

City of Killeen
Regular City Council Meeting
Killeen City Hall
September 12, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers Debbie Nash-King, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Steve Harris

Also attending were City Manager Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Cole.

Mr. Jones gave the invocation, and Councilmember Fleming led everyone in the Pledge of Allegiance.

Approval of Agenda

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

Minutes

Motion was made by Councilmember Nash-King to approve the minutes of the August 22nd Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Resolutions

RS-17-086 Consider a memorandum/resolution accepting the donation of two parcels located along Edgefield ditch between Edgefield Street and Elms Road.

Staff comments: David Olson

The two parcels offered for donation, 0.179 acres at Cody Poe Rd and Edgefield Street, and 0.440 acres on W. Elms Rd., abut drainage right of way already accepted by the City. Acceptance of the land donations would allow the City to preserve the existing riparian buffers and also utilize the land as part of the future Hike & Bike trail system. City staff recommends that the City Council accept the donation of the properties described herein and that the City Manager be authorized and empowered to act in the name and on behalf of the City of Killeen in all lawful ways to execute and deliver all contracts, notes, deeds of trust, deeds, consents of sale, assignments, consent, notices, filings, certificates, acknowledgements, closing statements, affidavits, and other documents, and to do and perform every other act as he may deem necessary and appropriate to carry out the acceptance of the above-described properties in accordance with this resolution.

Motion was made by Councilmember Fleming to approve RS-17-086. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-17-087 Consider a memorandum/resolution to enter into a construction contract with TTG Utilities, LP for the construction of the Liberty Ditch Bank Stabilization minor drainage capital improvement project.

Staff comments: David Olson

In September 2016, the City entered into a professional services agreement (PSA) with Halff Associates, Inc. (Halff) for the preliminary evaluation and final design of a permanent repair. Design has been completed and the project was advertised for bid.

Three bids were received. City staff recommends that City Council award a construction contract for the construction of improvements to Liberty Ditch to TTG Utilities, LP in the amount of \$407,923.70, and that it authorize the City Manager to execute all necessary contract documents along with all necessary change orders or supplemental agreements for the project allowed by state and local law.

Motion was made by Councilmember Okray to approve RS-17-087. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-17-088 Consider a memorandum/resolution authorizing a lease with purchase option of a wheel loader for the Solid Waste Transfer Station.

Staff comments: David Olson

The three-year lease on one of the transfer station's existing wheel loaders expires in September 2017. The Transfer Station is requesting to initiate a new three-year wheel loader lease with a purchase option at the end of the lease. Staff recommends the procurement of the wheel loader from Holt CAT through the TASB BuyBoard, with financing provided by Caterpillar Financial Services Corporation on a three-year lease of \$2,877.54 per month, FY 2018-2021, and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.

Motion was made by Councilmember Fleming to approve RS-17-088. Motion was seconded by Mayor Pro-Tem Kilpatrick. Motion carried unanimously.

RS-17-089 Consider a memorandum/resolution for a lease agreement with Killeen Sister Cities, Osan for a Korean-style pagoda to be constructed and placed on city-owned real property.

Staff comments: Leslie Hinkle

Killeen Sister Cities, Osan has requested that a Korean-style pagoda be constructed and placed on city-owned property, located behind the Killeen Civic and Conference Center adjacent (north) to the Killeen Community Garden. The construction of the pagoda is artistic in nature and details elements of Korean culture through the design and materials used in the construction. It is recommended the City Council authorize the lease agreement with Killeen Sister Cities, Osan for a period of ten (10) years and authorize the city manager to execute said lease agreement.

Motion was made by Mayor Pro-Tem Kilpatrick to approve RS-17-089. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-17-090 Consider a memorandum/resolution approving the Killeen Arts Commission recommendations for grant allocations of FY 2018 Hotel Occupancy tax funds.

