

City of Killeen
City Council Meeting
Killeen City Hall
December 13, 2022 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

Attending: Mayor Protem Ken Wilkerson, Councilmembers Jessica Gonzalez, Riakos Adams, Nina Cobb (arrived at 5:11 p.m.), Michael Boyd, Jose Segarra, and Ramon Alvarez (arrived at 5:11 p.m.)

Also attending were City Manager Kent Cagle, Deputy City Attorney Asha Pender, City Secretary Laura Calcote, and Sergeant-at-Arms Officer Sierra

Don Smith gave the invocation.

Councilmember Segarra led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Protem Wilkerson to approve the agenda as written. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously (5-0).

Presentations

PR-22-009 Killeen Star Award

Mayor Nash-King and Councilmember Boyd recognized Killeen citizen, Brandon Martin, for being an outstanding community member.

PR-22-010 Presentation - Bell County Child Safety Check

Bell County Tax Assessor-Collector, Shay Luedeke, presented a check to the City of Killeen in the amount of \$172,333.13, collected by the County on vehicle registrations to be used for school crossings.

Citizen Comments

1. Michael Fornino spoke regarding RS-22-177.
2. Mellisa Brown spoke regarding OR-22-023 and RS-22-180.
3. Bryant Franklin spoke regarding OR-22-023.
4. Bill Paquette spoke regarding DS-22-148.

Consent Agenda

MN-22-032 Consider Minutes of Special City Council Meeting of November 22, 2022.

RS-22-177 Consider a memorandum/resolution to approve eligible applicants and allocate funding for the American Rescue Plan Act - Small Business Relief Grant.

RS-22-178 Consider a memorandum/resolution declaring vacancies on various citizen appointed boards and commissions and appointing members to fill the un-expired terms.

RS-22-179 Consider a memorandum/resolution to create a Downtown Advisory Committee to support the downtown revitalization efforts.

RS-22-181 Consider a memorandum/resolution to declare the public purpose and approve the grant funding allocations for ten nonprofit organizations with funding from the American Rescue Plan Act and the Public Facility Corporation.

Motion was made by Mayor Protem Wilkerson to approve the Consent Agenda, with the exception of RS-22-176 and OR-22-023. Motion was seconded by Councilmember Boyd. The motion carried unanimously (7-0).

Resolutions

RS-22-176 Consider a memorandum/resolution authorizing the conveyance of property located at 507 N. Gray Street by donation deed to Bell County.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell and City Manager, Kent Cagle, were available to provide additional information and to answer questions.

Motion was made by Mayor Protem Wilkerson to approve RS-22-176. Motion was seconded by Councilmember Boyd. The motion carried unanimously (7-0).

Ordinances

OR-22-023 Consider an ordinance amending the Code of Ordinances Chapter 28, Section 28-245, Speed Limits on Certain Roads, to change the speed limit on Rosewood Drive.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022

Workshop meeting. Mr. Revell and City Manager, Kent Cagle, were available to provide additional information and to answer questions.

Motion of direction was made by Councilmember Boyd for staff to determine an amount and a plan to utilize the child safety funds from Bell County to establish school crosswalks at the Rosewood Drive/Morganite Lane intersection. The motion was seconded by Councilmember Adams. The motion carried unanimously (7-0).

Motion was made by Mayor Protem Wilkerson to approve OR-22-023. Motion was seconded by Councilmember Gonzalez. The motion carried unanimously (7-0).

Public Hearings

PH-22-085 HOLD a public hearing and consider an ordinance for a City initiated request (Case #Z22-48) to rezone part of Lot 5 and Lot 6, Block 2, Julius Alexander Industrial Subdivision, from "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District). The properties are locally addressed as 2607 and 2703 Atkinson Avenue, 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 PART OF LOT 5 AND LOT 6, BLOCK 2, JULIUS ALEXANDER INDUSTRIAL SUBDIVISION, FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-3" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT), PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

The applicant, Bryan Hopkins, was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

Mellisa Brown spoke in opposition.

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

Motion was made by Mayor Protem Wilkerson to approve PH-22-085. Motion was seconded by Councilmember Segarra. The motion carried unanimously (7-0).

PH-22-086 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of BCMB Properties, LLC (Case #Z22-50) to rezone Lot 4, Block 2, Stefek Trust Addition Phase Four from "B-5" (Business District) to "B-C-1" (General Business and Alcohol Sales District). The property is locally addressed as 601 Stefek 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 APPROXIMATELY LOT 4, BLOCK 2, STEFEK TRUST ADDITION, FROM "B-5" (BUSINESS DISTRICT) TO "B-C-1" (GENERAL BUSINESS AND ALCOHOL SALES DISTRICT), PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

The applicant, Robert Stefek, was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

Mellisa Brown spoke in opposition.
Robert Stefek spoke in support.

