



# City of Killeen

## Legislation Text

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Consider Minutes of Regular City Council Meeting of May 9, 2023.

**City of Killeen**  
City Council Meeting  
Killeen City Hall  
May 9, 2023 at 5:00 p.m.

**Presiding:** Mayor Debbie Nash-King

**Attending:** Mayor Protem Ken Wilkerson, Councilmembers Jessica Gonzalez, Michael Boyd, Jose Segarra, Nina Cobb, and Ramon Alvarez

**Absent:** Councilmember Riakos Adams

Also attending were City Manager Kent Cagle, City Attorney Holli Clements, City Secretary Laura Calcote, and Sergeant-at-Arms Officer Smith

Don Smith gave the invocation. Councilmember Boyd led everyone in the Pledge of Allegiance.

### **Approval of Agenda**

*Motion was made by Mayor Protem Wilkerson to approve the agenda. Motion was seconded by Councilmember Boyd. The motion carried unanimously (6-0).*

### **Presentations**

**PR-23-009** Presentations by Indigov Products and Rep'd, Inc. on solutions to improve engagement with constituents.

Indigov Products Representative, Nav Ramineni, provided an overview of the company, and the services it provides for governmental entities.

Rep'd Inc. Representative, Mark Friese, provided an overview of the company, and the services it provides for communities.

**PR-23-008** Fort Hood Redesignation Presentation

Mayor Nash-King presented a proclamation recognizing the redesignation of Fort Hood to Fort Cavazos and proclaiming May 9 as Fort Cavazos Day.

Fort Cavazos Garrison Commander, Colonel Chad R. Foster, Fort Cavazos Deputy to the Garrison Commander, Greta Buccellato, and Fort Cavazos Garrison Command Sergeant Major,

Major Calvin Hall were present to accept the proclamation.

### **Citizens Petitions**

**CP-23-011** Marcella Cook: Adopting Use of Parking Mobility App

### **Citizen Comments**

Mellisa Brown spoke regarding RS-23-078 and RS-23-080.

Sean Price spoke regarding PR-23-009, RS-23-076, RS-23-077, RS-23-078, DS-23-049, and OR-23-010.

### **Consent Agenda**

**RS-23-075** Consider a memorandum/resolution authorizing a Letter of Agreement for the Transfer Station Tipping Floor Fire Repair with American Restore, Inc. in an amount not to exceed \$80,412.

**RS-23-076** Consider a memorandum/resolution awarding Bid No. 23-27, Killeen Community Center and Senior Center Expansion & Renovation, to HCS Inc., in the amount of \$7,416,835.00.

**RS-23-077** Consider a memorandum/resolution authorizing a professional services agreement for the engineering construction observation services of the Killeen community Center and Senior Center Renovation and Addition Project with MRB Group, P.C., in the amount of \$121,500.00.

**RS-23-078** Consider a memorandum/resolution approving the appointment of a Chief of Police.

*Motion was made by Mayor Protem Wilkerson to approve the Consent Agenda, as presented. Motion was seconded by Councilmember Boyd. The motion carried unanimously (6-0).*

### **Resolutions**

**RS-23-080** Consider a memorandum/resolution appointing members to the Bond Advisory Committee.

Staff Comments: Kent Cagle, City Manager

Following a motion of direction made by City Council on March 30, 2023 to establish a Body Advisory Committee, Mr. Cagle presented a resolution for City Council to appoint nine individuals to a Bond Advisory Committee.

Mayor Nash-King recommended Jimmy Towers, Mayor Protem Wilkerson recommended Tyrone McLaren, Councilmember Gonzalez recommended Gregory Moore, Councilmember Boyd recommended Brockley Moore, and Councilmember Alvarez recommended Matt Yowell.

