

City of Killeen
Regular City Council Meeting
Killeen City Hall
April 14, 2009
6:00 p.m.

Presiding: Mayor Timothy L. Hancock

Attending: Mayor Pro-Tem Fred Latham and Councilmembers Larry Cole, Scott Cosper, Otis Evans, Juan Rivera, Kenny Wells, and Billy Workman

Also attending were City Manager Connie Green, City Attorney Kathryn Davis, City Secretary Paula Miller, and Sergeant-at-Arms Sam Ellis

Councilmember Evans gave the invocation, and Councilmember Cole led everyone in the pledge of allegiance.

Approval of Agenda

Mayor Pro-Tem Latham moved to approve the agenda as written, seconded by Councilmember Rivera. The motion was unanimously approved.

Presentations

PR-1 Proclamation - National Day of Prayer

Mayor Hancock read a proclamation declaring May 7 as National Day of Prayer and presented it to Reverend Joda Weston.

PR-2 Proclamation - Celebrate Killeen Festival

Mayor Hancock read a proclamation declaring April 25 as Celebrate Killeen Festival and presented it to Gerald Skidmore.

PR-3 Proclamation - Volunteer Appreciation Week

Mayor Hancock read a proclamation declaring April 19-25 as Volunteer Appreciation Week and presented it to Richard Hernandez.

PR-4 Proclamation - Arbor Day

Mayor Hancock read a proclamation declaring April 24 as Arbor Day and presented it to Glenn Melton.

PR-5 Proclamation – Bob Gray Day

Mayor Hancock read a proclamation declaring April 18 as Bob Gray Day and presented it to Mark Manning.

Consent Agenda

- CA-1 Consider minutes of Regular City Council Meeting of March 17, 2009.
- CA-2 Consider a memorandum/resolution [09-051R] approving a Federal Aviation Administration Grant acceptance ratification for the Killeen-Fort Hood Regional Airport.
- CA-3 Consider a memorandum/resolution [09-052R] for the procurement of radios and equipment from Dailey-Wells Communications for the Fire Department, Police Department and Emergency Management.
- CA-4 Consider a memorandum/resolution [09-053R] approving procurement of two tractors with one batwing mower and one rotary mower through the HGAC State Cooperative for the Solid Waste Mowing Division.
- CA-6 Consider a memorandum/resolution [09-054R] accepting a Texas Department of Transportation (TXDOT) Selective Traffic Enforcement Program (STEP) for Click It or Ticket grant for the Police Department.
- CA-7 Consider a memorandum/resolution [09-055R] awarding Bid No. 08-35 police motorcycles with emergency equipment installed.
- CA-9 Consider a memorandum/resolution [09-056R] authorizing the award of RFP 09-03 Cisco Smartnet Services.
- CA-10 Consider a memorandum/resolution [09-057R] approving a Memorandum of Understanding regarding the Cen-Tex Sustainable Communities Partnership between Fort Hood, City of Killeen, City of Gatesville, City of Harker Heights and the City of Copperas Cove.
- CA-11 Consider a memorandum/resolution [09-058R] approving an application by Super Saver Shuttle Transportation Services for a “Ground Transportation Service Operating Authority Permit.”
- CA-12 Consider a memorandum/resolution [09-059R] approving a city/owner agreement in principle to Oversize Selected Sanitary Sewer Infrastructure Associated with NSW Clear Creek Addition (Re-Plat) subdivision and to declare the sewer extension a pro rata line.

Mayor Pro-Tem Latham moved to approve the above items on the Consent Agenda, seconded by Councilmember Wells. The motion was approved unanimously.

- CA-5 Consider a memorandum/resolution supporting the Killeen Tremont Apartment Homes application to the Texas Department of Housing and Community Affairs for the FY 2009 Low Income Housing Tax Credit Program.

Community Director Leslie Hinkle explained the Killeen Tremont Apartment Homes was planned for 112 one- and two-bedroom apartments for the elderly aged 55 and up to provide affordable rental housing for those earning sixty percent and below the area median income. The apartments will be located at 1600 Bacon Ranch Road and have all amenities.

Councilmember Workman moved to approve the resolution [09-060R], seconded by Councilmember Rivera. The motion was unanimously approved.