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

Motion was made by Mayor Protem Wilkerson to approve PH-22-086. Motion was seconded by Councilmember Cobb. The motion carried unanimously (7-0).

PH-22-087 HOLD a public hearing and consider an ordinance requested by Mike Russell, on behalf of ATMOS Energy Corporation (Case #Z22-51) to rezone Lot 1, Block 1, and (Southwest Triangle) Fairway Park 2nd Unit from "R-2" (Two-Family Residential District) to "R-2" (Two-Family Residential District) with a Conditional Use Permit (CUP) for an above ground pipeline station facility. The property is locally addressed as 1701 Fairview 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 APPROXIMATELY LOT 1, BLOCK 1, AND (SOUTHWEST TRIANGLE), FAIRWAY PARK 2ND UNIT, FROM "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT) WITH A CONDITIONAL USE PERMIT FOR AN ABOVE GROUND PIPELINE STATION FACILITY, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Representative of ATMOS Energy Corporation, Rusty Fischer, 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 Mayor Protem Wilkerson to approve PH-22-087. Motion was seconded by Councilmember Boyd. The motion carried unanimously (7-0).

PH-22-088 HOLD a public hearing and consider an ordinance amending the Code of Ordinances Chapter 31, Sec. 31-903, Garages, providing for amendments to the standards regarding protruding garage doors. (Requires three-fourths ($\frac{3}{4}$) majority vote.)

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; AMENDING THE STANDARDS REGARDING GARAGE DOORS; 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: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

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-22-088. Motion was seconded by Councilmember Alvarez. The motion carried unanimously (7-0).

PH-22-089 HOLD a public hearing and consider an ordinance amending the FY 2023 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 2023 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: Miranda Drake, Director of Budget

This item was presented to City Council during their December 6, 2022 Workshop meeting. Ms. Drake was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Mayor Protem Wilkerson to approve PH-22-089. Motion was seconded by Councilmember Boyd. The motion carried unanimously (7-0).

PH-22-090 HOLD a public hearing and consider amendments to the Tax Increment Reinvestment Zone Number Two (TIRZ #2) ordinance by amending the project and financing plan, expanding the TIRZ #2 boundary, and extending the duration of the TIRZ #2.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO PROJECT AND FINANCING PLAN, TERMINATION DATE, AND BOUNDARY; PROVIDING A SAVINGS

CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Mellisa Brown spoke in opposition.

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

Motion was made by Councilmember Boyd to approve PH-22-090. Motion was seconded by Councilmember Segarra. The motion carried unanimously (7-0).

Resolutions

RS-22-180 Consider a memorandum/resolution authorizing a professional services agreement for the schematic design of the Rancier Avenue Replacement and Streetscaping Improvements Project with BGE Inc. in the amount of \$813,453.73.

Staff Comments: Edwin Revell, Executive Director of Development Services

This item was presented to City Council during their December 6, 2022 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Motion was made by Councilmember Cobb to approve RS-22-180. Motion was seconded by Councilmember Alvarez. The motion carried unanimously (7-0).

Discussion Items

DS-22-147 Discuss Warming Center Procedures

Fire Chief, James Kubinski, and Director of Homeland Security and Emergency Management, Peter Perez, provided information to Council regarding warming center procedures.

Motion of direction was made by Mayor Protem Wilkerson for staff to consider the options available to the City regarding a formal agreement with community/private partners to offset some of the issues surrounding warming center procedures and where the City

would provide resources, as needed. Councilmember Cobb seconded the motion. The motion carried 6-0-1 with Councilmember Adams abstaining.

DS-22-148 Conduct Annual Evaluation of the City Manager

At 7:03 p.m., Mayor Nash-King called for City Council to recess the meeting into Executive Session.

Per V.T.C.A., Government Code Section 551.074 the City Council will conduct a City Manager annual review.

At 8:10 p.m., Mayor Nash-King reconvened the City Council meeting into Regular Session.

Adjournment

With no further business, upon motion being made by Councilmember Adams, seconded by Mayor Protem Wilkerson, and unanimously approved, the meeting was adjourned at 8:12 p.m.

Debbie Nash-King, Mayor

Laura Calcote, City Secretary