*Motion of direction was made by Councilmember Cobb for Councilmembers to provide additional recommendations via email to be considered in the future. Motion was seconded by Councilmember Wilkerson. The motion of direction carried unanimously (6-0).*

### **Public Hearings**

**PH-23-029** HOLD a public hearing and consider an ordinance readopting the youth curfew. (Second of Two Public Hearings)

The City Secretary read the caption of the ordinance:

AN ORDINANCE READOPTING A CURFEW FOR PERSONS UNDER SEVENTEEN YEARS OF AGE TO PROHIBIT THEIR BEING IN ANY PUBLIC PLACE FROM 11:00PM ON ANY SUNDAY, MONDAY, TUESDAY, WEDNESDAY, OR THURSDAY UNTIL 6:00AM THE FOLLOWING DAY, AND FROM 12:01 AM UNTIL 6:00AM ON ANY FRIDAY OR SATURDAY OR ON ANY DAY FROM JUNE 1 THROUGH AUGUST 15; PROVIDING DEFINITIONS; PROVIDING ENFORCEMENT PROCEDURES; PROVIDING PENALTIES CONSISTING OF A FINE FOR MINORS NOT TO EXCEED \$500.00, AND FOR PARENTS OF MINORS CONSISTING OF A FINE OF NOT LESS THAN \$50.00, BUT NOT TO EXCEED \$500.00; ADOPTING CERTAIN DEFENSES; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Staff Comments: Alex Gearhart, Assistant Chief of Police and Charles Kimble, Interim Chief of Police  
This item was first presented to City Council during their April 18, 2023 Workshop meeting with the first of two public hearings being held on April 25, 2023. The item was again presented to City Council during their May 2, 2023 Workshop meeting. Assistant Chief Gearhart and Chief Kimble were available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Michael Fornino spoke in favor of the ordinance.  
Mellisa Brown spoke in favor of the ordinance.

With no one else appearing, the public hearing was closed.

*Motion was made by Councilmember Segarra to approve PH-23-029. Motion was seconded by Mayor Protem Wilkerson. The motion carried unanimously (5-0), with Councilmember Boyd not voting.*

**PH-23-032** HOLD a public hearing and consider an ordinance requested by Westwood Professional Services, on behalf of McClean Commercial, LTD (Case #Z23-11) to rezone approximately 21.16 acres out of the William H. Cole Survey, Abstract No. 200 from "A" (Agricultural District) to "B-2" (Local Retail District) with a Conditional Use Permit (CUP) to allow for a battery storage site as a permitted use. This property is locally addressed as 8390 Featherline Road, 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 THE PROPERTY BEING APPROXIMATELY 21.16 ACRES OUT OF THE WILLIAM H. COLE SURVEY, ABSTRACT NO. 200, FROM "A" (AGRICULTURAL DISTRICT) TO "B-2" (LOCAL RETAIL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR A BATTERY STORAGE SITE AS A PERMITTED USE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their May 2, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Trandra Marzett spoke in opposition of the ordinance.  
Mellisa Brown spoke in opposition of the ordinance.  
Sean Price spoke in opposition of the ordinance.  
Michael Fornino spoke in opposition of the ordinance.  
Leo Gukeisen spoke in opposition of the ordinance.

With no one else appearing, the public hearing was closed.

*Motion was made by Mayor Protem Wilkerson to approve PH-23-032. Motion was seconded by Councilmember Boyd. The motion carried 5-1, with Councilmember Cobb in opposition.*

**PH-23-033** HOLD a public hearing and consider a request submitted by Quintero Engineering, LLC, on behalf of Curtis Emmons (Case #Z23-12), to rezone approximately 1.6 acres out of the Moses T. Martin Survey, Abstract No. 963 from "A" (Agricultural District) and "A-R1" (Agricultural Single-Family Residential District) to "B-3" (Local Business District). The subject property is generally located on the west right-of-way of Trimmier Road and east right of way of Kelley Lane, Killeen, Texas.

