CITY OF KILLEEN
Regular City Council Meeting
Killeen City Hall
October 24, 2000
6:00 p.m.

Presiding: Mayor Maureen Jouett

Attending: Mayor Pro-Tem Kathy Gilmore and Councilmembers Scott Cosper, Sara Flores, Timothy Hancock, Jack Hayes, Hiram Reynolds, and Rich Ross

Also attending were City Manager David Blackburn, City Attorney Mary Kay Fischer, City Secretary Paula Miller, and Sergeant-at-Arms Carl Pergande

Councilmember Reynolds gave the invocation, and Councilmember Hayes led everyone in the pledge of allegiance.

APPROVAL OF AGENDA

Councilmember Ross moved to approve the agenda with the following changes: CP-1, CP-2, and Future Agenda Items after item OR-5, then OR-6 will be considered, followed by a Closed Meeting during which time the City Council meeting will be recessed. Following the Closed Meeting, the City Council will reconvene to consider OR-7. Councilmember Flores seconded the motion, and the motion was unanimously approved.

PRESENTATIONS

PR-1 Presentation – Councilmember Jack Hayes

Mayor Jouett presented a plaque to Councilmember Hayes in recognition of his 1½-year term on the City Council as well as a plaque thanking him for his service on the Airport Expansion Committee.

PR-2 Presentation – NCO of the Year – Sgt. James W. Vasquez

Mayor Jouett presented Sgt. James W. Vasquez with a City coin in recognition of his selection as the NCO of the Year at Fort Hood.

PR-3 Presentation – Soldier of the Year – SPC Steven D. Valvano

Mayor Jouett presented SPC Steven D. Valvano with a City coin in recognition of his selection as the Soldier of the Year at Fort Hood.

PR-4 Presentation – Awards to Fire Prevention Month Winners – Tony White

Fire Marshal Tony White presented awards to Fire Prevention Month winners, and he thanked the schools, children, and parents who participated in this year's events.

PR-5 Proclamation – Chamber of Commerce Week – Roy Wolfe

Mayor Jouett read a proclamation declaring October 23-27 as Chamber of Commerce Week and presented it to Roy Wolfe and Victor Morgenroth.

PR-6 Proclamation – Make a Difference Day in Killeen – Joyce Hodson

Mayor Jouett read a proclamation declaring October 28 as Make a Difference Day in Killeen and presented it to Director of Volunteer Services Joyce Hodson.

PR-7 Presentation of Certificate to Killeen Civic Art Guild – Don Moore

Dr. Ann Farris, on behalf of the Arts Commission, presented a certificate of appreciation to the Killeen Civil Art Guild for their encouragement of the arts.

PR-8 Presentation of Certificate to Vive Les Arts – Paula Lohse

Dr. Ann Farris presented a certificate of appreciation to Vive Les Arts for the programs and events the organization sponsors.

PR-9 Presentation – Killeen Sister Cities International Festival – Lisa Humphreys

Mayor Jouett read a proclamation declaring November 4-5 as Killeen Sister Cities International Weekend and presented it to Lisa Humphreys. She also presented a certificate of achievement to Edwin K. Maunakea, Jr. for his outstanding performance on behalf of the organization. Lisa Humphreys read a message to the city from Osan City, Korea.

PR-10 Proclamation – Home Care Month in Killeen – Abby White

Mayor Jouett read a proclamation declaring November as Home Care Month and presented it to Abby White.

PR-11 Other

Mayor Jouett recognized members of Scout Troop #228 who were attending the City Council meeting as part of a merit badge award.

CONSENT AGENDA

CA-1 Consider minutes of Regular City Council Meeting of October 10, 2000.

CA-2 Consider a memorandum/resolution [00-101R] authorizing the purchase of a Pumper Truck through the Houston-Galveston Area Council of Governments for $189,124.93.

CA-4 Consider the award of bid #2000-46 for the purchase of thirteen Police Pursuit

Vehicles to Centroplex Ford of Killeen for $270,803.00.

CA-6 Consider a memorandum/resolution [00-102R] concerning Passenger Facility Charges at the Killeen Municipal Airport.

