



# City of Killeen

## Legislation Text

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Consider Minutes of Regular City Council Meeting of June 28, 2022.

**City of Killeen**  
City Council Meeting  
Killeen City Hall  
June 28, 2022 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

Attending: Mayor Protem Ken Wilkerson, Councilmembers Jessica Gonzalez, Riakos Adams, Nina Cobb, Michael Boyd, Jose Segarra, and Ramon Alvarez

Also attending were City Manager Kent Cagle, Interim City Attorney Holli Clements, City Secretary Lucy Aldrich, and Sergeant-at-Arms Officer Burluson

Councilmember Adams gave the invocation. Councilmember Cobb led everyone in the Pledge of Allegiance.

### Approval of Agenda

*Motion was made by Mayor Protem Wilkerson to approve the agenda. Motion was seconded by Councilmember Adams. The motion carried unanimously.*

### Citizen Comments

No one signed up to speak.

### Consent Agenda

- RS-22-078** Consider a memorandum/resolution approving the investment reports for the quarter ended December 31, 2021 and March 31, 2022.
- RS-22-079** Consider a memorandum/resolution authorizing the procurement of ten police patrol vehicles from Silsbee Ford in the amount of \$756,817.
- RS-22-080** Consider a memorandum/resolution to award RFP #22-14, Emergency Medical Services Billing and Fire Service Fee Recovery, to LifeQuest Services in the amount of 4.0% of net revenues collected.
- RS-22-081** Consider a memorandum/resolution authorizing maintenance and repair of HVAC equipment by The Brandt Companies, LLC in an amount not to exceed \$92,005 in Fiscal Year 2022.

- RS-22-082** Consider a memorandum/resolution authorizing a Professional Services Agreement with Kimley-Horn for the design of the 12-inch Sewer Main in Trimmier Creek Basin Project in the amount of \$334,883.
- RS-22-083** Consider a memorandum/resolution authorizing Addendum No. 7 to the Amended and Restated Water Supply Contract with WCID for the Lake Belton Water Plant Power Resilience Project.
- RS-22-084** Consider a memorandum/resolution awarding RFP# 22-12, Landscape Services, to Heart of Texas Landscape & Irrigation Co., Inc. in the amount of \$210,000.
- RS-22-085** Consider a memorandum/resolution authorizing the purchase of a replacement playscape at Stewart Park from Heartland Play in the amount of \$292,670.
- RS-22-086** Consider a memorandum/resolution authorizing the purchase of replacement equipment for the Junior Service League Splash Pad in Long Branch Park from Heartland Play in the amount of \$143,738.75.
- RS-22-087** Consider a memorandum/resolution authorizing the procurement of audio-video equipment upgrades at the Utility Collections building from Rushworks in the amount of \$165,298.50.
- RS-22-088** Consider a memorandum/resolution authorizing the procurement of a data center firewall and network switches from Netsync in the amount of \$259,306.30.
- RS-22-089** Consider a memorandum/resolution declaring a public purpose and approving Nonprofit Youth Organization Grant allocations.
- RS-22-090** Consider a memorandum/resolution rejecting all bids for Bid No. 22-16, Fire Station #5 Bay Remodel.
- RS-22-091** Consider a memorandum/resolution appointing a Court Administrator.
- RS-22-092** Consider a memorandum/resolution renewing Group Employee Medical and Pharmaceutical Benefits with United Healthcare and employee dental insurance with MetLife, effective October 1, 2022.

*Motion was made by Mayor Protem Wilkerson to approve the consent agenda. Motion was seconded by Councilmember Segarra. The motion carried unanimously.*

### **Resolutions**

- RS-22-094** Consider a memorandum/resolution readopting the Governing Standards and Expectations as amended.

**Staff Comments:** Holli Clements, Interim City Attorney, reviewed the recommended amendments to the Governing Standards and Expectations discussed during the June 14, 2022 City Council Workshop Meeting.

