

City of Killeen
City Council Meeting
Killeen City Hall
April 26, 2022 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

Attending: Mayor Protem Rick Williams, Councilmembers Jessica Gonzalez, Riakos Adams, Nina Cobb, Michael Boyd, Ken Wilkerson (arrived at 5:04 p.m.), and Mellisa Brown

Also attending were City Manager Kent Cagle, City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Bransom

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

Approval of Agenda

Motion was made by Mayor Protem Williams to approve the agenda. Motion was seconded by Councilmember Adams. Councilmember Brown made a motion to amend the motion by approving the agenda moving PH-22-029 to the end of the Public Hearings. The motion to amend was seconded by Councilmember Adams. The amended motion carried unanimously. The motion as amended carried unanimously.

Councilmember Wilkerson joined the meeting at 5:04 p.m. and was able to participate in the voting of the agenda.

Citizen Comments

Mr. Leo Gukeisen spoke on agenda item RS-22-052.

Discussion Items

DS-22-053 Receive Update from Appraisal District of Bell County
Mr. Jon Locke, Executive Director of Finance advised that representatives with the Appraisal District were running late and would be arriving at the meeting soon. Mayor Nash-King moved on to the Consent Agenda items. *This discussion item follows agenda item PH-22-028.*

Consent Agenda

MN-22-010 Consider Minutes of Special City Council Meeting of March 29, 2022.

RS-22-051 Consider a memorandum/resolution accepting the annual audit report for the fiscal year ended September 30, 2021.

RS-22-052 Consider a memorandum/resolution authorizing the purchase of solar LED lighting for the Conder Park Parking Lot and Long Branch Park from JEC Energy Solutions in the amount of \$122,370.19.

- RS-22-053** Consider a memorandum/resolution authorizing a fireworks display at the Killeen Athletic Complex on July 2, 2022.
- RS-22-054** Consider a memorandum/resolution updating the Interlocal Automatic Aid Agreement for Fire and EMS Services with the City of Harker Heights.
- RS-22-055** Consider a memorandum/resolution approving an Interlocal Automatic Aid Agreement for Fire and EMS Services with the City of Belton.
- RS-22-056** Consider a memorandum/resolution approving a professional services agreement with Garver, LLC, for the Apron Rehabilitation Phase II project at the Killeen Fort Hood Regional Airport, in the amount of \$63,600.
- RS-22-057** Consider a memorandum/resolution accepting the FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Award and approving an Interlocal Agreement with the City of Temple and Bell County.

Motion was made by Councilmember Brown to table agenda item DS-22-053 until the arrival of Mr. White. Motion was seconded by Councilmember Adams. The motion carried unanimously.

Motion was made by Councilmember Boyd to approve the consent agenda. Motion was seconded by Councilmember Cobb. Councilmember Brown made an amended motion to remove RS-22-052 and RS-22-053 from consent agenda for separate consideration. Councilmember Adams seconded the amended motion. The amended motion carried 5 to 2 with Mayor Protem Williams and Councilmember Boyd in opposition. The motion as amended carried unanimously.

- RS-22-052** Consider a memorandum/resolution authorizing the purchase of solar LED lighting for the Conder Park Parking Lot and Long Branch Park from JEC Energy Solutions in the amount of \$122,370.19.
Staff Comments: Mr. Joe Brown, Executive Director of Recreation Services was available to provide additional information and answer questions.

Motion was made by Councilmember Brown to reject agenda item RS-22-052 and issue a request for proposals. Motion was seconded by Councilmember Adams. The motion carried 4 to 3 with Mayor Protem Williams and Councilmember Boyd in opposition. Councilmember Cobb abstained from voting resulting in a no vote.

- RS-22-053** Consider a memorandum/resolution authorizing a fireworks display at the Killeen Athletic Complex on July 2, 2022.
Staff Comments: Ms. Danielle Singh, Assistant City Manager was available to provide additional information and answer questions.

Motion was made by Councilmember Adams to approve agenda item RS-22-053. Motion was seconded by Mayor Protem Williams. The motion carried 6 to 1 with Councilmember Brown in opposition.

Public Hearings

- PH-22-028** HOLD a public hearing and consider an ordinance amending the FY 2022 Annual Budget of the City of Killeen to adjust revenue and expenditure accounts in multiple funds.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2022 ANNUAL BUDGET OF THE CITY OF KILLEEN TO ADJUST REVENUE AND EXPENDITURE ACCOUNTS IN MULTIPLE FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Jon Locke, Executive Director of Finance

This budget amendment addresses operational accounts in multiple funds, appropriates Public Facility Corporation (PFC) funds, provides funding for additional police interceptors, appropriates remaining funds in the old Water & Sewer bond, addresses multiple grant allocations, and recognizes funds to be received for multiple fire deployments. City staff recommends City Council approve the ordinance amending the FY 2022 annual budget as presented.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-22-028. Motion was seconded by Councilmember Adams. Motion carried unanimously.

DISCUSSION ITEM,

Upon the Appraisal District of Bell County's representative, Mr. Billy White, arrival to the meeting, Mayor Nash-King allowed for agenda item DS-22-053 to be presented.

- DS-22-053** Receive Update from Appraisal District of Bell County
Mr. Billy White with the Tax Appraisal District gave an overview of the district and reviewed how appraised values are determined.

