

City of Killeen
Regular City Council Meeting
Killeen City Hall
August 26, 2014 at 5:00 p.m.

Presiding: Mayor Scott Cospers

Attending: Mayor Pro-Tem Elizabeth Blackstone, Council members Terry Clark, Wayne Gilmore, Steve Harris, Jonathan Okray, and Jose Segarra
Councilmember Juan Rivera was not present when the meeting was called to order but came in during the invocation.

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Bradley.

Councilmember Okray gave the invocation, and Councilmember Clark led everyone in the pledge of allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Blackstone to approve the agenda as written. Motion seconded by Councilmember Gilmore. The motion carried unanimously.

Discussion Items

DS-14-097 Discuss and Consider any changes to the FY14-15 Proposed Annual Budget
City Manager Glenn Morrison advised that this was the final opportunity for any changes the council might have to the proposed budget. Councilmember Harris proposed removing the pay raises for employees pending an evaluation of certain obligations next year. Councilmember Okray stated his concerns regarding the cost of medical and health benefits. Councilmember Rivera stated he believes the city manager knows what he's doing and feels the council should listen to his recommendations. Mayor Cospers stated that there was no consensus to remove the pay raises so the budget will go forward as presented. Adoption of the budget is scheduled for September 9th.

Consent Agenda

CA-14-112 Consider minutes of Regular City Council meeting of August 12, 2014.
No changes.

CA-14-113 Consider a memorandum/resolution authorizing the award of Bid 14-18 for the KISD Elementary School #33 Sidewalk Improvements Project construction contract.

Staff comments: George Lueck

Mr. Lueck gave a brief description of the project. Five bidders submitted bids on the project. The lowest responsible bidder was JHL Construction in the amount of \$121,534.90.

City staff recommends that City Council award the construction contract to JHL Construction in the amount of \$121,534.90 and that the City Manager be expressly authorized to execute any and all change orders within the amount set by state and local law.

- CA-14-114** Consider a memorandum/resolution authorizing a contract for professional services to design improvements for the Stewart Neighborhood Project (Stewart Street from Rancier Avenue to Duncan Avenue).

Staff comments: George Lueck

Under the agreement, Mitchell & Associates, Inc. would define and clarify the requirements for the Project, providing design drawings and specifications for the bidding process. City staff recommends the City Council authorize the City Manager to enter into an agreement with Mitchell & Associates, Inc. in the amount of \$64,700 for engineering services associated with the Project.

- CA-14-115** Consider a memorandum/resolution authorizing the City Manager to enter into a grant agreement with the Texas Department of Transportation for reimbursable STEP grant funds.

Staff comments: Assistant Chief Longwell

The STEP grant monies will be used to work speed enforcement on designated portions of US Highway 190, Central Texas Expressway, Elms Road, WS Young Dr., Clear Creek Road, Trimmier Road and FT Hood St. The overall objective of this program is to increase vehicle operator's compliance rate in the targeted areas in the city by applying focused aggressive enforcement of Speed, DWI, Intersection Traffic Control, and Distracted Driving violations. This grant will run from October 1, 2014 through September 30, 2015. It is recommended that the City Council approve this resolution and authorize the City Manager to sign an agreement with TXDOT on behalf of the City of Killeen for receipt of up to \$99,246 in reimbursable STEP grant funds.

- CA-14-116** 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. Rate increases are based upon the Consumer Price Index rates of increase since each fee was last adjusted. Staff recommends City Council approve Addendum No. 2 to the American Airlines, Inc. lease agreement, Addendum No. 5 to the Delta Air Lines, Inc. lease agreement, and Addendum No. 2 to the United Airlines, Inc. lease agreement, extending all three airlines for a duration of one year from October 1, 2014 through September 30, 2015 and authorize the City Manager to execute same.

CA-14-117 Consider a memorandum/resolution authorizing the award of a contract to Bell Contractors, Inc., to construct the Lift Station No. 23 Expansion Project.

Staff comments: Steve Kana

Mr. Kana gave a brief description of the project. Seven contractors submitted bids on this project. Staff recommends that the City Council authorize the City Manager to enter into a contract with Bell Contractors, Inc., in the amount of \$1,109,756.00 to construct the Lift Station No. 23 Expansion Project. Staff also recommends that the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law.

CA-14-118 Consider a memorandum/resolution approving the investment report for the quarter ended June 30, 2014.

Staff comments: Martie Simpson

The investment report summarizes all investment activity for the quarter that ended June 30, 2014. Susan Anderson, Valley View Consultant, gave a brief review of the report. Staff recommends that the City Council approve the attached investment report for the quarter that ended June 30, 2014.

CA-14-119 Consider a memorandum/resolution authorizing the City Manager to enter into the eighth supplement and amendment to the City of Killeen's waste disposal contract with Bell County Water Control and Improvement District No. 1 for the financing, design, and construction of improvements to the South Wastewater Treatment Plant.