*A motion of direction was made by Mayor Protem Wilkerson to clarify in Section 3-10 (f) that appointments to vacancies to assure continuity on the committees will be made in the same manner beginning with the next*

*Councilmember in tenure order. Motion of direction was seconded by Councilmember Boyd. Motion of direction carried 4 to 3 with Councilmember Cobb, Councilmember Segarra and Councilmember Alvarez in opposition.*

*A motion of direction was made by Mayor Protem Wilkerson to amend Sections 1-50 and 1-80 allowing four (4) minutes for citizens petitions, citizen comments, and public hearings, rather than three (3) minutes plus an additional one (1) minute upon request and to provide for a timer to be placed so that the speaker and citizens can see it. Motion of direction was seconded by Councilmember Boyd. Motion of direction carried 5 to 2 with Councilmember Cobb and Councilmember Segarra in opposition.*

*A motion of direction was made by Councilmember Gonzalez for City Council to hold an annual workshop or townhall specifically designed to explain the mission, vision, direction, and special projects for the City to be held annually around October and moderated by the City Manager or Assistant City Manager, three (3) to five (5) minute presentations by each Councilmember, question and answer session with citizens related to topics on the agenda and closing remarks. Motion of direction was seconded by Mayor Protem Wilkerson. During discussions, a call for the vote was made by Mayor Protem Wilkerson seconded by Councilmember Segarra resulting in a unanimous vote. The motion of direction made by Councilmember Gonzalez, seconded by Mayor Protem Wilkerson carried 6 to 1 with Councilmember Segarra in opposition.*

*A motion of direction was made by Councilmember Adams to add to Section 1-70 (i) 5 that discussion can only be had on the motion. Motion of direction was seconded by Councilmember Alvarez. During discussions, Councilmember Alvarez rescinded his second and Councilmember Adams rescinded his motion of direction.*

*A motion of direction was made by Mayor Protem Wilkerson to require a super majority vote for amendments to future Governing Standards and Expectations adoption. Motion was seconded by Councilmember Boyd. Motion of direction carried 6 to 1 with Councilmember Cobb in opposition.*

*A motion of direction was made by Councilmember Cobb to vote on each of the recommended amendments individually instead of one action on the amendments in entirety. Motion of direction was seconded by Councilmember Alvarez. Motion of direction carried 4 to 3 with Mayor Protem Wilkerson, Councilmember Gonzalez and Councilmember Boyd in opposition.*

*A motion of direction was made by Councilmember Segarra to table further discussions and consideration of votes for agenda items RS-22-094, RS-22-068 and RS-22-093 until after public hearing agenda item PH-22-050. Motion of direction was seconded by Councilmember Cobb. Motion of direction carried unanimously.*

**RS-22-068** Consider a memorandum/resolution appointing councilmembers to various boards and commissions.

**TABLED TO FOLLOW PUBLIC HEARING AGENDA ITEM PH-22-050**

**RS-22-093** Consider a memorandum/resolution declaring vacancies on various citizen boards and commissions and appointing members to fill the unexpired terms.

**TABLED TO FOLLOW PUBLIC HEARING AGENDA ITEM PH-22-050**

### Public Hearings

**PH-22-046** HOLD a public hearing and consider an ordinance authorizing the 2022-2023 Annual Action Plan describing use of funds and authorizing application for and allocation of Community

Development Block Grant (CDBG) and Home Investment Partnerships (HOME) program funds.  
(1st of 2 Public Hearings)

The City Secretary read the caption of the ordinance.

AN ORDINANCE AUTHORIZING SUBMITTAL OF THE 2022-2023 PROGRAM YEAR(PY) ANNUAL ACTION PLAN DESCRIBING THE USE OF FUNDS AND AUTHORIZING THE APPLICATION FOR AND ALLOCATION OF \$1,163,980.00 IN PY 2022-23/FISCAL YEAR 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND THE USE OF PRIOR YEAR RE-PROGRAMMABLE FUNDS FOR A TOTAL EXPENDITURE OF \$1,500,656.65 OF CDBG FUNDS; AND THE APPLICATION OF \$589,175.00 IN HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS, THE USE OF PRIOR YEARS REPROGRAMMABLE FUNDS AND PY 2021-22 PROGRAM INCOME FOR A TOTAL EXPENDITURE OF \$1,020,448.82 OF HOME FUNDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Staff Comments:** Leslie Hinkle, Executive Director of Community Services

Annually, the City receives funding from the U.S. Department of Housing and Urban Development (HUD) from two of four formula grant programs, Community Development Block Grant (CDBG) and Home Investment Partnerships Act (HOME). The city must seek input from the community by holding public hearings and submitting an action plan to HUD. CDBG grant funding for FY 2023 is in the amount of \$1,500,656.65. HOME grant funding for FY 2023 is in the amount of \$1,050,448.82. Mr. Johnny Frederick, Chairman of Community Development Advisory Committee reviewed the proposed allocations of funding for both programs. City staff recommends that the first of two public hearings be held in compliance with the grant programs.

