



City of Killeen

Legislation Text

File #: MN-23-009, **Version:** 1

Consider Minutes of Regular City Council Meeting of April 11, 2023.

City of Killeen
City Council Meeting
Killeen City Hall
April 11, 2023 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

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

Also attending were City Manager Kent Cagle, City Attorney Holli Clements, City Secretary Laura Calcote, and Sergeant-at-Arms Officer Paholek

Edmond Jones gave the invocation. Councilmember Alvarez 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 (7-0).

Presentations

PR-23-005 Better Opportunities for Single Soldiers (BOSS) Recognition

Mayor Nash-King presented a certificate of appreciation to Better Opportunities for Single Soldiers (BOSS) program representatives Troy Swartz, Jasmine Tcha, Jefferson Familia, Rafael Escamilla, Dallas Parker, and Neicy Davis for their volunteer participation in the revitalization of Downtown Killeen. City of Killeen Executive Director of Development Services, Edwin Revell, and Downtown Revitalization Planner, Kate Kizito, were also recognized for their organizational efforts in conjunction with the BOSS program.

Citizen Comments

Ronald Ducharme spoke regarding OR-23-008.
Gudrun Dates spoke regarding OR-23-008.
Shirley Del Conte spoke regarding OR-23-008.
Tom Moulton spoke regarding OR-23-008.
Christine Evans spoke regarding PH-23-022.

Jack Ralston spoke regarding RS-23-042.
Leo Gukeisen spoke regarding OR-23-008 and RS-23-042.
Michael Fornino spoke regarding RS-23-042 and OR-23-008.
Mellisa Brown spoke regarding RS-23-042 and OR-23-008.
Anca Neagu spoke regarding OR-23-008.
Linda Marzi spoke regarding OR-23-008.
Gabriel Montalvo spoke regarding RS-23-042.
Victoria Watkins spoke regarding OR-23-008.
Janice Holliday spoke regarding OR-23-008.

Consent Agenda

- MN-23-007** Consider Minutes of Regular City Council Meeting of March 14, 2023.
- RS-23-064** Consider a memorandum/resolution for the purchase of Aquatics Chemicals from Progressive Commercial Aquatics in an amount not to exceed \$85,000.00.
- RS-23-065** Consider a memorandum/resolution approving the appointment of an Executive Director of Community Development.
- RS-23-066** Consider a memorandum/resolution confirming the Municipal Court Judge's annual evaluation and pay increase.

Motion was made by Councilmember Segarra to approve the Consent Agenda, with the exception of OR-23-008. Motion was seconded by Mayor Protem Wilkerson. The motion carried unanimously (7-0).

Ordinances

- OR-23-008** Consider an ordinance amending the Code of Ordinances, Chapter 6, Animals amending Feral Cat, Aggressive Dogs, and Wild Animals.

The City Secretary read the caption of the ordinance:
AN ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, ADDING PROVISIONS RELATED TO DANGEROUS AND AGGRESSIVE DOGS, COMMUNITY CATS, AND WILD ANIMALS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATIONS AND AN EFFECTIVE DATE.

Staff Comments: Danielle Singh, Assistant City Manager
This item was presented to City Council during their April 4, 2023 Workshop meeting. Ms. Singh was available to provide additional information and to answer questions.

Motion was made by Councilmember Adams to approve OR-23-008, striking the limit of the number of cats in a community colony. Motion was seconded by Councilmember Segarra. The motion failed 3-4, with Mayor Protem Wilkerson and Councilmembers Cobb, Boyd, and Alvarez in opposition.

Motion was made by Mayor Protem Wilkerson to approve OR-23-008, as presented. Motion was seconded by Councilmember Boyd. The motion carried 4-3, with Councilmembers Segarra, Gonzalez, and Adams in opposition.

Resolutions

RS-23-042 Consider a memorandum/resolution authorizing a Professional Services Agreement with Brinkley Sargent Wiginton Architects, Inc., for a needs assessment and conceptual layout of a new Killeen City Hall and Municipal Court Complex, in the amount of \$108,295.

Staff Comments: Kent Cagle, City Manager

Mr. Cagle was available to provide additional information and to answer questions.

Motion was made by Mayor Protem Wilkerson to approve RS-23-042. Motion was seconded by Councilmember Boyd. The motion carried 5-2, with Councilmembers Cobb and Segarra in opposition.

Public Hearings

PH-23-018 HOLD a public hearing and consider an ordinance requested by Vernon Hood (Case #Z23-04), to the rezone Lots 24 29, Block 3, Western Oaks, from "UD" (University District) to "UD" (University District) with a Conditional Use Permit (CUP) to allow single family residential use on six (6) existing lots. The property is locally addressed as 505 Reese Creek, Killeen, Texas.

