

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
May 12, 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 David Orr

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 with the deletion of OR-1, seconded by Councilmember Evans. The motion was unanimously approved.

**Presentations**

PR-1 Proclamation - Asian Pacific Heritage Month

Mayor Hancock read a proclamation declaring May as Asian Pacific Heritage Month and presented it to Lisa Humphreys.

PR-2 Proclamation - Public Works Week

Mayor Hancock read a proclamation declaring May 17-23 as Public Works Week and presented it to James Butler.

PR-3 Presentation - Quarterly Police Briefing

Chief of Police Dennis Baldwin presented the department's quarterly briefing. Crime statistics for the first quarter of 2009 show an improvement from the same period of 2008, and efforts among the department, citizens, and the City Council are having an effect. The red light camera program appears to be having an influence on compliance with signalization all over town.

PR-4 Proclamation – Killeen's 127<sup>th</sup> Birthday

Mayor Hancock read a proclamation honoring Killeen's 127<sup>th</sup> Birthday and presented it to City Manager Green for display at City Hall.

**Consent Agenda**

CA-1 Consider minutes of Regular City Council Meeting of April 28, 2009.

CA-10 Consider a memorandum/resolution [09-068R] ratifying emergency award of Bid No. 09-18 for construction of the 27" diameter wastewater interceptor repair project (Monte Carlo).

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

CA-2 Consider a memorandum/resolution authorizing the award of Bid No. 09-17 for the construction portion of the Lake Road Waterline project.

Bids were received on April 15 for the construction of the Lake Road waterline project for a sixteen-inch line from Pump Station 5 to the new Bundrant elevated water tank and a twelve-inch line to connect to the downtown tank. Twelve bids were received, ranging in price from a low of \$656,325.72 to a high of \$1,092,190.00. The low bidder was Bell Contractors and was approximately \$34,000 under the estimated project cost. The Water, Sewer, Drainage Committee recommended awarding the bid to the low bidder.

Mayor Pro-Tem Latham moved to approve the resolution [09-069R], seconded by Councilmember Workman. The motion was unanimously approved.

CA-3 Consider a memorandum/resolution rejecting bids for the Teleconferencing Equipment for the Municipal Courtroom (Bid No. 09-09) and authorizing staff to proceed with readvertising.

After reviewing the requirements and the facilities of the Municipal Court courtroom, it was determined the bid did not apply to certain areas and was not adequately designed. The current system that was not working has been repaired, and there is no immediate need for this equipment. Better technology is available, and staff believes resign of the project should be done and the bid readvertised.

Councilmember Workman moved to approve the resolution [09-070R] rejecting the bids, seconded by Councilmember Wells. The motion was unanimously approved.

CA-4 Consider a memorandum/resolution authorizing the City Manager to enter into an agreement with PBS&J for professional engineering and surveying services for the Drainage Master Plan Update Project.

Requests for qualifications were advertised for professional services in September 2008, and four firms submitted qualifications. After staff reviewed the qualifications, the bidders were ranked based on expertise, resources, approach, workload, and litigation, and PBS&J was the number one selection. An agreement with PBS&J in the amount of \$65,998 is recommended for approval by staff and the Water, Sewer, Drainage Committee, and the amount is under the \$100,000 estimated for the project.

Mayor Pro-Tem Latham moved to approve the resolution [09-070R], seconded by Councilmember Rivera. The motion was unanimously approved.

- CA-5 Consider a memorandum/resolution authorizing the award of a professional services contract to Walker Weiderhold and Associates LLC., for the preliminary design of Valley Ditch Major Drainage Capital Improvement Project.

This is a professional services contract designed to address flooding and drainage problems along Valley Ditch from the city limits to its confluence with South Nolan Creek. The contract to Walker Weiderhold and Associates is in the amount \$72,000, representing 757 man-hours of work, and has been recommended for approval by the Water, Sewer, Drainage Committee.

Councilmember Wells moved to approve the resolution [09-071R], seconded by Councilmember Evans. The motion was unanimously approved.

- CA-6 Consider a memorandum/resolution authorizing the award of a professional services contract to Freese and Nichols, Inc. for the preliminary design of South Nolan Creek at Stallion Drainage Capital Improvement Project.

This is a professional services contract designed to address the flooding, erosion, and drainage problems along South Nolan Creek from the south side of the intersection of Elms and Robinette Road to just north of Maid Marion Circle. The contract to Freese and Nichols in the amount of \$55,741.12 representing 481 man-hours has been recommended for approval by the Water, Sewer, Drainage Committee.

Councilmember Workman moved to approve the resolution [09-072R], seconded By Councilmember Wells. The motion was unanimously approved.

- CA-7 Consider a memorandum/resolution authorizing the award of a professional services contract to Freese and Nichols, Inc. for the preliminary design of Bermuda and Ronstan Major Drainage Capital Improvement Project.

This is a professional services contract to address flooding, erosion, and drainage problems along Bermuda Ditch and Ronstan Drive. The contract to Freese and Nichols in the amount of \$68,825.08 representing 593 man-hours of work has been recommended for approval by the Water, Sewer, Drainage Committee.

Councilmember Workman moved to approve the resolution [09-073R], seconded by Councilmember Evans. The motion was unanimously approved.

- CA-8 Consider a request by Yong and Sun H. Ko (Case #09-007RS): Sun Ko Addition, Replat) for a plat of approximately 6.515 acres, being a replat of part of Lot 1, Block 1, Milton Wells Industrial 1<sup>st</sup> Extension the property is locally known as 1001 S. W.S. Young Drive, Killeen, Texas.

This plat is submitted in order to obtain building permits for mini-storage. The plat complies with the City's development regulations, and the Planning and Zoning Commission recommended approval of the plat. Drainage concerns will be addressed through the permitting process.

Councilmember Workman moved to approve the plat, seconded by Councilmember Wells. The motion was unanimously approved.

CA-9 Consider a memorandum/resolution [09-074R] approving change order No. 2 for the Downtown Infrastructure Rehabilitation project.

On February 12, 2008, a contract was awarded to McLean Construction for the Downtown Infrastructure Rehabilitation project for \$2,269,269.70. Change Order No. 1 for \$50,630.85 was awarded on October 14, and the project is now completed. Change Order No. 2 is a net reduction of \$99,021 and results in a final contract price of \$2,220,879.55, \$48,390.15 under the original contract price.

Councilmember Workman moved to approve the resolution [09-074R], seconded by Councilmember Wells. The motion was unanimously approved.

### **Ordinances / Resolutions**

OR-1 Consider an ordinance canvassing the returns and declaring results of May 9, 2009 General Election.

This item was deleted from the agenda.

OR-2 Consider a memorandum/resolution [09-076R] appointing a new member to the Downtown Partnership Committee.

Beverly Zendt advised there have been two resignations from the committee, and one new membership slot has been recommended. This appointment is for the new slot.

Councilmember Wells moved to appoint Major Blair to the Downtown Partnership Committee, seconded by Councilmember Cosper. The motion was approved unanimously.

### **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 6:52 p.m.

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Timothy L. Hancock, Mayor

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Paula Miller, City Secretary