Mayor Nash-King opened the public hearing.

Mr. Keith Rowe did not speak for or against the proposed ordinance. He requested a better understanding of the process of applying for grants and programs.

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

*Mayor Nash-King announced that the second public hearing will be held on July 26, 2022.*

**PH-22-047** HOLD a public hearing and consider an ordinance requested by Republic Engineering & Development Services on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al. (Case #FLUM 22-18) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' (E) designation to a 'Planned Development' (PD) designation for approximately 390.72 acres out of the M. J. Pleasant Survey, Abstract No. 652 and the S. D. Carothers Survey, Abstract No. 177. The property is locally addressed as 4244 Stagecoach Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE APPROXIMATELY 390.72 ACRES OUT OF THE M. J. PLEASANT SURVEY, ABSTRACT NO. 652 AND THE S. D. CAROTHERS SURVEY, ABSTRACT NO. 177, FROM AN 'ESTATE' (E) DESIGNATION TO A 'PLANNED DEVELOPMENT' (PD) DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; 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 June 21, 2022 Workshop meeting. Mr. Revell was available to provide additional information and answer questions.

The applicant, Mr. Chris Doose, was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

Ms. Mellisa Brown spoke in opposition of the requested ordinance.

Mr. Steve Overby spoke against the requested ordinance.

Mr. Donald Smith spoke in favor of the requested ordinance but did express concerns of neighbors who reside next to the project.

Mr. Russell Coburn spoke against the requested ordinance.

Ms. Heather McNeely spoke against the requested ordinance.

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

*Motion of direction was made by Councilmember Gonzalez to add to the City website a special project tab that provides for a phase-by-phase update on the project. Motion of direction was seconded by Mayor Protem Wilkerson. Motion of direction carried unanimously.*

*Motion was made by Councilmember Segarra to approve PH-22-047. Motion was seconded by Councilmember Adams. Motion carried unanimously.*

**PH-22-049** HOLD a public hearing and consider an ordinance amending the Code of Ordinances, Chapter 31 Zoning to amend the boundaries of the Historic Overlay District (HOD) by removing 507 N. Gray Street from the 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; AMENDING THE BOUNDARIES OF THE HISTORIC OVERLAY DISTRICT; 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 June 21, 2022 Workshop meeting. Mr. Revell was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

Ms. Mellisa Brown had signed up to speak but withdrew her request as being called to the podium.

With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Adams to approve PH-22-049. Motion was seconded by Councilmember Alvarez. Motion carried unanimously.*

**PH-22-050** HOLD a public hearing and consider an ordinance amending the Code of Ordinances Chapter 31 Zoning to provide for a special exception process to the architectural and site design standards.

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 A SPECIAL EXCEPTION PROCESS FOR ARCHITECTURAL AND SITE DESIGN STANDARDS; 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 June 21, 2022 Workshop meeting. Mr. Revell 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 Councilmember Adams to approve PH-22-050. Motion was seconded by Mayor Protem Wilkerson. Motion carried unanimously.*

Mayor Nash-King called for a meeting recess at 7:35 p.m.

Mayor Nash-King reconvened the meeting at 7:44 p.m.

### **Resolutions Continued**

**RS-22-094** Consider a memorandum/resolution readopting the Governing Standards and Expectations as amended.

As per City Council's motion of direction each amendment to the Governing Standards was presented and voted on as follows:

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 1-50 (a) 8. Motion was seconded by Councilmember Boyd. Motion carried unanimously.*

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 1-80 (b). Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 2-60 amendment No. 1. Motion was seconded by Councilmember Boyd. Motion carried 5 to 2 with Councilmember Cobb and Councilmember Segarra in opposition.*

*Motion was made by Councilmember Boyd to approve amendments to Section 2-60 amendment No. 2. Motion was seconded by Mayor Protem Wilkerson. Motion carried 6 to 1 with Councilmember Segarra in opposition.*

