed the Audit Advisory Committee and staff to enter into negotiations with that firm. It is recommended that the City Council approve the Professional Services Agreement for Audit Services with McConnell Jones in the amount of \$394,456, and authorize the City Manager to execute such agreement, along with any and all change orders within the amount established by state and local law.

*Motion was made by Councilmember Kilpatrick to disapprove RS-17-028. Motion was seconded by Councilmember Rivera.*

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

Councilmember Fleming stated for the record that she believes the citizens want a forensic audit.

Councilmember Kilpatrick stated for the record that he takes offense to Councilmember Okray’s public attack on him by asking for his financial credentials that he bases his statements on.

*Motion to disapprove failed 2 to 5 with Councilmember Okray, Councilmember Fleming, Mayor Pro-Tem Moore, Councilmember Johnson, and Councilmember Young opposing.*

*Motion was made by Councilmember Okray to approve RS-17-028. Motion was seconded by Councilmember Fleming. Motion carried 5 to 2 with Councilmember Rivera and Councilmember Kilpatrick opposing.*

**RS-17-029** Consider a memorandum/resolution to delay effective date of Ordinance Number 16-064 until May 31, 2017

**Staff comments:** David Olson

During the March 7, 2017 workshop, concerns were raised regarding the application of the new policy and fee structure to lots that were already under development at the time the ordinance goes into effect. The City Council reached a consensus to delay the effective date of the ordinance to give the City Manager the opportunity to fully study the issue. If City Council wishes to delay the effective date of Ordinance 16-064 until May 31, 2017, staff recommends that City Council direct staff to review the ordinance with the development stakeholder committee, take all of their concerns into consideration, and bring back a recommendation prior to May 31, 2017.

*Motion was made by Councilmember Rivera to approve RS-17-029. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

## **Public Hearings**

**PH-17-011A** Consider a memorandum/resolution authorizing a competitive bid process for the purchase and installation of directional panel partitions (air walls) and a digital signage system for the Killeen Civic and Conference Center.

**Staff comments:** Leslie Hinkle

Over the past fifteen years, the mechanisms and tracking system on the air walls have failed, causing the air walls in the main ballroom to remain in positions that will not accommodate needs. Also, there is no indoor signage or wayfinding to identify events per room. Having a digital signage system would greatly enhance the appearance and functionality of the center. The air walls at Killeen Civic and Conference Center will cost approximately \$260,000, and the cost of the digital signage system is \$13,137. A budget amendment will be needed to provide funding for the total estimated cost. Staff recommends the City Council authorize competitive bidding for the purchase and installation of air walls for the Killeen Civic and Conference Center and also authorize the purchase of the digital signage system for facility use.

*Motion was made by Councilmember Kilpatrick to approve PH-17-011A. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**PH-17-011B** 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 increase special revenue expenditure accounts to provide funding for air walls and a digital signage system at the Killeen Civic and Conference Center.

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 INCREASE SPECIAL REVENUE EXPENDITURE ACCOUNTS TO PROVIDE FUNDING FOR AIR WALLS AND A DIGITAL SIGNAGE SYSTEM AT THE KILLEEN CIVIC AND CONFERENCE CENTER; 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

A budget amendment is needed for the purchase of the air walls and digital signage. The Killeen Civic and Conference Center expenditures are budgeted in the Hotel /Motel Occupancy Tax Fund. The budget amendment will increase expenditure accounts by \$273,137. The Hotel/Motel Occupancy Tax Fund has a FY 2017 projected ending fund balance of \$314,532. After this amendment, the projected ending fund balance will be \$41,395. Staff recommends City Council approve this ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services to provide funding for air walls and digital signage at the Killeen Civic and Conference Center.

Mayor Segarra opened the public hearing.

Ralph Cossey, Jr., 3811 Barbwire Dr. - requested that this item be adjusted so that all funding doesn't come out of this years' HOT funds so that Arts Commission grants are not affected.  
With no one appearing the public hearing was closed.

*Motion was made by Councilmember Rivera to approve PH-17-011B. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.*

**PH-17-012A** Consider a memorandum/resolution authorizing the City Manager to enter into a professional services agreement with SCS Engineers, Inc., to prepare and evaluate a request for proposal (RFP) for solid waste services for the City of Killeen.

**Staff comments:** David Olson

This agreement provides the scope and fees necessary to gather the pertinent information from City Staff and City Council to develop an RFP, prepare a baseline cost for City services in accordance with the RFP, evaluate the proposals received in accordance with the RFP, and provide a recommendation to City Council for action regarding the RFP.

City staff recommends that the City Council authorize the City Manager to enter into an agreement with SCS Engineers, Inc. for a professional engineering services agreement to prepare an RFP for Solid Waste Services for the City of Killeen, Texas, in the amount of \$89,900, and that the City Manager be authorized to execute any and all change orders within the amount established by state and local law.

*Motion was made by Councilmember Young to postpone this item and PH-17-012B until the first workshop in September so the City Manager has a chance to look over the issue. Motion was seconded by Councilmember Rivera.*

Councilmember Okray made a statement for the record. See attached.  
*Motion carried 5 to 2 with Councilmember Johnson and Councilmember Okray opposing.*

**POSTPONED**

**PH-17-012B** 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 increase Solid Waste expense accounts to provide funding for a professional services agreement.

**Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 6:22 p.m.