Staff comments: Jonathan Locke

The primary responsibility of the Arts Commission is to make recommendations to the City Council regarding the allocation of Hotel Occupancy Tax funds that are designated for grants to the arts. The Killeen Arts Commission held a meeting on June 9, 2017, to consider ten (10) grant applications regarding funding requests. In July, the Arts Commission recommended funding allocations for all ten (10) applicants and

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administrative costs for the Commission, totaling \$187,167. Mr. Ralph Cossey briefly went over the Arts Commission recommendations listed below:

\$ 16,233	Armed Forces Natural Hair and Health
4,975	Artesania y Cultura Hispana
5,000	Central Texas College Foundation
9,000	Crossroads to Texas Quilt Guild
8,000	Cultura Filipiniana Arts, Inc.
10,600	IMPAC Outreach
52,500	Killeen Sister Cities, Osan, Korea - \$45,000 contingent upon land owner approval
30,000	Killeen Volunteers, Inc.
3,859	Vive Les Arts Children’s Theatre
45,000	Vive Les Arts Societe
<u>2,000</u>	Killeen Arts Commission
\$187,167	Total

City Staff recommends that City Council approve the Killeen Arts Commission’s proposed grant awards.

Citizen comments:

Michael Linneman, 3401 WS Young – Vice Chair of VLA Board of Directors. Gave overview of VLA’s current standing and stated VLA is strong and needs full monetary support. Mr. Linneman requested the funding decision be reconsidered. This year’s funding is half of what they usually are awarded and would like the city council to reinstate the dollar amount they received last year.

Kerry Frazier, 3901 Deer Ridge, Harker Heights – requested city council reconsider amount of funding offered to VLA.

Councilmember Okray made a statement for the record. See attached.

Motion was made by Councilmember Rivera to approve RS-17-090. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-17-091 Consider a memorandum/resolution appointing citizen members to various boards and commissions.

Staff comments: Kathy Davis

The following is a list of citizen boards and commissions seats expiring September 30, 2017.

Animal Advisory Committee (City Manager)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Logan Beane, DVM	Seat vacated	Michael Joyner, DVM	Veterinarian	No	No
Michael Joyner, DVM	To Fill Vet Seat		Citizen Rep	No	Yes

Arts Commission (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Jennifer Hetzel	Term Expired	Elizabeth Blackstone	Educator/Arts	No	No
John Miller	Term Expired	John Miller	Member-at-Large	No	Yes
Krista Kasper	Resigned		Folk Art/Paint/Scplp	No	No
Cortina Merritt	Resigned	Nelson Santiago	Member-at-Large	No	No

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Audit Committee (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Bob Blair	Term Expired	Bob Blair	Citizen Rep	No	Yes
Jack Ralston	Term Expired	Jack Ralston	Citizen Rep	No	Yes

Board of Adjustment - Construction (Sub-Comm: J. Okray, D. Nash-King)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Philip Marley	Term Expired	Philip Marley	Architect	Yes (29)	Yes
Robert Mitchell	Term Expired	Robert Mitchell	Engineer	Yes (15)	Yes
Steven Rinehart	Term Expired	Steven Rinehart	Alt/General Contractor	No	Yes
Tracy Archer	Term Expired	Tracy Archer	Plumbing Contractor	No	Yes

Board of Adjustment – Fire Prevention Code (sub-comm: J. Kilpatrick, J. Okray)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Clyde Ford	Term Expired	Clyde Ford	Citizen Rep	No	Yes
Thomas Shelley	Term Expired	Thomas Shelley	Citizen Rep	Yes (16)	Yes

Board of Adjustment – Zoning (Sub-Comm: J. Kilpatrick, J. Okray)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
James Wesley	Term Expired	James Wesley	Citizen Rep	No	Yes
Monika Spillman	Term Expired	Monika Spillman	Citizen Rep	No	Yes
Barbara Taylor	Term Expired	Barbara Taylor	Citizen Rep	No	Yes
Ronald Blackman	Term Expired	Ronald Blackman	Citizen Rep	No	Yes

Civil Service Commission (City Manager)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Thomas Shelley	Term Expired	Kenneth Hawthorne	Citizen Rep	Yes (12)	Yes