Staff comments: John Sutton

City management and district management have been exploring potential options to address organic loadings exceeding the design criteria at the South Wastewater Treatment Plant (SWWTP). Following several third party reviews completed by both the City and the District, it has been determined that moving forward with the modifications is necessary at this time. The fiscal impact associated with this action includes authorizing the issuance of \$8,190,000 in Series 2014 Sewer System Revenue Bonds and \$24,300,000 in Series 2014 Sewer System Refunding Bonds at approximately 2.86% (fixed rate) by the District on behalf of the City. Staff recommends that City Council authorize the Mayor, the City Manager and the City Secretary to execute and/or attest to the attached documents and, further, that they be authorized to take such further actions and execute and/or attest to such further documents as may be necessary to implement the provisions and intent of this resolution and the attached documents.

CA-14-120 Consider a memorandum/resolution approving the appointment of an Executive Director of Human Resources.

Staff comments: Dr. Ann Farris

The Executive Director of Human Resources position was advertised in a variety of outlets. The eligibility list included 44 applicants. Of the candidates, Eva Bark was selected to serve as Executive Director of Human Resources.

Motion was made by Mayor Pro-Tem Blackstone to approve Consent Agenda items 112 through 120, as presented. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

Public Hearings / Ordinances

PH-14-054 HOLD a public hearing and consider an ordinance requested by Six Westheimer Retail, Ltd. (Case #Z14-23) to rezone Lot 18, Block 1, Killeen Industrial Foundation, from "M-1" (Manufacturing District) to "B-5" (Business District). The property is locally known as 3001 Atkinson Avenue, 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 M-1 (MANUFACTURING DISTRICT) TO B-5 (BUSINESS DISTRICT); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The property owners are requesting approval of a request for a change of zoning from "M-1" (Manufacturing District) to "B-5" (Business District) for a future Walmart development at 3001 Atkinson Avenue, Killeen, Texas. The staff notified seven (7) surrounding property owners within a 200 foot notification boundary regarding this request. There have been no protests. The Planning and Zoning Commission voted 5 to 0 to approve the applicant's request.

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

Motion was made by Councilmember Okray to approve PH-14-054. Motion was seconded by Councilmember Gilmore. Motion carried unanimously.

PH-14-055 HOLD a public hearing and consider an ordinance requested by W.B.W. Land Investments, LP (Case #Z14-20) to rezone approximately 9.892 acres, being part of the Azra Webb Survey, Abstract No. 857, from "A-R1" (Agricultural Single-Family Residential District) to "SR-1" (Suburban Residential Single-Family District). The property is located on the north right-of-way of Stagecoach Road, west of Rein 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 CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM A-R1 (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT) TO SR-1 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DISTRICT); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

This item was brought to the council in May 2014. The council did not approve it and it has now come back to the council with changes.

The staff notified thirty-two (32) surrounding property owners within a 200 foot notification boundary regarding this request. Staff has received responses from 13 individuals. A total of 12 property owners within the 200' notification boundary have protested this zoning request. This amounts to 16% opposition to this request. The Planning and Zoning Commission recommended approval of the "SR-1" (Suburban Residential Single-Family District) zoning request by a vote of 5 to 0. The district is an appropriate zoning for this area as designated in the Comprehensive Plan.

Mayor Cosper opened the public hearing.

Kathy Harkin, 6607 Rein Dr. – Spoke in opposition of the request. Ms. Harkin gave a brief report on her findings of current vacant homes and the value of those homes. Ms. Harkin is willing to accept SR-1 zoning on the whole property but would like a transition area between her neighborhood and the proposed SR-1 property.

Josh Welch, 3000 Illinois Ave., representative with the developer – Mr. Welch gave a brief history of the first zoning request and the changes made since then. Mr. Welch spoke in favor of the request.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Rivera to approve PH-14-055. Motion was seconded by Councilmember Segarra. Motion carried 4 to 3 with Councilmember Okray, Councilmember Clark and Councilmember Harris opposing.

Ordinances / Resolutions

OR-14-027 Consider an ordinance amending Chapter 2, Article VI, Section 2-150 (a) Aviation Fees.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, OF THE CITY OF KILLEEN CODE OF ORDINANCES, BY AMENDING SECTION 2-150 (a) AVIATION FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Staff comments: Matthew Van Valkenburgh

The proposed ordinance is to amend certain fees for Aviation (Killeen-Fort Hood Regional Airport). The proposed rate change is to be effective October 1, 2014 and is estimated to result in approximately \$5,004 annual increased revenue in Air Carrier Operations and approximately \$8,199 annual increased revenue in Airport Use Fees. Staff recommends adoption of the proposed ordinance approving and codifying fees charged at the Killeen-Fort Hood Regional Airport.

Motion was made by Councilmember Clark to approve OR-14-027. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Blackstone, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 5:33 p.m.

Scott Cospers, Mayor

Dianna Barker, City Secretary