

City of Killeen
City Council Meeting
Killeen City Hall
January 11, 2022 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Debbie Nash-King, Councilmembers Jessica Gonzalez, Nina Cobb, Michael Boyd, Ken Wilkerson, Rick Williams, and Mellisa Brown.

Also attending were Assistant City Manager Danielle Singh, City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Councilmember Williams gave the invocation. Mayor Segarra led everyone in the Pledge of Allegiance.

Approval of Agenda

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

Presentations

PR-21-001 Killeen Star Award Presentation
Mayor Segarra and Councilmember Boyd recognized former City of Killeen employee and Killeen citizen Patricia Melfi for being an outstanding community member.

Citizen Comments

Mr. Leo Gukeisen spoke on agenda item RS-22-001.

Consent Agenda

MN-22-001 Consider Minutes of Regular City Council Meeting of December 7, 2021.

MN-22-002 Consider Minutes of Regular City Council Meeting of December 14, 2021.

RS-22-001 Consider a memorandum/resolution authorizing a lease agreement for seven (7) mowers to maintain Stonetree Golf Club with Deere Credit, Inc. through the Texas Buyboard Cooperative in the amount of \$376,513.60. **(REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION)**

RS-22-002 Consider a memorandum/resolution rejecting all bids received for Bid No. 22-09, Water and Sewer Supply Items.

RS-22-003 Consider a memorandum/resolution awarding Bid No. 22-01, Street Construction Materials, in an amount not to exceed \$500,000 citywide for FY22.

- RS-22-004** Consider a memorandum/resolution awarding Bid No. 22-02, Pavement Marking Services, to Green Dream International in an amount not to exceed \$300,000 for FY22.
- RS-22-005** Consider a memorandum/resolution authorizing the purchase of interior entrance/exit doors at the Killeen Civic and Conference Center from Integrity One Solutions through the Buyboard Cooperative in the amount of \$80,300.00.
- RS-22-006** Consider a memorandum/resolution authorizing a contract with Texas Department of Criminal Justice for removal and replacement of bleachers at the Killeen Rodeo Arena in the amount of \$99,604.46.
- RS-22-007** Consider a memorandum/resolution authorizing a contract to upgrade elevators at City Hall and the Municipal Annex with TK Elevator Corporation through the National Omnia Contract in the amount of \$155,467.77.
- RS-22-011** Consider a memorandum/resolution authorizing a contract for roof replacement at Utility Collections with Final Solutions Roofing, LLC through the TIPS Cooperative in the amount of \$85,956.22.
- RS-22-008** Consider a memorandum/resolution appointing members to the Committee for Crime Solutions. **(REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION)**
- RS-22-009** Consider a memorandum/resolution approving the appointment of an Executive Director of Development Services.
- RS-22-010** Consider a memorandum/resolution confirming the City Manager's annual evaluation and pay increase.
- OR-22-001** Consider an ordinance calling the May 7, 2022 General Election to elect a Mayor and three Councilmembers-at-Large.

The City Secretary read the caption of the ordinance.

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF ELECTING A MAYOR AND THREE COUNCILMEMBERS-AT-LARGE; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; FIXING THE TIME WITHIN SUCH APPLICATION MAY BE FILED; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; NAMING THE EARLY VOTING CLERK; DESIGNATING EARLY VOTING POLLING PLACES, AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.

Motion was made by Councilmember Boyd to approve the consent agenda removing RS-22-001 and RS-22-008 for separate consideration. Motion was seconded by Councilmember Brown. The motion carried 6 to 1 with Mayor Pro Tem Nash-King in opposition.

RS-22-001 Consider a memorandum/resolution authorizing a lease agreement for seven (7) mowers to maintain Stonetree Golf Club with Deere Credit, Inc. through the Texas Buyboard Cooperative in the amount of \$376,513.60.

Mr. Joe Brown, Executive Director of Recreation Services was available to answer questions and to provide additional information.

Motion was made by Councilmember Williams to postpone RS-22-001 and send it back to staff for the agenda item to be looked at in more detail and competitively bid. Motion was seconded by Councilmember Wilkerson. Upon clarification of motion, Councilmember Wilkerson rescinded his second. Motion was clarified by Councilmember Williams to disapprove RS-22-001, send the agenda item back to staff to bid item out in a competitive nature and bring back to City Council. Motion was seconded by Councilmember Gonzalez. An amendment to the motion was made by Councilmember Brown requesting that when quotes are brought back to the City, request that the City get quotes for how much a monthly rental will be for the equipment that the golf course would need to get through the season until the equipment is received. The amended motion was seconded by Councilmember Williams. The amended motion carried unanimously. The motion as amended carried 6 to 1 with Councilmember Boyd in opposition.