Community Development Advisory Committee (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Ramon Alvarez	Term Expired	Kathy Bradley	City Employee		
Ralph Cossey	Term Expired	John Driver	Citizen Rep	Yes (8)	Yes
TaNeika Driver-Moultrie	Term Expired	TaNeika Driver-Moultrie	Citizen Rep	No	Yes
Ashley Whitworth	Term Expired	Ashley Whitworth	Citizen Rep	No	Yes

Heritage Preservation Board (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Jeb Burns	Term Expired	Jeb Burns	Architect	Yes (9)	Yes
Robin DeHart	Term Expired	Robin DeHart	Citizen Rep	No	Yes
Annette Lucksinger	Term Expired	Annette Lucksinger	Killeen Area Heritage Rep	Yes (9)	Yes
Tad Dorroh	Term Expired	Tad Dorroh	P&Z Rep Ex-Officio	No	

KEDC - Killeen Economic Development Corp (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Curt Gaines	Term Expired		Chamber Rep	Yes (6)	
Karl Green	Term Expired		KIF Rep	No	

Killeen Housing Authority (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Mark Hyde	Term Expired	Mark Hyde	Citizen Rep	No	Yes

Killeen Sister Cities (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Lisa Humphreys	Term Expired	Lisa Humphreys	Osan Rep	Yes (7)	Yes
Doris Owens	Term Expired	Minerva Cotton	Citizen Rep	Yes (7)	Yes
Jennifer Hetzel	Term Expired	Jennifer Hetzel	Chamber Rep, Ex-Officio	No	Yes
Ursula Silva	Term Expired	Ursula Silva	Citizen Rep	No	Yes

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Killeen Volunteers, Inc. (Sub-Comm: J. Kilpatrick, D. Nash-King)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Elizabeth McDaniel	Resigned	Novice McDaniel	Citizen Rep		
Elizabeth Blackstone	Term Expired	Elizabeth Blackstone	Citizen Rep	No	Yes
Rachel Brent	Term Expired	Rachel Brent	Citizen Rep	No	Yes
Ralph Cossey	Term Expired	Misty Baumgrotz	Citizen Rep	No	No
Larry Holly	Term Expired	Larry Holly	Citizen Rep	No	Yes
Raymond Perez	Term Expired	Raymond Perez	Celebrate Killeen	No	Yes
Vera Simpson	Term Expired	Vera Simpson	KVC Rep	No	Yes
Linda Knotts	Term Expired	Linda Knotts	Citizen Rep	No	Yes
Steve Moore	Term Expired	Steve Moore	Fort Hood Rep	Yes (10)	Yes
Debbie Nash-King	Newly Elected Councilmember	James Crossman	Citizen Rep		
Alysia Perkins	Term Expired	Alysia Perkins	Chamber Rep	No	Yes
Brenda Smith	Term Expired	Brenda Smith	KISD Rep	Yes (8)	Yes
Margaret Tucker	Term Expired	Margaret Tucker	Citizen Rep	No	Yes

Planning & Zoning Commission (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Michael DeHart	Resigned	Sean Payton	Citizen Rep		
Johnny Frederick	Term Expired	Larry Holly	Citizen Rep	Yes (14)	Yes
Kathy Jo Harkin	Term Expired	Kathy Jo Harkin	Citizen Rep	No	Yes
Tyrone McLaurin	Resigned	Eugene Kim	Citizen Rep		

Senior Citizen Advisory Board (Sub-comm: S. Fleming, J. Okray)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Katherine Gordon	Seat Vacated	Patsy Bracey	Citizen Rep		
Patricia Holland	Term Expired	Patricia Holland	Citizen Rep	No	Yes
Rosa Kea	Term Expired	Rosa Kea	Citizen Rep	No	Yes
Aresa Spencer	Term Expired	Klaus Adam	Citizen Rep	Yes (7)	Yes
	New Position	Novice McDaniel	Citizen Rep		
	New Position	Tommi Fettig	Citizen Rep		

Tax Increment Reinvestment Zone #2 (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Tim Brown	Term Expired	Tim Brown	County Rep		Yes