PUBLIC HEARINGS CONTINUED,

- PH-22-030** HOLD a public hearing and consider an ordinance requested by Raye Mayhorn on behalf of Passion for Christ Ministries, LLC (Case #FLUM 22-12) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Residential' (SR) designation to a 'Suburban Commercial' (SC) designation for approximately 6.43 acres out of the Passion for Christ Ministries Addition, Block 1, Lot 1. The property is locally addressed as 3100 Little Nolan Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 6.43 ACRES OUT OF THE PASSION FOR CHRIST MINISTRIES ADDITION, BLOCK 1, LOT 1, FROM A ‘SUBURBAN RESIDENTIAL’ (SR) DESIGNATION TO A ‘SUBURBAN COMMERCIAL’ (SC) DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The property is designated as suburban residential on the Future Land Use Map (FLUM) of the Comprehensive Plan. A portion of the property is located within a FEMA regulatory special flood hazard area. City staff mailed courtesy notices to eight (8) surrounding property owners regarding this request. Given the property’s location at the intersection of two collector streets, staff finds that the frontage along Little Nolan Road is suitable for use as suburban commercial. However, staff finds that the rear portion of the property is better suited for residential development and should remain designated as such. City staff recommends that the City Council approve amending the FLUM from suburban residential to suburban commercial for two-hundred and fifty feet (250) of depth along the frontage of Little Nolan Road, but that the rear portion of the property remain suburban residential. The Planning and Zoning Commission recommends approval of the applicant’s request by a vote of 7 to 0.

Mayor Nash-King invited the applicant to speak.

The applicant, Ms. Raye Mayhorn, was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Adams to approve PH-22-030 with Planning and Zoning’s recommendation of approval the applicant’s request. Motion was seconded by Councilmember Boyd. Motion carried 6 to 1 with Councilmember Brown in opposition.

PH-22-031 HOLD a public hearing and consider an ordinance requested by Raye Mayhorn on behalf of Passion for Christ Ministries, LLC (Case #Z22-17) to rezone approximately 6.43 acres out of the Passion for Christ Ministries Addition, Block 1, Lot 1, from “R-1” (Single-Family Residential District) to “B-1” (Professional Business District). The property is locally addressed as 3100 Little Nolan 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 APPROXIMATELY 6.43 ACRES OUT OF THE PASSION FOR CHRIST MINISTRIES ADDITION, BLOCK 1, LOT 1, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “B-1” (PROFESSIONAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

If approved, the owner intends to sell the property to a prospective buyer for use as a real estate office. The property is designated as suburban residential and is not consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. The applicant has submitted a concurrent request to amend the FLUM from suburban residential to suburban commercial. A portion of the property is located within a FEMA regulatory special flood hazard area. City staff notified eight (8) surrounding property owners. To date, staff has received no written responses. Given the property’s location at the intersection of two collector streets, staff finds that the frontage along Little Nolan Road is suitable for professional business and office uses. The character of the area includes residentially zoned vacant properties and religious institutions. City staff finds that rezoning a depth of two-hundred and fifty feet along the frontage to B-1 (Professional Business District), while allowing the rear portion of the property to remain residential, would be in keeping with the character of the area. The Planning and Zoning Commission recommended approval of the applicant’s request to rezone the entire property by a vote of 7 to 0.

Mayor Nash-King invited the applicant to speak.

The applicant, Ms. Raye Mayhorn, did not speak but was available in the audience to provide additional information and answer questions if needed.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Boyd to approve PH-22-031. Motion was seconded by Councilmember Adams. Motion carried 6 to 1 with Councilmember Brown in opposition.

PH-22-029 HOLD a public hearing and consider an ordinance amending the Code of Ordinances Chapter 31 Zoning, adopting architectural and site design standards.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; PROVIDING FOR AMENDMENTS TO THE CITY’S ZONING REGULATIONS ADOPTING ARCHITECTURAL AND SITE DESIGN STANDARDS; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A

**SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE;
PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

Staff Comments: Wallis Meshier, Director of Planning

In May of 2020, the Killeen City Council directed staff to draft urban design and architectural standards for residential and commercial development. This direction was primarily in response to the State Legislature's adoption of House Bill 2439, which restricts the City's ability to enforce standards requiring masonry for new development. Since that time, staff has held fourteen (14) meetings with stakeholders, the Planning and Zoning Commission (P&Z), and City Council. Ms. Meshier presented the recommended amendments to Chapter 31. City staff recommends City Council approve the ordinance as presented.

Mayor Nash-King opened the public hearing.

Mr. Joshua Welch spoke against the ordinance.

Mr. Bill Paquette spoke against of the ordinance.

Ms. Anca Neagu spoke against the ordinance.

Mr. Ace Reneau spoke against the ordinance.

Mr. Travis Whitis spoke against the ordinance.

Ms. Fran Mitchell spoke against the ordinance.

Mr. Dillon Whitis spoke against the ordinance.

Mr. Dale Janda spoke against the ordinance.

Ms. Aracell Cook spoke against the ordinance.

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

Motion was made by Councilmember Boyd to approve PH-22-029. Motion was seconded by Councilmember Brown. Motion carried 5 to 2 with Councilmember Gonzalez and Councilmember Cobb in opposition.

Adjournment

With no further business, upon motion being made by Councilmember Brown, seconded by Councilmember Adams, and unanimously approved, the meeting was adjourned at 7:07 p.m.

Debbie Nash-King, Mayor

Lucy C. Aldrich, City Secretary