

City of Killeen
Regular City Council Meeting
Killeen City Hall
May 9, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Brockley Moore, Councilmembers Jim Kilpatrick, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Richard Young

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

Pastor Jones gave the invocation, and citizen Joziah Sims led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Moore to approve the agenda, pulling item PH-17-014 from consideration. Motion seconded by Councilmember Rivera. The motion carried unanimously.

Minutes

Motion was made by Councilmember Kilpatrick to approve the minutes of the April 25th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Resolutions

RS-17-048 Consider a memorandum/resolution authorizing the City Manager to enter into an interlocal agreement between the Cities of Killeen and Harker Heights for a Household Hazardous Waste Collection Event.

Staff comments: Jeff Reynolds

For this event sponsored by the City of Killeen, Killeen has asked the City of Harker Heights to provide event funding to enable their residents to participate in the household hazardous waste collection event. As the Cities of Killeen and Harker Heights share a common watershed, the routine participation of residents from the City of Harker Heights is desirable. Approving this multi-year agreement will facilitate that participation. Staff recommends that City Council authorize the City Manager to execute an Interlocal Agreement between the City of Killeen, Texas and Harker Heights, Texas.

Motion was made by Councilmember Rivera to approve RS-17-048. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

RS-17-049 Consider a memorandum/resolution for the re-adoption of eligibility, guidelines and criteria for tax abatements.

Staff comments: Tony McIlwain

In order to offer tax abatement, the City is required to establish guidelines and criteria governing tax abatement. There are no changes to the Guidelines and Criteria for this re-adoption. Staff recommends that the City Council elects to continue its eligibility under state law to participate in tax abatements, and re-adopts the attached Tax Abatement Guidelines and Criteria for use.

Motion was made by Councilmember Fleming to approve RS-17-049. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

Ordinances

OR-17-006 Consider an ordinance amending Chapter 26 of the Code of Ordinances of the City of Killeen reverting final plat approval authority to the City Council and amending various sections of Chapter 26 as a housekeeping matter to ensure consistency with the new provisions.

The caption of the ordinance was read by the City Secretary.

AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; AMENDING CHAPTER 26 REQUIRING FINAL PLAT APPROVAL BY THE CITY COUNCIL; AMENDING VARIOUS SECTIONS OF CHAPTER 26 AS A HOUSEKEEPING MATTER TO ENSURE CONSISTENCY WITH NEW PROVISIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

At the City Council workshop meeting of April 18, 2017, the Council directed staff to provide an ordinance reverting final plat approval authority to the City Council. The effect of this ordinance shall revert the final plat approval authority, which was delegated to the Planning and Zoning Commission in 2014, back to the City Council.

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

There was discussion regarding under what circumstances the City Council would have the authority to disapprove a plat, and whether the city's development regulations need to be reviewed.

City Manager Olson stated that policies regarding the platting approval process should be discussed by City Council at a future planning workshop.

Motion was made by Councilmember Kilpatrick to table OR-17-006 and bring back at a future workshop for further discussion. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Public Hearings

PH-17-025 HOLD a public hearing and consider an ordinance readopting the youth curfew. (1st of 2 readings)

The caption of the ordinance was read by the City Secretary.

AN ORDINANCE READOPTING A CURFEW FOR PERSONS UNDER SEVENTEEN YEARS OF AGE TO PROHIBIT THEIR BEING IN ANY PUBLIC PLACE FROM 11:00PM ON ANY SUNDAY, MONDAY, TUESDAY, WEDNESDAY, OR THURSDAY UNTIL 6:00AM THE FOLLOWING DAY, AND FROM 12:01 AM UNTIL 6:00AM ON ANY FRIDAY OR SATURDAY OR ON ANY DAY FROM JUNE 1 THROUGH AUGUST 15; PROVIDING DEFINITIONS; PROVIDING ENFORCEMENT PROCEDURES; PROVIDING PENALTIES CONSISTING OF A FINE FOR MINORS NOT TO EXCEED \$500.00, AND FOR PARENTS OF MINORS CONSISTING OF A FINE OF NOT LESS THAN \$50.00, BUT NOT TO EXCEED \$500.00; ADOPTING CERTAIN DEFENSES;

PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Staff comments: Police Chief Young

The Killeen Police Department has gathered statistics that show while juveniles continue to commit offenses during the curfew hours, the number of juvenile arrests during curfew has remained fairly constant in each of the preceding three years. This indicates that the enforcement of the curfew ordinance has kept juveniles off the streets during the curfew hours, thus making them less able to commit offenses or be victimized during those hours. The Police Department recommends council re-adopt the Youth Curfew ordinance.

Mayor Segarra opened the public hearing.

Bill Paquette, 515 Ray – has concerns regarding kids being out late at night and does not feel the city needs a curfew, parents should monitor their kids.

With no one else appearing the public hearing was closed.

PULLED FROM CONSIDERATION BY THE APPLICANT

PH-17-014 HOLD a public hearing and consider an ordinance requested by Victor Craig Mashburn and Denna Connel O'Connor to rezone approximately 1.39 acres out of the G.W. Farris Survey, Abstract No. 306, Killeen, Texas, from "B-3" (Local Business District) to "R-1" (Single-Family Residential District). The property is locally known as 708 E. Elms Road, Killeen, Texas.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Mayor Pro-Tem Moore, and unanimously approved, the meeting was adjourned at 6:07 p.m.

Jose L. Segarra, Mayor

Dianna Barker, City Secretary