



# City of Killeen

## Legislation Text

---

**File #:** MN-18-012, **Version:** 1

---

Consider Minutes of Regular City Council Meeting of May 22, 2018.

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
May 22, 2018 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers Debbie Nash-King, Juan Rivera, Shirley Fleming, Gregory Johnson, and Steve Harris.

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

Mr. Jones gave the invocation, and Gracie and Prince Wilson from Bellaire 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 Fleming. The motion carried unanimously.*

### **Oath of Office**

*Judge Mark Kimball administered the Oath to Butch Menking.*

### **Presentations**

**PR-18-004** Presentation: U.S. Census Bureau  
Rebecca Briscoe briefed those present on the 2020 U.S. Census operations.

**PR-18-005** Presentation: MDA Check Presentation  
Ms. Toni Brooks and Mr. Heath Haverland from the Killeen Professional Fire Fighters Association (KPFFA) presented a check to the Muscular Dystrophy Association for \$76,751 for the Fill The Boot campaign. Laura Lutrick, Executive Director for the MDA Austin office thanked the KPFFA with a plaque and also presented Mayor Segarra with a Citizen's Award plaque.

### **Minutes**

*Motion was made by Councilmember Rivera to approve the minutes of the May 8, 2018 Regular City Council*

*Meeting. Motion was seconded by Councilmember Nash-King . Motion carried unanimously.*

*Motion was made by Councilmember Rivera to approve the minutes of the May 15, 2018 Special City Council Meeting. Motion was seconded by Councilmember Johnson . Motion carried unanimously.*

## **Resolutions**

**RS-18-036** Consider a memorandum/resolution authorizing a contract for the application of pavement reclaimite rejuvenating agent on identified city roadways with Pavement Restoration, Inc.

**Staff Comments:** David Olson

Street Operations has been reviewing options for street maintenance which would allow a decrease of maintenance costs but allow for equal to or better quality of surface treatment on identified roadways. This method is presented to preserve asphalt pavement using an asphalt rejuvenator to extend pavement service life, thus decreasing maintenance costs. City staff recommends that City Council award the contract to Pavement Restoration, Inc. for pavement rejuvenation; authorize the City Manager to enter into a contract with the same, including the proposed terms described herein; and finally, authorize the City Manager to execute any and all change orders in the amounts established by State and Local law.

*Motion was made by Mayor Pro-Tem Kilpatrick to approve RS-18-036. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-18-037** Consider a memorandum/resolution to amend the Financial Governance Policies and approve the programs citizens may contribute to through their City utility bill.

**Staff Comments:** Jonathan Locke

There has been interest by City Council and staff to expand the acceptance of utility bill contributions to provide additional resources for other programs in addition to the Senior Citizen Utility Bill Assistance Program. At the April 17, 2018 City Council Workshop, staff proposed adding Summer Youth Program and Animal Services Unit. The City Council reached a consensus to bring the proposed item back for formal consideration. With the addition of these two programs, citizens will have the option of contributing via their utility bills. Staff recommends that City Council approve an amendment to the Financial Governance Policies and the addition of Summer Youth Program and Animal Services Unit to the programs citizens may contribute to through their City utility bill.

*Motion was made by Councilmember Fleming to approve RS-18-037. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-18-038** Consider a memorandum/resolution approving the appointment of the City Secretary.

**Staff Comments:** Kathryn Davis

City Secretary Dianna Barker resigned May 16, 2018 to take a job in another city, after almost 5 years of dedicated service to the City of Killeen. Sec. 29 of the City of Killeen Charter provides that the appointment of the new City Secretary is subject to the Council's approval. Staff recommends that the City Council approve the appointment of Ms. Lucy Aldrich as Killeen's City Secretary. If approved, Ms. Aldrich will officially assume the duties of City Secretary effective June 4, 2018.

*Motion was made by Councilmember Nash-King to approve RS-18-038. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

## Public Hearings

**PH-18-009** HOLD a public hearing and consider an ordinance requested by Gary W. Purser Jr. on behalf of RSBP Developers, Inc. (Case#Z18-06) to rezone Lot 1, Block 10, Lot 1, Block 11 and Lot 2, Block 13, Bunny Trail Estates, Phase One and Lots 3-19, Block 10, Lots 24-34, Block 11 and Lots 3-18, Block 13, Bunny Trail Estates Phase Two from Planned Unit development (PUD) with "R-1" (Single-family Residential District) uses to Planned Unit Development (PUD) with "R-1" (Single-family Residential District) uses to decrease the required side yard setback from 9 feet to 7 feet and increase the required rear yard setback from 17 feet to 25 feet. The properties are addressed as 3704 Jack Barnes Avenue; 3207 Brunswick Drive; 3704, 3705, 3706, 3707, 3708, 3709, 3710 and 3711 Brunswick Drive; 3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3811 and 3900 Brunswick Drive; 3901, 3903, 3905, 3907, 3909, 3911 and 4001 Brunswick Drive; 3703, 3705, 3707, 3709, 3711, 3801, 3803, 3805, 3807, 3809, 3811, 3901, 3903, 3905, 3907, 3909, 3911 Anvil Range 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 FROM PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE FAMILY RESIDENTIAL DISTRICT) USES TO PLANNED UNIT DEVELOPMENT (PUD) WITH "R-1" (SINGLE FAMILY RESIDENTIAL DISTRICT) USES TO AMEND SIDE AND REAR YARD SETBACKS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

