

City of Killeen
Regular City Council Meeting
Killeen Utilities Collections Conference Room
August 14, 2018 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 Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gillman.

Councilmember Harris gave the invocation, and students from Clifton Park Elementary 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.

Citizens Petition

Mr. Rafael Tallbear Montez, 505 Dimple Street, requested that City Council find a way to assist the community with the homeless situation. There are too many and not enough resources to handle and control.

Minutes

Motion was made by Councilmember Rivera to approve the minutes of the July 24, 2018 Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Resolutions

RS-18-062 Consider a memorandum/resolution to renew the annual maintenance agreement with Superion.
Staff Comments: Tom Moore, Executive Director of Information Technology Services. Superion provides the city with an integrated software that ties applications into a single interface. Annual maintenance covers updates, upgrades and technical support and training. Mr. Moore reviewed alternatives that included replacing Superion or continue using Superion which offers a public sector fully integrated system, almost every aspect of what the city does is covered by an application with Superion. Funds have been budgeted in both FY 2018 and 2019 to cover the annual costs. Staff recommends authorizing the City Manager, or designee, to renew the FY 2018 annual maintenance agreement with Superion in the amount of \$144,506.85.

Motion was made by Councilmember Fleming to approve RS-18-062. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-18-063 Consider a memorandum/resolution to appoint Belt Harris Pechacek, LLLP to provide independent auditing services to the City of Killeen for the fiscal year ended September 30, 2018.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke provided a background on the audit firm selection and award of auditing services agreement to Belt Harris Pechacek, LLP on August 8, 2017. The initial agreement is for a term of two years with the option to renew for an additional 3 years. The estimated FY 2018 audit cost is \$129,680 and is included in the FY 2019 proposed budget. City Charter, Section 40, requires that City Council designate a Certified Public Accountant to perform the City's annual audit. The audit committee and staff recommend the appointment of Belt Harris Pechacek, LLP to perform the city's annual audit for the fiscal year ending September 30, 2018.

Motion was made by Councilmember Rivera to approve RS-18-063. Motion was seconded by Councilmember Menking. Motion carried unanimously.

RS-18-064 Consider a memorandum/resolution approving the Killeen Arts Commission grant recommendations for FY 2019.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke advised city council that the Texas Tax Code 351.101 (Hotel Occupancy Tax) authorizes municipalities to allocate up to 15% of hotel occupancy tax collections for the arts. The Killeen Arts Commission made grant award recommendations as follows:

Vive Les Arts Societe	\$38,818
Killeen sister Cities, Osan, Korea	\$30,000
Killeen Volunteers, Inc.	\$30,000
IMPAC Outreach	\$25,000
Vive Les Arts Children's Theatre	\$24,009
Songhai Bamboo Roots Assoc .	\$15,000
Armed Forces Natural Hair and Health	\$9,865
Central Texas Foundation	\$7,500
Artesania y Cultura Hispana	\$4,975
Killeen Arts Commission	\$2,000

For a total grant award amount of \$187,167. On behalf of the Killeen Arts Commission, city staff recommends that City Council approve the proposed grant awards.

Motion was made by Councilmember Rivera to approve RS-18-064. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Ordinances

OR-18-007A Consider an ordinance to reduce the number of board members of the Killeen Arts Commission.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, OF THE CITY OF KILLEEN CODE OF ORDINANCES, BY AMENDING DIVISION 2, ARTS COMMISSION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke provided city council with a brief background of the Arts Commission structure and the history of board member changes. The Arts Commission, as a body, is recommending that city council consider reducing board members by two public-at-large positions. There will be no impact to current board members as one position is held by a member whose term expires September 30, 2018 and has met term limits by serving consecutively for six years. The other position is held by John Miller, who is eligible to move to the vacant folk art position which will be presented to city council in September during the annual appointments to boards and commissions. Staff recommends that city council approve the ordinance reducing the Killeen Arts Commission Board by two public-at-large positions.

Motion was made by Mayor Pro Tem Kilpatrick to approve OR-18-007A. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

OR-18-007B Consider a memorandum/resolution amending the Killeen Arts Commission Rules and Regulations

Staff Comments: Jon Locke, Executive Director of Finance.