RS-22-008 Consider a memorandum/resolution appointing members to the Committee for Crime Solutions.

Ms. Traci Briggs, City Attorney was available to answer questions and to provide additional information.

Motion was made by Councilmember Brown to postpone RS-22-008 to the next City Council Workshop meeting since committee applications continue to be received. Motion was seconded by Councilmember Boyd. The motion carried unanimously.

Public Hearings

PH-22-001 HOLD a public hearing and discuss proposed charter amendments.

Staff Comments: Holli Clements, Deputy City Attorney

Ms. Clements reviewed the City Council proposed charter amendments that have been identified by City Council during their review of the charter during open meetings that began September 20, 2021.

Motion of direction was made by Councilmember Brown to remove the following sections previously recommended as amendments from appearing on the charter election ballot: 56, 107, 121, 125 and 144. Motion of direction was seconded by Councilmember Wilkerson. The motion of direction carried 4 to 3 with Mayor Pro Tem Nash-King, Councilmember Gonzalez, and Councilmember Boyd in opposition.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion of direction was made by Councilmember Wilkerson to add an amendment to Section 29 to the ballot, removing the language starting with “provided” and ending with “council.” Without a second, the motion of direction died.

Motion of direction was made by Councilmember Boyd to amend the proposed ballot recommendation to Section 24 from \$1,000.00 for councilmembers and \$1,500.00 for the mayor to \$500.00 for councilmembers and \$750.00 for the mayor. Without a second, the motion of direction died. Motion of direction was made by Councilmember Wilkerson to keep Section 24 as currently written in the charter (remove recommended amendment from ballot). Motion of direction was seconded by Mayor Pro Tem Nash-King. During discussions, Mayor Pro Tem Nash-King rescinded her second and Councilmember Wilkerson rescinded his motion. Councilmember Wilkerson made a motion of direction to amend the proposed ballot recommendation to Section 24 to read councilmembers and mayor shall not be compensated. The motion of direction was seconded by Mayor Pro Tem Nash-King. Motion of direction failed 1 to 6 with Councilmember Gonzalez, Councilmember Cobb, Councilmember Boyd, Councilmember Wilkerson, Councilmember Williams, and Councilmember Brown in opposition. Motion of direction was made by Councilmember Boyd to amend the proposed ballot recommendation to Section 24 from \$1,000.00 for councilmembers and \$1,500.00 for mayor to \$250.00 for councilmembers and \$350.00 for mayor. Motion of direction was seconded by Councilmember Brown. The motion of direction carried 6 to 1 with Mayor Pro Tem Nash-King in opposition.

The next Public Hearing on the charter amendments is scheduled for January 25, 2022.

PH-22-002 HOLD a public hearing and consider an ordinance requested by Connie Stokes on behalf of Barbara Trevino (Case #Z21-37) to rezone approximately 0.122 acre out of the Stringer Addition, Lot 10, Block 5 from “B-5” (Business District) to “R-1” (Single-Family Residential District). The property is addressed as 201 Stringer 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 APPROXIMATELY 0.122 ACRES OUT OF THE STRINGER ADDITION, LOT 10, BLOCK 5, FROM “B-5” (BUSINESS DISTRICT) TO “R-1” (SINGE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The property is designated as general residential on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff notified eighty (80) property owners.

To date, staff has received one (1) written response in support of the request. Staff recommends approval of the request. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Ms. Connie Stokes, was available to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Mr. Louie Minor spoke against the request.

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

Motion was made by Councilmember Brown to postpone PH-22-002 for one month. Motion was seconded by Councilmember Boyd. Motion failed 3 to 4 with Mayor Pro Tem Nash-King, Councilmember Cobb, Councilmember Wilkerson, and Councilmember Williams in opposition. Motion was made by Councilmember Williams to approve PH-22-002. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried 4 to 3 with Councilmember Boyd, Councilmember Brown, and Councilmember Wilkerson in opposition.