- CA-8 Consider a memorandum/resolution authorizing the City Manager to execute a contract with Kendig Keast Collaborative for the development of a comprehensive plan for the City of Killeen.

The Land Use Planning Committee looked at the proposals of the final two consultants and determined that Kendig Keast Collaborative had the most experience in this area. Bret Keast advised the process will take twelve to eighteen months and will involve planning and zoning meetings and workshops as well as a community symposium. The plan will map out land use and growth, along with infrastructure needs and planning.

Councilmember Cole moved to approve the resolution [09-061R], seconded by Councilmember Evans. The motion was unanimously approved.

Public Hearings / Ordinances

- PH-1 **HOLD** a public hearing and consider an ordinance amending the 2008-2009 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenues and expenses in the various library memorial fund accounts.

The caption of the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2008-2009 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE LIBRARY MEMORIAL FUND REVENUE AND EXPENDITURE ACCOUNTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

The City has received awards from the Texas State Library and Archives Commission in the amount of \$14,060 and from the Great Stories Club in the amount of \$100. The \$100 will be used to provide snacks at book club meetings for students. The Lone Star grant will be used to purchase a CD/DVD inspection and repair system, display units, metal park benches, and to remove a wall between tiny rooms to create a small study room.

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

Councilmember Cole moved to approve the ordinance [09-025], seconded by Councilmember Wells. The motion was approved unanimously.

- PH-2 A. **HOLD** a public hearing to provide citizens the opportunity to comment on the Interlocal Agreement of the Edward Byrne Memorial Justice Grant (JAG) for FY 2009-10.

B. Consider a memorandum/resolution for the City Council to discuss and take action on the Interlocal Agreement and application of the Edward Byrne Memorial Justice Grant (JAG) for FY 2009-10.

The Department of Justice has awarded a total of \$554,756, of which \$352,570 will be distributed to the City, and a memorandum of understanding will be signed by the City, Bell County, City of Temple, City of Belton, and City of Harker Heights.

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

Mayor Pro-Tem Latham moved to approve the resolution [09-062R], seconded by Councilmember Rivera. The motion was approved unanimously.

Ordinances / Resolutions

OR-1 Consider an ordinance appointing replacement presiding and alternate election judges for Precinct #403.

The caption of the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING ORDINANCE NO. 09-004 APPOINTING THE PRESIDING AND ALTERNATE JUDGES FOR PRECINCT 403; PROVIDING FOR AN EFFECTIVE DATE.

Both the presiding and alternate judges for Precinct #403 have advised the City Secretary that they will be unable to serve in the City's May 9 general election. Lawrence Simmons has agreed to act as presiding judge, and Ardella Nesbit has agreed to serve as alternate judge.

Mayor Pro-Tem Latham moved to approve the ordinance [09-026], seconded by Councilmember Evans. The motion was approved unanimously.

OR-2 Consider a memorandum/resolution [09-063R] declaring a vacancy on the Community Development Advisory Committee and appointing a member.

Mayor Pro-Tem Latham moved to appoint Kim Barr to replace Debbie McKinney, seconded by Councilmember Cospier. The motion was approved unanimously.

OR-3 Consider an ordinance amending Chapter 31, Section 31-39, Administration and Enforcement Section of the City of Killeen's Code of Ordinances.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; AMENDING ARTICLE II, ADMINISTRATION AND ENFORCEMENT, BY REVISING ZONING PROVISIONS CONCERNING AMENDMENTS;

PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

This amendment addresses several shortcomings in the current code. Specific language has been added to include overlay districts to the same standards as other rezoning requests that receive an unfavorable recommendation from the Planning and Zoning Commission. In addition, the section relating to a three-fourth's majority vote has been revised by correspond to the Local Government Code, and the limitations on resubmissions has been revised to be clearer.

Councilmember Cole moved to approve the ordinance [09-027], seconded by Councilmember Evans. The motion was approved unanimously.

Citizens Petitions and Information

CP-1 Douglas McKinney Jr. (1706 Hooten Street) - Ordinance in Reference to Blocking Sidewalks

Mr. McKinney did not appear.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Latham, seconded by Councilmember Rivera, and unanimously approved, the meeting was adjourned at 6:43 p.m.

Timothy L. Hancock, Mayor

Paula Miller, City Secretary