Mr. Locke requested that along with the approval of the previous agenda item (OR-18-007A) that city council also consider approving the resolution amending the Arts Commission Rules and Regulations reflecting the reduction in board members from eleven (11) to nine (9).

Motion was made by Councilmember Johnson to approve OR-18-007B. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

PH-18-018 Consider an ordinance requested by Mitchell & Associates, Inc. on behalf of Faith Temple Church of Killeen, Texas (Case Z#18-01) to rezone 17.018 acres, being Lot 1, Block 1, Faith Point Church Addition from “A” (Agricultural District) to Planned Unit Development (PUD) with “SR-1” (Suburban Residential Single-Family Residential District) to allow for various land uses associated with a church campus. The property is generally located on the south side of Stagecoach Road, east of the intersection with Trimmier Road, and is locally known as 1896 Stagecoach 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 “A” (AGRICULTURAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH “SR-1” (SUBURBAN RESIDENTIAL SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS, PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, City Planner.

Mr. McIlwain, provided an overview of this agenda item. The property is located approximately 300 feet east of Shannon Circle. The applicant is proposing to construct a worship campus, which will include a 500 seat auditorium and a wide range of accessory uses, including a daycare center, restaurant/fellowship hall, counseling center, athletic center, baseball field and amphitheater. Mr. McIlwain presented city council the results of a preliminary parking analysis based on Killeen Code of Ordinances Sec. 31-489 and traffic analysis per ITE trip generation worksheet. Planning and Engineering staff

continue to work with the applicant to ensure that these areas of concern are addressed as necessary. City staff notified twenty (20) surrounding property owners and received four responses in opposition. The Planning and Zoning Commission recommends approval of the request with the following conditions:

1. The site plan is conceptual in nature. Development of the site must be substantially in compliance with the submitted concept site plan. However, any significant changes to the site plan will require a PUD amendment or rezoning request to be approved by city council.
2. No fewer than 165 parking spaces shall be provided with Phase One, and no fewer than 304 parking spaces shall be provided at full build-out.
3. All parking spaces shall be located a minimum of 10 feet from the east and west property lines.
4. A minimum of 10-foot buffer shall be provided between the property line and the back of the curb for all internal private roads.
5. One canopy tree shall be provided every 50 feet along the side property lines. Canopy trees adjacent to Phase Two may be provided with construction of future phases.
6. A minimum 6-foot wood privacy fence shall be constructed along the entire property line on the east, west, and south sides of the property. The portion of the fence that is adjacent to Phase Two, including the rear fence, may be provided with the construction of future phases.
7. A continuous landscape buffer consisting of one canopy tree every 50 feet and one shrub every 4 feet shall be provided along the front property line. The property's 650 feet of frontage shall result in 13 canopy trees and 160 shrubs being planted along Stagecoach Road. Trees may be spaced to accommodate driveways.
8. Dumpster pads shall be either: a) located at least 30 feet from the side property lines, or b) enclosed with a 6-foot masonry wall with metal gate.
9. All buildings within the site, including accessory buildings, workshops, storage buildings, and mechanical buildings, shall be 80% masonry (brick, stucco, or stone) on all four sides, excluding doors, windows, and gables. Fiber cement siding shall not be considered masonry.
10. All site lighting, including parking lot lighting, shall be fully shielded and shall not be permitted to trespass, or cross over the property line. Architectural and landscape up-lighting shall be prohibited.
11. The hours of operation for the softball field shall be limited to sunrise to sunset. No lighting shall be permitted for the softball field.
12. One permanent double-faced sign shall be permitted at the front of the campus, and shall comply with the following standards:
 - a. The sign shall be limited to twenty (20) feet overall height.
 - b. Sign illumination shall cease between the hours of 10:00 p.m. and 6:00 a.m.
13. The western driveway of the property shall be a non-divided two or three lane driveway, consisting of one ingress lane and one or two egress lanes. The western driveway shall be aligned with the opposing Wells Fargo Road.
14. Trip generation data shall be calculated and submitted to the City Engineer before the issuance of any permits. Upon review of the trip generation calculations, any improvements deemed necessary by the City Engineer shall be provided by the developer, including but limited to turn lanes, acceleration and deceleration lanes, and/or traffic signals. If a mutual agreement and acceptance of trip generation analysis and/or proposed improvements between the developer and City Engineer cannot be reached, a binding Traffic Impact Analysis will be required.