**Staff comments:** Tony McIllwain

Staff notified one hundred and sixty six (166) surrounding property owners that own land within 200 feet of the subject properties regarding this request and received one opposition from Ms. Christie Horejsi, the owner of 3808 Endicott Drive. The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 5 to 0 with Ben Purser abstaining.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Dr. - spoke against the request.  
with no one else appearing, the public hearing was closed.

*Motion was made by Councilmember Rivera to approve PH-18-009. Motion was seconded by Councilmember Nash-King. Motion carried 6 to 1 with Councilmember Harris opposing.*

**PH-18-010** HOLD a public hearing and consider an ordinance requested by Whitis Land Investments, Ltd. (Case#Z18-07) to rezone Lot 1B, Block 2, Bridgewood Addition Phase III Replat, from "B-3" (Local Business District) to "B-5" (Business District) to allow for automobile service. The property is located at 4300 W. Stan Schlueter Loop (FM 3470), 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-3" (LOCAL BUSINESS DISTRICT) TO "B-5" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING

PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

**Staff comments:** Tony McIllwain

Staff notified twenty one (21) surrounding property owners that own land within 200 feet of the subject site regarding this request; no protests were received.

The Planning and Zoning Commission recommended approval of the rezone request from "B-3" (Local Business District) to "B-4" (Business District) by a vote of 6 to 0.

Mayor Segarra opened the public hearing.

Mellisa Brown, 6105 Melanie Dr. - spoke against the request.  
with no one else appearing, the public hearing was closed.

*Motion was made by Councilmember Johnson to approve PH-18-010. Motion was seconded by Councilmember Nash-King. Motion carried 5 to 2 with Councilmember Fleming and Harris opposing.*

**PH-18-011** HOLD a public hearing and consider an ordinance requested by KNC Associates (FLUM#Z18-08) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Suburban Commercial' to a 'Planned Development' designated area for approximately 50.5 acres, out of the Robert Cunningham Survey, Abstract No. 15 and Part of Lot 2, Block 1, Rosewood Addition. The subject property is generally located approximately 300 feet south of Central Texas Expressway, along the east and west sides of Rosewood 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 "SUBURBAN COMMERCIAL" TO A "PLANNED DEVELOPMENT"; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

**Staff Comments:** Tony McIllwain

KNC Associates is requesting a FLUM amendment to change the designation of the subject area from 'General Commercial' (GC) to 'Planned Development' (PD). The location of the subject property makes it ideally situated as a gateway project for the City of Killeen. The applicant is currently exploring a variety of potential uses, including retail, commercial, multi-family residential, as well as single-family and attached residential dwellings. The intent is to master plan the area as a mixed-use development with commercial uses fronting Rosewood Drive and residential uses further to the east and west sides of the property. Changing the designation on the FLUM to 'Planned Development' will provide the developer with flexibility to do mixed uses and provide the City an opportunity to get better quality development.

This area has been designated as Suburban Commercial on the FLUM since the map's inception. A portion of the property (approx. 47 acres) has been zoned "B-3" (Local Business District) since 1996; the remainder was rezoned from "R-1" (Single Family Residential District) to "B-3" in 2015, at the current property owner's request. Approximately 50.5 acres of the subject area is unplatted; a portion of the area on the east side of Rosewood Drive was platted in 1996 as Rosewood Addition.

Staff is of the determination that developing the site as entirely commercial is not realistic, and that providing for a range of uses including commercial, single-family, and multi-family is more suitable for this property. The Planning and Zoning Commission recommended approval of the

request to amend the FLUM from its current 'Suburban Commercial' designation to 'Planned Development' by a vote of 6 to 0

Mayor Segarra opened the public hearing.

Pedro Quintero, 415 E. Avenue D - spoke for the request.

Mellisa Brown, 6105 Melanie Dr. - spoke against the request.

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

*Motion was made by Councilmember Nash-King to approve PH-18-011. Motion was seconded by Councilmember Rivera. Motion carried 5 to 2 with Councilmember Fleming and Harris opposing.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 6:32 p.m.