Tree Advisory (All Council)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Malcolm Thompson	Term Expired	Malcolm Thompson	Citizen Rep	No	Yes
Kevin Dunlap	Term Expired	Kevin Dunlap	Citizen Rep	No	Yes
Brandon Harlee, Sr.	Term Expired	Brandon Harlee, Sr.	Citizen Rep	No	Yes
Amber Cobbs	Term Expired	Denise Sherman	Citizen Rep	No	No
Patricia Kay Wyman	Term Expired	Patricia Kay Wyman	Citizen Rep	No	Yes

Bell County Boards

Bell County Health District (Sub-comm: J. Kilpatrick, S. Harris)

Current Member	Status	New Member	Comments	Termed Out?	Reappoint?
Kathy Clark-Jones	Resigned	Sam Fiala	City Rep	No	Yes
Sam Fiala		Royce Matkin	Alternate		

Animal Advisory citizen position will be filled after Councilmember Nash-King, Councilmember Fleming, and Mayor Pro-Tem Kilpatrick meet to discuss the composition of the Animal Advisory Committee.

Krista Kasper's seat on Arts Commission will be filled in October.
The Chamber of Commerce will appoint the two seats on KEDC in late September. City Council will approve those positions in October.

It is recommended that the City Council appoint New Member individuals to fill vacancies and expired terms.

Motion was made by Mayor Pro-Tem Kilpatrick to approve RS-17-091. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

RS-17-092 Consider a memorandum/resolution approving a lease agreement renewal with Fort Hood National Bank, Inc. at Killeen-Fort Hood Regional Airport.
Staff comments: Matt Van Valkenburgh
The ATM (Automatic Teller Machine) lease agreement with Fort Hood National Bank, Inc. is set to expire on September 30, 2017. Staff has negotiated proposed terms of extension with the representative of this business. It is recommended City Council approve Addendum No. 7 to the Fort Hood National Bank, Inc. ATM Lease agreement extending the term for a period of two years beginning October 1, 2017, and ending September 30, 2019, and authorize the City Manager to execute same. Additionally, authorize the City Manager to execute all addendums and lease actions to the agreement, including termination, to the extent allowed by the City Charter and the laws of the state of Texas.

Motion was made by Councilmember Johnson to approve RS-17-092. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-17-093 Consider a memorandum/resolution rescheduling the regular City Council meeting of October 10, 2017 to October 17, 2017.
Staff comments: Mayor Segarra
The second Tuesday of October falls during the national Association of the United States Army meeting. Due to a lack of a quorum, the City Council meeting scheduled for October 10, 2017 will be rescheduled to October 17th.

Motion was made by Councilmember Okray to approve RS-17-093. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Public Hearings

PH-17-038A HOLD a public hearing and consider an ordinance requested by Garland and Jo Ann Kelley (FLUM#Z17-18) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Suburban Commercial', 'Parks-Recreation' and 'Estate' to a 'General Residential' designated area for approximately 85.955 acres, being part of the Moses T. Martin Survey, Abstract No. 963. The subject property is addressed as 9600 S.H. 195, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE

MAP FROM ‘SUBURBAN COMMERCIAL’, ‘PARKS-RECREATION’ AND ‘ESTATE’ TO ‘GENERAL RESIDENTIAL’ FOR 85.955 ACRES OUT OF THE MOSES T. MARTIN SURVEY, ABSTRACT NO. 963, BEING LOCALLY KNOWN AS 9600 S. FORT HOOD STREET, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The Planning and Zoning Commission recommended approval of amending the FLUM from ‘Suburban Commercial’, ‘Parks-Recreation’ and ‘Estate’ to ‘General Residential’ for a portion of this area (as detailed on the proposed FLUM exhibit) by a vote of 4 to 1, with Commissioner Harkin in opposition. Staff notes that the current FLUM has a much larger extent of ‘Suburban Commercial’ designated land on this property than for any other surrounding land area. It is staff’s determination that this designation should be reduced in depth to yield a more feasible (i.e. realistic) scope and to better match the abutting ‘Suburban Commercial’ designated areas. Staff also supports the changes to the ‘Parks-Recreation’ designation since parks and open space are also encouraged in the ‘General Residential’ designation. Lastly, the ‘Estate’ designated area on this property is located due south of the KISD career center and, according to the City’s adopted Thoroughfare Plan will sit at, or near, the intersection of Patterson Avenue and a future collector road.