The City Secretary read the caption of the ordinance:

AN ORDINANCE AMENDING THE CITY OF KILLEEN ZONING ORDINANCE BY CHANGING THE ZONING OF THE PROPERTY BEING LOTS 24-29, BLOCK 3, WESTERN OAKS, FROM "UD" (UNIVERSITY DISTRICT) TO "UD" (UNIVERSITY DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO ALLOW SINGLE-FAMILY RESIDENTIAL USE ON SIX (6) EXISTING LOTS; 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 April 4, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Vernon Hood spoke in favor of PH-23-018.

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

Motion was made by Mayor Protem Wilkerson to approve PH-23-018. Motion was seconded by Councilmember Boyd. Motion carried unanimously (7-0).

PH-23-019 HOLD a public hearing and consider an ordinance approving a written service agreement and the annexation of approximately 221.272 acres of land lying contiguous to the existing city limits, generally located on the west side of Bunny Trail, north of the Goodnight Ranch subdivision, south of Haynes Elementary School, and east of Dr. Joseph A. Fowler Elementary School, Killeen, Texas.

The City Secretary read the caption of the ordinance:

AN ORDINANCE OF THE CITY OF KILLEEN EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, BEING APPROXIMATELY 221.272 ACRES OF LAND OUT OF THE JOHN E. MADDERA SURVEY, ABSTRACT NO. 600; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Staff Comments: Edwin Revell, Executive Director of Development Services
This item was presented to City Council during their April 4, 2023 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 of PH-23-019.

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

Motion was made by Councilmember Boyd to approve PH-23-019. Motion was seconded by Mayor Protem Wilkerson. Motion carried unanimously (7-0).

PH-23-020 HOLD a public hearing and consider an ordinance requested by Belton Engineering, Inc. on behalf of Bunny Trail Real Estate, LP (Case #Z22-59) for the initial rezoning of approximately 221.272 acres of land out of the John E. Maddera Survey, Abstract No. 600, from "A" (Agricultural District) to Planned Unit Development (PUD) with "SF-2" (Single Family Residential District), "R-3A" (Multifamily Residential District), "RT-1" (Residential Townhouse Single Family District), and "NBD" (Neighborhood Business District) uses. The properties are locally addressed as 6603 Bunny Trail, 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 221.272 ACRES OF LAND OUT OF THE JOHN E. MADDERA SURVEY, ABSTRACT NO. 600, FROM "A" (AGRICULTURAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT), "R-3A" (MULTIFAMILY RESIDENTIAL DISTRICT), "RT-1" (RESIDENTIAL TOWNHOUSE SINGLE-FAMILY DISTRICT), AND "NBD" (NEIGHBORHOOD BUSINESS DISTRICT) USES; 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 April 4, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Civil Engineer, Lina Chtay, with Belton Engineering, Inc. was available to provide additional

information and to answer questions.

Mayor Nash-King opened the public hearing.

Mellisa Brown spoke in opposition of PH-23-020.

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

Motion was made by Mayor Protem Wilkerson to approve PH-23-020. Motion was seconded by Councilmember Boyd. Motion carried unanimously (7-0).

PH-23-021 HOLD a public hearing and consider an ordinance amending Chapter 31 of the Killeen Code of Ordinances, providing for amendments to the City's land use regulations regarding residential structures on a single lot and permitted uses in "R-3F" (Multifamily Residential District).

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 LAND USE REGULATIONS; 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 April 4, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Melissa Brown spoke in opposition of PH-23-021.

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

Motion was made by Mayor Protem Wilkerson to approve PH-23-021. Motion was seconded by Councilmember Alvarez. Motion carried unanimously (7-0).

PH-23-022 HOLD a public hearing and consider an ordinance amending Chapter 31 of the Code of Ordinances of the City of Killeen; providing for amendments to the City's zoning regulations; allowing for short term rentals.

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; ALLOWING FOR SHORT TERM RENTALS; 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 April 4, 2023 Workshop meeting. Mr. Revell was available to provide additional information and to answer questions.

Mayor Nash-King opened the public hearing.

Melissa Brown spoke in opposition of PH-23-022.

Khandiese Cooper spoke in favor of PH-23-022.

Marco Saenz spoke in favor of PH-23-022.

Leo Gukeisen spoke in opposition of PH-23-022.

Carlos Pineda spoke in favor of PH-23-022.

Nicholes Jones spoke in favor of PH-23-022.

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

Motion was made by Councilmember Adams to approve PH-23-022, excluding the density restrictions outlined in Section 31.954 (a) and (b). Motion was seconded by Councilmember Segarra.

Councilmember Gonzalez motioned a call for the vote. Motion to call the vote was seconded by Councilmember Segarra. The motion carried 5-2, with Mayor Protem Wilkerson and Councilmember Cobb in opposition. The original motion carried 5-2, with Mayor Protem Wilkerson and Councilmember Boyd in opposition.

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 7:44 p.m.