CA-7 Consider a memorandum/resolution [00-103R] authorizing the abandonment of a fifteen-foot utility easement located south of East Rancier Avenue and west of Twin Creek Drive.

CA-8 Consider a memorandum/resolution [00-104R] authorizing an agreement with Police Executive Research Forum for management services.

Councilmember Hayes moved to approve the above items on the Consent Agenda, seconded by Councilmember Ross. The motion was approved unanimously.

CA-3 Consider the award of bid #2000-43 for the construction of the Transfer Station Repair Project to Vanguard Contractors of Temple for $234,000.00.

Director of Public Works Bruce Butscher advised this bid was for various reconstruction and rebuilding projects at the Transfer Station. No work has been done on the facility since it was originally constructed, and improvements are necessary. The Transfer Station will be closed for three weeks beginning November 27, and the contract has a penalty provision for every day that the contractor exceeds the three weeks. During that three-week period, part of the solid waste collection will go to Temple or Copperas Cove, and part of the waste will be hauled by the City. Residential customers should see no effect in pickup; however, direct delivery to the Transfer Station is discouraged during this period.

Mayor Pro-Tem Gilmore moved to approve the award of bid, seconded by Councilmember Flores. The motion was unanimously approved.

CA-5 Consider a memorandum/resolution authorizing a contract with IT Nexus of Newalla, Oklahoma for $38,800 to prepare a needs assessment and GIS Master Plan.

Councilmember Hayes noted he asked for this item to be considered separately to brief the citizens. While it is a small project, it is very important since it will design the master plan for the global information system. That will be the core of the City's computer system for the next five to ten years. The Technology Committee interviewed four vendors, and IT Nexus was the unanimously consensus of the Committee. Mayor Jouett and Councilmember Reynolds also serve on the Technology Committee.

Councilmember Reynolds moved to approve the resolution [00-105R], seconded by Councilmember Hancock. The motion was unanimously approved.

PUBLIC HEARINGS / ORDINANCES

PH-1 **HOLD** a public hearing and consider an ordinance amending the 2000-2001 Annual Budget and Plan of Municipal Service by utilizing funds from the Solid Waste Operating Fund for the purchase of land for the expansion of the Killeen Recycling Center.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE FY 2000/2001 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY UTILIZING AVAILABLE FUNDS FROM THE SOLID WASTE OPERATING FUND AND ESTABLISHING SOLID WASTE FUND, ACCOUNT NUMBER 540-3470-439.60-03, LAND, IN THE AMOUNT OF $72,000; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

The City Council authorized purchasing property for the expansion of the Recycling Center. The property is adjacent to the present facility. This ordinance will authorize purchasing the property from the Solid Waste Operating Fund.

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

Councilmember Ross moved to approve the ordinance [00-76], seconded by Mayor Pro-Tem Gilmore. The motion was approved unanimously.

ORDINANCES / RESOLUTIONS

OR-1 Consider an ordinance authorizing the issuance and sale of City of Killeen, Texas, Limited Tax Notes, Series 2000; providing for the security for and payment of said notes; prescribing the form of said notes; awarding the sale thereof; approving the Official Statement; and enacting other provisions relating to the subject.

The caption of the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF KILLEEN, TEXAS, LIMITED TAX NOTES, SERIES 2000; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID NOTES; PRESCRIBING THE FORM OF SAID NOTES; AWARDING THE SALE THEREOF; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.

Finance Director Connie Green announced that bids had been received earlier today. He further noted Standard and Poors increased its credit rating of the City from A+ to AA-. Dan Wegmiller of First Southwest advised the bids for the City's bonds were all submitted via the Internet. Those bidders and the rates are as follows:

Paine Webber Incorporated – 4.7725%

Coastal Securities – 4.78924%
A.G. Edwards & Sons, Inc. – 4,809401%
Morgan Keegan & Co., Inc. – 4.82325%
First Southwest Company – 4.83061%
Southwest Securities – 4.84765%

Mr. Wegmiller recommended the bid be awarded to the low bidder, Paine Webber Incorporated.

Mayor Pro-Tem Gilmore moved to approve the ordinance [00-77] as recommended by First Southwest Company, seconded by Councilmember Hayes. The motion was approved unanimously.

