

City of Killeen
Regular City Council Meeting
Killeen City Hall
March 26, 2019 at 5:00 p.m.

Presiding: Mayor Jose Segarra

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

Also attending were City Manager Ron Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Major Craddock gave the invocation, and Councilmember Menking 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 was seconded by Councilmember Fleming. The motion carried unanimously.

Minutes

Motion was made by Councilmember Menking to approve the minutes of the March 12, 2019 Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Resolutions

RS-19-032 Consider a memorandum/resolution authorizing a management agreement with Billy Casper Golf for management services for Stonetree Golf Club.
Staff Comments: Brett Williams, Executive Director of Community Services. Mr. Williams gave an overview of the agenda item. In December of 2018, staff briefed City Council on the plan to solicit management firms to operate Stonetree Golf Club due to historic operating deficits. On, January 16, 2019, staff received five proposals from vendors interested in managing the golf club. Following a staff review of the packets and face to face interviews with the top three firms (based on scoring), the interview panel unanimously decided to commence negotiations with Billy Casper Golf for management services for Stonetree Golf Club. Staff recommends City Council authorize the City Manager to execute a contract with Billy Casper Golf for golf course management services for Stonetree Golf Club in the amount of \$90,000 and that the City Manager is expressly authorized to execute any and all change orders within the amounts set by state and local law.

Mayor Segarra read a letter that was sent to him from the president of the Stonetree Men's Golf Association. The letter recognized and applauded the City Manager's invitation to the area's golf associations to discuss their concerns of the golf course management agreement. These associations (Stonetree Men's Golf Association, the Killeen Ladies Golf Association and the OTC Golf Association) are cautiously optimistic that moving forward with the management agreement is a

good decision and appreciate the ability to continue to be ambassadors for Stonetree and the City.

Motion was made by Councilmember Fleming to approve RS-19-032. Motion was seconded by Councilmember Johnson. Motion carried 6 to 1 with Councilmember Nash-King in opposition.

RS-19-033 Consider a memorandum/resolution awarding Bid No. 19-15 for the procurement of recycling trailers to implement the recycling program expansion for the Solid Waste Division.

Staff Comments: Danielle Singh, Interim Executive Director of Public Works. Ms. Singh provided a brief background of recycling services offered over the last several years. Currently, the city offers two recycling drop off locations. Recycling trailers can offer a cost effective, convenient alternative to areas that do not have a curbside recycling program. The trailers will provide additional drop off locations throughout the city. Funding in the amount of \$60,006 is available in the FY2019 budget. City staff recommends that the City Council authorize the City Manager or his designee to execute a purchase order for the procurement of three (3) recycling trailers from Pro-Tainer, Inc. and the City Manager or designee is further authorized to execute any change orders in compliance with state law and city policy.

Motion was made by Councilmember Menking to approve RS-19-033. Motion was seconded by Councilmember Fleming. Motion carried 6 to 1 with Councilmember Johnson in opposition.

Ordinances

OR-19-007A Consider an ordinance amending Chapter 30, Water, Sewers, and Sewage Disposal, Articles III and IV, providing for maintenance of sewer service lines and amending sewer rates.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 30 WATER, SEWERS, AND SEWAGE DISPOSAL, ARTICLES III AND IV, OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, PROVIDING FOR MAINTENANCE OF SEWER SERVICE LINES AND AMENDING SEWER RATES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

OR-19-007B Consider a memorandum/resolution entering into an agreement with Utility Service Partners Private Label, Inc. for the maintenance of sewer service lines within the public right-of-way, and for the marketing of optional warranty coverages for private sewer service lines.

Staff comments: Danielle Singh, Interim Executive Director of Public Works. A motion of direction was issued by City Council on January 22, 2019 to provide maintenance of certain sewer service lines within the right-of-way and to partner with Utility Service Partners Private Label, Inc. (USP) to outsource maintenance. The ordinance agenda item (OR-19-007A) amends Chapter 30 of the Code of Ordinances adding a section to clarify maintenance responsibilities and adjusts rates. Agenda item OR-19-007B allows the city manager to enter into both an

outsourcing agreement with USP for the maintenance of the lines and a marketing agreement providing optional warranty coverages for private sewer service lines. In order to implement the direction previously given to City Staff, the City Council would need to allow the city manager to enter into agreement with USP for the maintenance of sewer laterals within the public right-of-way and for the marketing of optional warranty coverages for private sewer service lines with an effective date of May 1st.

Motion was made by Mayor Pro Tem Kilpatrick to approve OR-19-007A and OR-19-007B. Motion was seconded by Councilmember Menking. Motion carried 6 to 1 with Councilmember Nash-King in opposition.