Staff recommends city council take action on the ordinance as presented.

Motion was made by Councilmember Nash-King to approve PH-18-018. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Public Hearings

PH-18-019A Consider a memorandum/resolution accepting a Federal Aviation Administration Airport Improvement Program (AIP) Grant.
Staff Comments: Matt Van Valkenburgh, Executive Director of Aviation
The city has been offered an Airport Improvement Program (AIP) grant in the amount of \$4,988,575 to be used for procurement and installation of four (4) passenger boarding bridges and improvements to the terminal building at Killeen-Fort Hood Regional Airport. This grant will fund 90% of the cost of this project; the match is provided through the Passenger Facility Charge (PFC) program. Staff recommends city council accept the grant and authorize the City Manager to execute the necessary grant documents and any and all grant amendments within the amounts set by state and local law.

Motion was made by Mayor Pro-Tem Kilpatrick to approve PH-18-019A. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

PH-18-019B **HOLD** a public hearing and consider an ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing Aviation revenue and expense accounts for the Airport Improvement Program (AIP) grant.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2018 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES FOR THE CITY OF KILLEEN BY INCREASING AVIATION REVENUE AND EXPENSE ACCOUNTS FOR THE AIRPORT IMPROVEMENT PROGRAM GRANT; REPEALING ALL ORDINANCE 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

The purpose of the budget amendment is to provide a budget for the installation of four passenger bridges and improvements to the Killeen-Fort Hood Regional Airport terminal building. The Airport Improvement Program grant is for 90% totaling \$4,988,575 with the city's 10% match in the amount of \$554,286. The match will be funded from the Passenger Facility Charge fund. There is no impact to the Killeen-Fort Hood Regional Airport operating fund. Staff recommends that city council approve the ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Drive, spoke against the budget amendment.

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

Motion was made by Councilmember Menking to approve PH-18-019B. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

PH-18-019C Consider a memorandum/resolution approving an agreement with Aero Bridgeworks of Marietta, Georgia, for the Passenger Boarding Bridge Improvement Project at Killeen-Fort Hood Regional Airport.
Staff Comments: Matt Van Valkenburgh, Executive Director of Aviation
A bid opening for the Passenger Boarding Bridge Improvement Project was held on July 17, 2018. Three (3) bids were received and evaluated by Garver, LLC and staff. Based on the recommendation by Garver, LLC, staff recommends city council award an agreement to Aero Bridgeworks in the amount of \$5,532,861 for the Passenger Boarding Bridge Improvement Project and authorize the City Manager to execute all necessary agreement documents and any and all change orders within the amounts set by state and local laws.

Motion was made by Councilmember Johnson to approve PH-18-019B. Motion was seconded by Councilmember Menking. Motion carried unanimously.

PH-18-020 **HOLD** a public hearing and consider an ordinance requested by Patricia Davis (Case #Z18-12) to rezone Lot 1, Block 1, J. Wisner Addition, from “B-2” (Local Retail District) to “B-3” (Local Business District) for a veterinary office. The property is addressed 1210 South W. S. Young 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 CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS FROM “B-2” (LOCAL RETAIL 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, City Planner

The property contains an existing commercial office building with fully-developed site conditions. The property is designated as ‘General Commercial’ on the Comprehensive Plan’s Future Land Use Map (FLUM). Staff notified fifteen (15) surrounding property owners within 200’ of the subject site. Two responses were received: one in support from the property owner, and a response from Mr. Lackmeyer who expressed concerns about this zoning request leading to parking problems. Planning and Zoning Commission recommends approval of the requested zoning change by a vote of 5 to 0.

Ms. Teresa Anderson, Belton, Texas who was present to represent the requestor identified the parking concern and advised that there were no plans to change the existing parking.

Mayor Segarra opened the public hearing.

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

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

Motion was made by Mayor Pro Tem Kilpatrick to approve PH-18-020. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Menking, seconded by Councilmember Rivera, and unanimously approved, the meeting was adjourned at 5:48 p.m.

Jose Segarra, Mayor

Lucy C. Aldrich, City Secretary