Mayor Segarra opened the public hearing.

Lee Kelley, 371 Kelley Ln. - spoke in favor of the request.

Mellisa Brown, 6105 Melanie Dr. – Requested city council consider what the citizens want and the cost involved in making this kind of change.

Jeremy Kelley, 9320 SH 195 – spoke in favor of request.

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

Motion was made by Councilmember Rivera to approve PH-17-038A. Motion was seconded by Councilmember Johnson. Motion carried 6 to 1 with Councilmember Harris opposing.

PH-17-038B HOLD a public hearing and consider an ordinance requested by Lee and Jo Ann Kelley on behalf of Garland Kelley Sr. (Case#Z17-18) to rezone 42.132 acres from “UD” (University District) TO “UD” (University District) with a Conditional Use Permit (CUP) FOR “R-1” (Single-Family Residential District) housing and 43.823 acres from “A” (Agricultural District) to “R-1” (Single-Family Residential District) for a total of approximately 85.955 acres, being out of the Moses T. Martin Survey, Abstract No. 963, The property is locally known as 9600 S. Fort Hood Street, 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 “UD” (UNIVERSITY DISTRICT) TO “UD” (UNIVERSITY DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) HOUSING AND FROM “A” (AGRICULTURAL DISTRICT) TO “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF

CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

Staff notified sixteen (16) surrounding property owners regarding this request. Staff has received no protests at this time. The Planning and Zoning Commission, by a vote of 4 to 1, recommends approval of a Conditional Use Permit (CUP) for “R-1” single family residential housing for 16.517 acres, which comprises the rear 550 feet of that portion of the property that lies within the “UD” (University District). All residential housing within this area shall meet the minimum height and area requirements as detailed within Sections 31-187 through 188 of the Code of Ordinances. Additionally, the applicant shall satisfy all architectural and landscaping requirements within the “UD” (University District). The Commission also recommends approval of “R-1” (Single-family Residential District) zoning for the 43.823 acres of property that is currently zoned as “A” (Agricultural District). Staff does not recommend approval of any residential use/development within the first 950 feet of the “UD” (University District). Therefore, the total acreage that staff supports for single-family residential use is 60.34 acres of land; the remaining 25.615 acres of land would remain as baseline “UD” (University District) zoning.

Mayor Segarra opened the public hearing.

Lee Kelley, 371 Kelley Ln. – spoke in favor of request.

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

Motion was made by Councilmember Rivera to approve PH-17-038B. Motion was seconded by Councilmember Nash-King.

Mayor Pro-Tem Kilpatrick wanted it noted that four adjacent property owners expressed support for the change.

Motion carried 6 to 1 with Councilmember Harris opposing.

PH-17-039 HOLD a public hearing and consider an ordinance requested by Mark Stanford, Executor of the Estate of Mary Brooks, (Case#Z17-19) to rezone approximately 1.615 acres, being out of the G.W. Farris Survey, Abstract No. 306, from “R-1” (Single-Family Residential) to “B-3” (Local Business District) zoning for a proposed convenience store with fuel sales. The property is locally known as 4701 Trimmier 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 CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “R-1” (SINGLEFAMILY 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: Tony McIlwain

This request is submitted by Murphy Oil USA, Inc. on behalf of Mark Stanford, Executor of the Estate of Mary Brooks, for use as a proposed convenience store with fuel sales. The staff notified four (4) surrounding property owners regarding this request. As of the date of this staff report, no responses have been received. The Planning and Zoning

Commission, by a vote of 4 to 1, recommends approval of a zoning change from “R-1” to “B-3”. Staff recommends approval of “B-3” (Local Business District) zoning for the property. Commercial interest is expected, and should be encouraged, at this intersection along E. Stan Schlueter Loop.