*Motion was made by Councilmember Gonzalez to approve amendments to Section 2-60 amendment No. 3.*

*Motion was seconded by Councilmember Boyd. Motion carried 6 to 1 with Councilmember Segarra in opposition.*

*Motion was made by Councilmember Segarra to approve amendments to Section 2-70. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

*Motion was made by Councilmember Adams to approve amendments to Section 2-80. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 3-10 (f). Motion was seconded by Councilmember Boyd. Motion carried 4 to 3 with Councilmember Cobb, Councilmember Segarra and Councilmember Alvarez in opposition.*

*Motion was made by Councilmember Gonzalez to approve amendments to Section 3-20 (f). Motion was seconded by Councilmember Boyd. Motion carried 6 to 1 with Councilmember Adams in opposition.*

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 1-50 and other sections relating to changing citizen comments, citizen petitions and public hearings from 3 minutes to 4 minutes. Motion was seconded by Councilmember Adams. Motion carried 6 to 1 with Councilmember Segarra in opposition.*

*Motion was made by Councilmember Gonzalez to approve an amendment allowing for annual special workshop/townhall meeting. Motion was seconded by Mayor Protem Wilkerson. Motion carried 6 to 1 with Councilmember Segarra in opposition.*

*Motion was made by Mayor Protem Wilkerson to approve amendments to Section 7-20 calling for a super majority vote needed for adoption of future amended Governing Standards and Expectations. Motion was seconded by Councilmember Adams. Motion carried unanimously.*

**RS-22-068** Consider a memorandum/resolution appointing councilmembers to various boards and commissions.

**Staff Comments:** Holli Clements, Interim City Attorney, was available to capture and record the Mayor and City Councilmember's appointments to the standing boards, commissions, and sub-committees. City Council used the board selection method adopted in agenda item RS-22-094. Mayor Nash-King selected three (3) boards to serve on in addition serving on a fourth (4) board that requires the mayor to be a sitting/voting member. Following Mayor Nash-King's selections, each councilmember had their choice of boards going in the following order (tenure first, councilmembers with the same tenure were then put in how many votes received with the top number of votes going first): Mayor Protem Wilkerson, Councilmember Cobb, Councilmember Gonzalez, Councilmember Boyd, Councilmember Adams, Councilmember Segarra, and Councilmember Alvarez (this round with councilmembers continued until all of the boards positions were filled. The round ended with Councilmember Alvarez making the final selection.

*Motion was made by Mayor Protem Wilkerson to approve RS-22-068. Motion was seconded by Councilmember Adams. The motion carried 6 to 0. Councilmember Cobb was absent from the dais when the vote was taken.*

**RS-22-093** Consider a memorandum/resolution declaring vacancies on various citizen boards and commissions and appointing members to fill the unexpired terms.

**Staff Comments:** Holli Clements, Interim City Attorney.

This agenda item was tabled at the June 21, 2022 City Council Workshop meeting directing staff to bring back to this meeting. Staff recommends City Council declare vacancies and appoint citizen members to serve on various boards and commissions.

*Motion was made by Mayor Protem Wilkerson to appoint Kirk Latham to serve as the Planning and Zoning representative on the Zoning Board of Adjustment. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

*Motion was made by Councilmember Boyd to appoint Johnny Frederick to serve on the Capital Improvement Advisory Committee (CIAC). Motion was seconded by Councilmember Adams. Motion carried unanimously.*

*Motion was made by Councilmember Boyd to appoint Teresa Cossey to serve on the Community Development Advisory Committee (CDAC). Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

*Motion was made by Councilmember Adams to appoint Cyndi Rowe to serve as the Planning and Zoning representative on the Heritage Preservation Board. Motion was seconded by Councilmember Alvarez. Motion carried unanimously.*

*Motion was made by Councilmember Segarra to appoint Jose Guzman to serve as the Killeen Industrial Foundation representative on the Killeen Economic Development Corporation (KEDC). Motion was seconded by Councilmember Boyd. Motion carried unanimously.*

*Motion was made by Councilmember Boyd to appoint Omar Marquez to serve on the Planning and Zoning Commission. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Segarra, seconded by Mayor Protem Wilkerson, and unanimously approved, the meeting was adjourned at 8:30 p.m.