The City Secretary read the caption of the ordinance:

AN ORDINANCE AMENDING THE CITY OF KILLEEN ZONING ORDINANCE BY CHANGING THE ZONING OF THE PROPERTY BEING APPROXIMATELY 1.6 ACRES OUT OF THE MOSES T. MARTIN SURVEY, ABSTRACT NO. 963 FROM "A" (AGRICULTURAL DISTRICT) AND "A-R1" (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-3" (LOCAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services  
This item was presented to City Council during their May 2, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

The applicant, George Mesa with Quintero Engineering, was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Segarra to approve the PH-23-033. Motion was seconded by Councilmember Alvarez. The motion carried unanimously (5-0), with Mayor Protem Wilkerson not voting.*

**PH-23-034** HOLD a public hearing and consider an ordinance on the Substantial Amendment to Annual Action Plans for Program Years 2018, 2020, 2021, and 2022 to provide CDBG funding for construction and related costs for the senior center and improvements at the Rosa Hereford Community Center.

The City Secretary read the caption of the ordinance:

AN ORDINANCE ADOPTING A SUBSTANTIAL AMENDMENT TO COMMUNITY DEVELOPMENT ANNUAL ACTION PLANS FOR PY/FY 2018/2019, 2020/2021, 2021/2022 AND 2022/2023 FOR THE

REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR CONSTRUCTION AND RELATED COSTS FOR THE SENIOR AND COMMUNITY CENTER SPACE IMPROVEMENTS AT THE ROSA HERFORD COMMUNITY CENTER; PROVIDING A SERVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Staff Comments: Cinda Hayward, Community Development Grant Manager  
This item was presented to City Council during their May 2, 2023 Workshop meeting. Ms. Hayward was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

*Motion was made by Mayor Protem Wilkerson to approve the PH-23-034. Motion was seconded by Councilmember Gonzalez. The motion carried unanimously (5-0), with Councilmember Alvarez not voting.*

### **Discussion Items**

**DS-23-048** Discuss ARPA and PFC Grant Funding for Non-Profits and Businesses

Staff Comments: Danielle Singh, Assistant City Manager and Kate Kizito, Director of Downtown Revitalization

*Motion of direction was made by Councilmember Boyd to reserve 20% of \$70,000 to go towards a grocery store downtown. The motion of direction was seconded by Councilmember Cobb.*

*Motion of direction was made by Councilmember Gonzalez to allocate remaining balance of \$90,328 for grocery store projects. Councilmember Boyd withdrew the original motion and seconded the motion presented by Councilmember Gonzalez.*

*Councilmember Wilkerson made an amendment to the to the motion for a deadline of two weeks, if the current allocations are not claimed by the recipients. Motion was seconded by Councilmember Boyd.*

*Councilmember Alvarez made a motion to call for the vote. Motion was seconded by Councilmember Wilkerson. The motion passed unanimously (6-0).*

*The amendment to the motion passed unanimously (6-0).*

*The original motion with the amendment passed 4-2, with Mayor Protem Wilkerson and Councilmember Cobb in opposition.*

Councilmember Segarra left the meeting at 7:23 p.m.

**DS-23-049** Discuss and consider adding the National Day of Prayer to the Governing Standards and Expectations - Assistance to Community Organizations for Special Events.

*Motion of direction was made by Mayor Protem Wilkerson to support adding the National Day of Prayer to the Governing Standards and Expectations - Assistance to Community Organizations for Special Events. Motion was seconded by Councilmember Boyd. The motion passed unanimously (5-0).*

## Ordinances

**OR-23-010** Consider an ordinance establishing the Municipal Court as a Department of the City and establishing the supervisory authority and responsibilities of the Presiding Municipal Judge.

The City Secretary read the caption of the ordinance:

AN ORDINANCE ESTABLISHING THE MUNICIPAL COURT AS A DEPARTMENT OF THE CITY AND ESTABLISHING THE SUPERVISORY AUTHORITY AND RESPONSIBILITIES OF THE PRESIDING MUNICIPAL JUDGE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

*Motion was made by Mayor Protem Wilkerson to approve OR-23-010. Motion was seconded by Councilmember Cobb. The motion carried unanimously (5-0).*

## Adjournment

With no further business, upon motion being made by Councilmember Boyd seconded by Mayor Protem Wilkerson and unanimously approved, the meeting was adjourned at 7:34 p.m.