Mayor Segarra opened the public hearing.

Trae Rushing, Representative of Murphy Oil, 1430 W. Peachtree St., Atlanta, GA. – spoke in favor of request.

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

Motion was made by Councilmember Fleming to approve PH-17-039. Motion was seconded by Councilmember Okray. Motion carried unanimously.

PH-17-040A HOLD a public hearing and consider an ordinance requested by Lindsey Emmons (FLUM#Z17-20) to amend the Comprehensive Plan’s Future Land Use Map (FLUM) to change an area currently designated as ‘Rural’ to a ‘General Commercial’ designation for approximately 3.754 acres, being part of the Thomas Robinett Survey, Abstract No. 686. The subject property is located on the north side of Watercrest Road, north of the intersection of Watercrest Road and Cody Poe Road, in Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP FROM ‘RURAL’ TO ‘GENERAL COMMERCIAL’ FOR 3.754 ACRES OUT OF THE THOMAS ROBINETT SURVEY, ABSTRACT NO. 686, GENERALLY LOCATED ON THE NORTH SIDE OF WATERCREST ROAD, NORTH OF THE INTERSECTION OF WATERCREST ROAD AND CODY POE ROAD IN KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The Planning and Zoning Commission recommended approval of amending the FLUM from ‘Rural’ to ‘General Commercial’ by a vote of 4 to 1. The occurrence of a Bell County Water Control and Improvement District Impoundment Site Number 1 easement limits the development potential for this subject property as well as the adjacent land area. The elevation of the emergency spillway is 906.4 feet. Based on that elevation, approximately 2.55 acres of this parcel is designed to be inundated by floodwaters when the impoundment site is at capacity; so staff feels there is no need to designate a greater area of land from the ‘Rural’ designation at this time.

Mayor Segarra opened the public hearing.

Melissa Brown, 6105 Melanie Dr. - spoke against the request.

Lynn Kenebrew, 3719 Lakcrest Dr. – spoke against the request.

Blaine Smith, 2107 Prestige Loop – spoke against the request and submitted written objection.

Pedro Quintero, 415 E. Ave D, owner representative – spoke in favor of the request.

Tara Smith, 2107 Prestige Loop – spoke against the request.

Gail Smith, 1504 Prestige Loop – spoke against the request.

Lindsey Emmons, 6818 Ambrose Cr., Temple, owner of Stable Life Concepts – spoke in favor of the request and gave an overview of what the business does.

Dominique Johnson, 4203 July Dr. – spoke in favor of the request.
Ms. Saxton 6606 Katy Creek Ln. – spoke in favor of the request.
Katlyn Obsorn 1124 Oaktree Dr., Salado – spoke in favor of the request.
Crystal Mingers - spoke in favor of the request.
Elizabeth Brown, 2103 Grizzly Trail, Harker Heights – spoke in favor of the request.
Chris Hagers, 1106 Ridgeway Dr. – spoke against the request.
With no one else appearing, the public hearing was closed.

Motion was made by Councilmember Rivera to approve PH-17-040A. Motion failed for lack of a second. Mayor Pro-Tem Kilpatrick made a motion to disapprove PH-17-040A due to traffic concerns. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Withdrawn by property owner.

PH-17-040B HOLD a public hearing and consider an ordinance requested by Lindsey Emmons, (Case#Z17-20) to rezone approximately 3.754 acres, being out of the Thomas Robinett Survey, Abstract No. 686, from “R-1” (Single-Family Residential District) and “A” (Agricultural District) to “B-3” (Local Business District) zoning for property generally located north of Watercrest Road and west of Prestige Loop, Killeen, Texas. (Requires a 3/4 majority vote.)