OR-19-008 Consider an ordinance amending Chapter 25 Streets, Sidewalks, and Miscellaneous Public Places, providing for the revised definition of Single Family Equivalent regarding places of worship.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 25, STREETS, SIDEWALKS, AND MISCELLANEOUS PUBLIC PLACES PROVIDING FOR THE REVISED DEFINITION OF SINGLE FAMILY EQUIVALENT; 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: Danielle Singh, Interim Executive Director of Public Works. On December 11, 2018, City Council adopted Street Maintenance Fees. This ordinance amendment establishes a single, single family equivalent (SFE) for places of worship at 0.24 SFE per 1,000 square feet gross floor area and establishes billing codes for use in customer billing. City staff recommends that the City Council approve the ordinance amending Chapter 25 Streets, Sidewalks, and Miscellaneous Public Places providing for the revised definition of Single Family Equivalent, establishing a land use rate for Place of Worship and establishing billing codes for each land use.

Motion was made by Mayor Pro Tem Kilpatrick to approve OR-19-008. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Public Hearings

PH-19-004 **HOLD** a public hearing and consider an ordinance requested by the Almafa Group (**Case#Z19-02**) to rezone Lot 1, Block 13, Evening Hollow Addition, 3rd Extension, from "R-3" (Multifamily Residential District) to "B-1" (Professional Business District). The subject area is located at 2018 Cedarhill Drive, 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 LOT 1, BLOCK 13, EVENING HOLLOW ADDITION, 3RD EXTENSION, FROM "R-3" (MULTIFAMILY 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: Tony McIlwain, Assistant Director of Planning. Mr. McIlwain reviewed the request submitted by the Almafa Group. Staff notified forty-six surrounding property owners within a four hundred feet notification boundary. One response of support and one response of opposition have been received. The Planning and Zoning Commission recommends approval of the applicant's request by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

With no one in the audience representing the applicant or the applicant themselves, Mayor Segarra moved on to the public hearing.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive, spoke in favor of the request.

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

Motion was made by Councilmember Fleming to approve PH-19-004. Motion was seconded by Mayor Pro Tem Kilpatrick. Motion carried unanimously.

PH-19-005 HOLD a public hearing and consider an ordinance requested by Killeen Engineering and Surveying, Ltd. (**Case#Z19-03**) to rezone approximately 8.25 acres out of the J.E. Maddera Survey, Abstract No. 600, from "R-3" (Multifamily Residential District) and "B-3" (Local Business District) to "B-3" (Local Business District) for storage use. The properties are addressed as 4814, 5102 and 5104 W. Stan Schlueter Loop (FM 3470), and an unaddressed parcel immediately east of 4814 W. Stan Schlueter Loop 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 8.25 ACRES OUT OF THE J. E. MADDERA SURVEY, ABSTRACT NO. 600, FROM "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) AND "B-3" (LOCAL BUSINESS 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, Assistant Director of Planning. Mr. McIlwain reviewed the request submitted by Killeen Engineering and Surveying, Ltd. Staff notified twenty-six surrounding property owners within a four hundred feet notification boundary. Two responses of support have been received. The Planning and Zoning Commission recommends approval of the applicant's request by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

Michelle Lee with Killeen Engineering and Surveying spoke in favor of the request.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive, spoke in favor of the request.

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

Motion was made by Councilmember Johnson to approve PH-19-005. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

PH-19-003 HOLD a public hearing and consider an ordinance submitted by the Gary Purser Jr. 2000 Trust (**FLUM#19-01**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Commercial' designation for 7.858 acres and from a 'Rural' designation to a 'General Residential' designation for 79.117 acres for the property located at 5601 Clear Creek Road (S.H. 201), 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' TO 'GENERAL COMMERCIAL' FOR APPROXIMATELY 7.858 ACRES AND 'RURAL' TO 'GENERAL RESIDENTIAL' FOR APPROXIMATELY 79.117 ACRES FOR PROPERTY LOCATED AT 5601 CLEAR CREEK ROAD (S.H. 201), KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain, Assistant Director of Planning.

This agenda item was tabled from the February 26, 2019 City Council meeting. Mr. McIlwain reviewed the request submitted by the Gary Purser Jr. 2000 Trust to amend the FLUM. Mr. McIlwain reported after speaking with representatives from both KISD and Fort Hood - Garrison Command, that KISD is aware of the proximity of the proposed school site to the airfield and the associated noise. They plan to take steps to build the school in a manner to mitigate noise concerns. Fort Hood advised that air traffic and training in that area would be on-going; and, that it is in the City and the property owner's decision making process to develop the property as desired. The Planning and Zoning Commission recommends approval of amending the FLUM from 'Rural' to 'General Residential' for 79.117 acres by a vote of 6 to 1 and the Commission recommends disapproval of amending the FLUM from 'Suburban Commercial' to 'General Commercial' for the requested 7.858 acres fronting Clear Creek Road by a vote of 6 to 1.

Mayor Segarra invited the applicant to speak.

With no one in the audience representing the applicant or the applicant themselves, Mayor Segarra moved on to the public hearing.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive, spoke against the request.

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

Motion was made by Councilmember Rivera to approve PH-19-003. Motion was seconded by Councilmember Nash-King. Motion carried 4 to 3 with Councilmembers Fleming, Johnson and Harris in opposition

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Menking, and unanimously approved, the meeting was adjourned at 6:41 p.m.