PH-22-003 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of H. A. Homes, LLC (Case #Z21-38) to rezone approximately 0.258 acre out of the Stringer Addition, Lots 1 and 2, Block 4 from “B-2” (Local Retail District) to “R-2” (Two-Family Residential District). The property is addressed as 910 and 912 West Avenue I, 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 0.258 ACRE OUT OF THE STRINGER ADDITION, LOTS 1 AND 2, BLOCK 4, FROM “B-2” (LOCAL RETAIL DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The property is designated as general residential on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff notified thirty-five (35) property owners. To date, staff has received no written response regarding the request. Staff recommends approval of the request. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant was not in attendance.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Brown to disapprove PH-22-003. Motion was seconded by Councilmember Wilkerson. Motion carried unanimously.

PH-22-004 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Alfred George Mayo Jr. (Case #Z21-39) to rezone approximately 0.155 acres out of the Cole (Unrecorded) Subdivision from “B-3” (Local Business District) to “R-2” (Two-Family Residential District). The property is addressed 1015 North 10th 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 APPROXIMATELY 0.155 ACRES OUT OF THE COLE (UNRECORDED) SUBDIVISION, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The property is designated as residential-commercial mix on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff notified forty-nine (49) property owners. To date, staff has received no written response regarding the request. Staff recommends approval of the request. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant was not in attendance.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Brown to disapprove PH-22-004. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried unanimously.

PH-22-005 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Alfred George Mayo Jr. (Case #Z21-40) to rezone approximately 0.436 acres out of the Cole (Unrecorded) Subdivision from “B-3”

(Local Business District) to “R-2” (Two-Family Residential District). The property is addressed 1200 and 1204 North 8th 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 APPROXIMATELY 0.436 ACRES OUT OF THE COLE (UNRECORDED) SUBDIVISION, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The property is designated as residential-commercial mix on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff notified fifty-two (52) property owners. To date, staff has received no written response regarding the request. Staff recommends approval of the request. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant was not in attendance.

Mayor Segarra opened the public hearing.

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

Motion was made by Councilmember Brown to approve PH-22-005. Motion was seconded by Councilmember Cobb. Motion failed 3 to 4 with Mayor Pro Tem Nash-King, Councilmember Boyd, Councilmember Wilkerson, and Councilmember Williams in opposition. Motion was made by Mayor Pro Tem Nash-King to disapprove PH-22-005. Motion was seconded by Councilmember Boyd. Motion carried 4 to 3 with Councilmember Gonzalez, Councilmember Cobb and Councilmember Brown in opposition.

PH-22-006 HOLD a public hearing and consider an ordinance amending the Code of Ordinances Chapter 31, Zoning, to allow bars and taverns by-right within the Historic Overlay District (HOD).

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN CHANGING THE PERMITTED USES WITHIN THE HISTORIC OVERLAY DISTRICT TO ALLOW BARS AND TAVERNS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning

The Historic Overlay District is currently zoned “B-5” (Business District), which does not allow bars and taverns by-right. In addition, per Killeen Code of Ordinances Sec. 31-351(3), business establishments dispensing alcoholic beverages may not be within three hundred feet of a church, public or private school, or public or private hospital. During the City Council workshop meeting on January 4, 2022, City Council directed staff to redraft the ordinance eliminating the three hundred feet distance between these types of establishments and churches and schools, and to leave the “B-5” (Business District) in place. Resulting in applicants wanting to rezone to open a bar or a tavern needing to come before City Council for consideration.

Mayor Segarra opened the public hearing.

Mr. Louie Minor spoke in support of the originally submitted ordinance presented to City Council on January 4, 2022.

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

Motion was made by Councilmember Brown to postpone and bring back PH-22-006 to City Council on February 15, 2022, giving staff an opportunity to work on how to draft an ordinance to limit the number of bars and taverns in the Historic Overlay District. Motion was seconded by Councilmember Williams. During discussions, Councilmember Gonzalez called for the vote. Mayor Pro Tem Nash-King seconded the call for the vote. The call for the vote and the second was rescinded by both Mayor Pro Tem Nash-King and Councilmember Gonzalez. Following additional discussions, the motion failed 2 to 5 with Mayor Pro Tem Nash-King, Councilmember Gonzalez, Councilmember Cobb, Councilmember Wilkerson, and Councilmember Williams in opposition. Motion was made by Councilmember Gonzalez to approve PH-22-006. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried 5 to 2 with Councilmember Boyd and Councilmember Brown in opposition.

Adjournment

With no further business, upon motion being made by Mayor Pro Tem Nash-King, seconded by Councilmember Gonzalez, and unanimously approved, the meeting was adjourned at 7:33 p.m.