PH-17-041 HOLD a public hearing on the proposed tax rate of 0.7498 for fiscal year October 1, 2017, through September 30, 2018, and announce the meeting to adopt the proposed tax rate on September 19, 2017. (2nd of 2 Public Hearings)

Staff comments: Jonathan Locke

This is the second of two public hearings on the proposed tax rate of 0.7498 per \$100 valuation for fiscal year October 1, 2017, through September 30, 2018. Mr. Locke explained the formula of how property taxes are calculated.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Dr. – would like to see the tax rate process presented more clearly and feels like tax rebates should require a public vote if citizens are not going to pay the effective tax rate.

Bob Blair, 1307 Ruiz Dr. – spoke in favor of the proposed 0.7498 tax rate and feels the city council should have set the preliminary tax rate higher.

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

Mayor Segarra announced that the city council will vote on the FY 2018 tax rate on Tuesday, September 19th at 5:00pm, City Hall Council Chambers.

PH-17-042 HOLD a public hearing on the FY 2018 Proposed Annual Budget and Plan of Municipal Services for the fiscal year October 1, 2017, through September 30, 2018. (2nd of 2 Public Hearings)

Staff comments: Jonathan Locke

This is the second public hearing on the FY 2018 Proposed Annual Budget and Plan of Municipal Services for the fiscal year October 1, 2017, through September 30, 2018. Mr. Locke gave a budget summary.

Mayor Segarra opened the public hearing.

Pheonix Morgaine, 1711 Indian Trail Dr. Harker Heights – concerned about animal services budget cuts and proposed programs to better help the shelter.

Theresa Champion, 4702 Turtlerock Dr. – concerned about budget cuts for animal shelter.

Linda Marzi, 1514 Rose Ave – concerned about budget cuts for animal shelter.

George Fox, 1906 Hooter St. – concerned about budget cuts for animal shelter.

Natalie Pittman, 1704 Kangaroo – concerned about budget cuts of animal services and concerned about cutting funds in some departments and giving it to other departments.

Janice Holladay, 6309 Nussy Dr. – concerned about animal services budget cuts and would like to see Killeen as a no-kill city.

Bob Blair, 1307 Ruiz Dr. – feels Killeen has a revenue problem and that the current structure of revenue streams will not sustain a growing city. Mr. Blair requests Mr. Olson come up with a plan that will finance the growth of the city through 2025 with emphasis on the structure of revenue.

Mellisa Brown, 6105 Melanie Dr. – concerned about transparency of budget and feels there is a revenue problem.

James Crossman, 1509 Zephyr Rd. – believes volunteers at the animal shelter could help with shortfalls.

Arturo Cortez, 404 Alexander St. – supports humane services with animals in the city.

Tanja Joseph, 426 Deer Rien – feels budget cuts with animal shelter should be reconsidered.

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

Motion by Mayor Pro-Tem Kilpatrick to call a special city council meeting for Tuesday, September 19, 2017 at 5:00pm to adopt the FY 2018 proposed budget. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

PH-17-043 HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to increase the Vehicle Repair and Maintenance account in Streets and Street Maintenance account.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO INCREASE VEHICLE REPAIR AND MAINTENANCE ACCOUNT IN STREETS AND STREET MAINTENANCE ACCOUNT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Jonathan Locke

This ordinance will authorize the recommended budget amendment to fund shortfalls in Vehicle Repair and Maintenance account in Streets and fund slurry seal in the Street Maintenance account. Due to unforeseen circumstances, an additional \$74,693 is needed for vehicle, equipment and machinery repairs in Streets due to aging fleet. In addition, the Street Division would like to fund \$130,307 in Street Maintenance for slurry seal. Staff recommends that the City Council approve this ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services to provide funding for the Street Division Vehicle Repair and Maintenance account and Street Maintenance for slurry seal.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Dr. – doesn't feel city should take funds out of any public safety

department and give to another department.

Arturo Cortez, 404 Alexander St. - supports the police and fire departments but feels that public safety is also about safe streets and sidewalks; suggested public safety first, then the budget.

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

Motion was made by Councilmember Okray to approve PH-17-043. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 8:23 p.m.

Jose L. Segarra, Mayor

Dianna Barker, City Secretary