OR-2 Consider a resolution approving the Preliminary Offering Statement prepared for the issuance of Combination Tax and Hotel Tax and Civic Center Revenue Certificates of Obligation, Series 2000.

Director Green said this Preliminary Offering Statement relates to the Civil Center certificates of obligation, and it gives the agencies that bid the needed financial information.

Councilmember Flores moved to approve the resolution [00-106R], seconded by Councilmember Ross. The motion was approved unanimously.

OR-3 Consider an ordinance amending Chapter 18 of the Code of Ordinances dealing with certain nuisances including the abatement of high weeds and grass, care of premises, and the removal of junk vehicles.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING CHAPTER 18, BY REORGANIZING ARTICLES I THROUGH IV AND ESTABLISHING ARTICLES I THROUGH VI PROVIDING FOR NOTIFICATION AND ABATEMENT OF PUBLIC NUISANCES; RENUMBERING JUNKED MOTOR VEHICLES TO ARTICLE V, AND AMENDING IT TO PROVIDE FOR NOTIFICATION AND ABATEMENT OF PUBLIC NUISANCES; PROVIDING A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

City Manager Blackburn noted this revised ordinance had a number of objectives: (1) to comply with current state law; (2) add stagnant water and unsanitary conditions as additional nuisances; and (3) made the ordinance easier to read and interpret for staff and citizens.

Councilmember Ross moved to approve the ordinance [00-78], seconded by Councilmember Hancock. The motion was approved unanimously.

OR-4 Consider an ordinance amending the ordinance concerning Zoning Board of Adjustments to provide for the appointment of two alternate members.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING OF CHAPTER 31, ARTICLE II, DIVISION 3, OF THE CITY OF KILLEEN CODE OF ORDINANCES, BY ADDING ALTERNATE MEMBERS TO THE ZONING BOARD OF ADJUSTMENT; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

City Manager Blackburn advised the Zoning Board of Adjustment is comprised of seven members who meet as needed when requests for variances are received. Because the board meets irregularly, it is often difficult to obtain a quorum. The proposed ordinance would add two alternate members as recommended by the board at its September 26 meeting.

Councilmember Hayes moved to approve the ordinance [00-79], seconded by Councilmember Ross. The motion was approved unanimously.

OR-5 Consider a memorandum/resolution [00-107R] appointing members to various boards and commissions.

Board of Adjustments & Appeals – Construction Board: Councilmember Reynolds moved to reappoint Daniel Reeder and to appoint Charles Cosper to replace H. L. Culp. Councilmember Flores seconded the motion, and it was unanimously approved.

Airport Expansion Committee: Councilmember Ross moved to appoint Mayor Pro-Tem Gilmore to replace Councilmember Hayes, seconded by Councilmember Hayes. The motion was unanimously approved.

Housing Authority of Killeen: Mayor Pro-Tem Gilmore moved to reappoint Daniel J. Bray, Donald W. Jaszkowski, and Arthur H. Trujillo, seconded by Councilmember Reynolds. The motion was approved 6-0-1 (Councilmember Hayes abstained).

KVI – Youth Advisory Commission: Councilmember Flores moved to appoint Phillip Bannister to replace Alexis Angell, Danielle Brown to replace Phillip Bannister, Dalita Brown to replace Toni Bowers, David Castandea to replace Cathy Cannon, Brynn Reynolds to replace David Castaneda, Rickie Cayton to replace Jennifer Fonville, Kyle Champion to replace Jared Foster, Maritza Contreras to replace Tammy Foster, Jennifer Fonville to replace Margaret Garcia, Sara Hinojosa to replace Jenell Hamilton, Jonathan Hodson to replace James Hodson, James Hodson to replace Jill Hollis, Rebecca Kennelly to replace Prishna Jiminez, Mary Lee to replace Travis Lewis, Matt Lee to replace Amanda Malmgren, Christian Lopez to replace Melissa Malmgren, Melissa Malmgren to replace Twelvis Matthews, Amanda Malmgren to replace Lucy Matkin, Twelvis Matthews to replace Julie Matkin, Senaah Mitnaul to replace Kristen Meadows, Garry Mitnaul to be reappointed, Nelina Moffett to replace Senaah Mitnaul, John Reynolds to replace Mary Pollard, Kye Robertson to replace Andrea Powell, Taysha Robertson to replace Brynn Reynolds, Priscilla Suggs to replace John Reynolds, Christopher Taynor to replace Taysha Robertson, Brandi Tennant to replace Christine Sion, Marissa Washington to replace Constance Troupe, Jonathan Westerfield to replace Jessica Winans. In addition Councilmember Flores

moved to reappoint Scott Cosper, Sara Flores, Reita Hill, Maureen Jouett, and Jim Yeonopolus. Councilmember Cosper seconded the motion, and it was unanimously approved.

Planning & Zoning Commission: Councilmember Hancock moved to appoint Eugene Kim to replace Rex Weaver, seconded by Councilmember Hayes. The motion was unanimously approved.

CITIZENS PETITIONS AND INFORMATION

CP-1 City Fees Related to Developers – Jules Petit

Jules Petit, 4608 Acorn Creek Trail, referred to a petition he had delivered to the City Council relating to City fees paid by developers. He believed all developers should pay the full cost of service like any other service. The amount that would be passed on to individual homebuyers would not have a big impact on the consumer. Councilmember Reynolds disagreed with Mr. Petit and did not feel developers were taking advantage of the City.

CP-2 Protected Left Turn Signals – Kim Kerr (10th and Business 190; 10th and Rancier; and W. S. Young and Terrace)

Kim Kerr, 901 Duncan, pointed out that these three intersections were very dangerous, and she asked that protected left turns be installed at each location. City Manager Blackburn said the City has reviewed the situation at W.S. Young and Terrace several times since 1995. After each review, it was recommended that protected left turns on W.S. Young not be installed since they would make the intersection more dangerous. With regard to 10th Street, both Rancier and Business 190 are state highways, and the City asked the Texas Department of Transportation to review both locations. TxDOT recommended a retiming schedule to allow more time for left turns. City Manager Blackburn said he would have further discussions with TxDOT. Mayor Jouett suggested a workshop discussion with the City Engineer on this subject.

FUTURE AGENDA ITEMS AND COUNCIL AND CITY MANAGER ANNOUNCEMENTS

Councilmember Hayes said that economic growth is the key to the city's continued growth, and he encouraged continued efforts to bring business to the city. He noted early voting has begun and encouraged everyone to participate. He thanked everyone for the support they have given him during the one and a half years on the City Council.

The Mayor and all Councilmembers thanked Mr. Hayes for his service.

Mayor Pro-Tem Gilmore reminded citizens of the last public hearing for the Charter Revision Committee at Rancier Middle School on October 26.

Mayor Jouett outlined Halloween activities at the Special Events Center. She announced a groundbreaking ceremony for the Joint Use Airport on October 30 at 2:00 p.m. at the site.

OR-6 Consider accepting the resignation of Councilmember Jack Hayes.

Councilmember Ross moved to accept the resignation of Councilmember Jack Hayes, seconded by Mayor Pro-Tem Gilmore. The motion was approved 6-0-1 (Councilmember Hayes abstained).

CLOSED MEETING

Pursuant to the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 *et seq.*], the Mayor called a Closed Meeting of the City Council on the 24th day of October 2000, at 8:36 p.m. under the authority of Section 551.074—Personnel Matters. The City Council discussed the selection and appointment of a Ward #1 Councilmember.

The City Council completed its Closed Meeting at 10:47 p.m. and reconvened the regular meeting.

OR-7 Consider a memorandum/resolution appointing a Councilmember – Ward #1 to fill the unexpired term of Jack Hayes.

City Manager Blackburn said this resolution was required in order to fill the unexpired term of Ward 1 Councilmember. This appointment will serve until the May 2001 election.

Mayor Jouett thanked all the candidates who had applied.

Councilmember Hancock moved to approve the resolution [00-108R] appointing Gary Purser, Sr., seconded by Mayor Pro-Tem Gilmore. The motion was approved 6-0.

ADJOURNMENT

There being no further business, upon motion being made by Councilmember Flores and unanimously approved, the meeting was adjourned at 10:52 p.m.

Maureen J. Jouett

Maureen J. Jouett, Mayor

Paula A. Miller

Paula A. Miller, City Secretary