



City of Killeen

Legislation Text

File #: MN-21-027, **Version:** 1

Consider Minutes of Regular City Council Meeting of November 9, 2021.

City of Killeen
City Council Meeting
Killeen City Hall
November 9, 2021 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Debbie Nash-King, Councilmembers Jessica Gonzalez, Nina Cobb (arrived at 5:19 p.m.), Michael Boyd, Ken Wilkerson, Rick Williams, and Mellisa Brown.

Also attending were City Manager Kent Cagle, Deputy City Attorney Holli Clements, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Mayor Pro Tem Nash-King gave the invocation. Councilmember Wilkerson led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro Tem Nash-King to approve the agenda as written. Motion was seconded by Councilmember Boyd. The motion carried unanimously.

Citizen Comments

No one signed up to speak.

Resolutions

RS-21-140 Consider a memorandum/resolution appointing commissioners to the Youth Advisory Commission.

Staff Comments: Joe Brown, Executive Director of Recreation Services.

Mr. Brown gave a brief background of the Youth Advisory Commission. Ms. Yalondra Valderrama-Santana, Recreation Coordinator recognized 19 students that were interviewed and are being recommended for appointment to the 2021-2022 Youth Advisory Commission. Staff recommends that City Council appoint the nominated individuals.

Motion was made by Councilmember Brown to approve RS-21-140. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.

Mayor Segarra gave the new Youth Advisory Commissioners their oath of office.

Consent Agenda

- MN-21-025** Consider Minutes of Regular City Council Meeting of October 19, 2021.
- RS-21-137** Consider a memorandum/resolution authorizing the purchase of residential solid waste containers from Toter, LLC through the OMNIA cooperative and commercial containers from Wastequip, LLC through the BuyBoard cooperative in an amount not to exceed \$222,000.
- RS-21-138** Consider a memorandum/resolution authorizing the award of a construction contract for the Sewer Line Rehabilitation Phase 5 project to Insituform Technologies, LLC through the Texas BuyBoard Cooperative in the amount of \$229,450.
- RS-21-139** Consider a memorandum/resolution awarding RFP 21-35 for contracted veterinary services to Texas Humane Heroes in an amount not to exceed \$97,500. **(AGENDA ITEM REMOVED FROM CONSENT AGENDA)**
- RS-21-141** Consider a memorandum/resolution authorizing the purchase of consumable medical supplies from Bound Tree Medical and Henry Schein through the BuyBoard cooperative in an amount not to exceed \$273,705.
- RS-21-142** Consider a memorandum/resolution authorizing participation in the Global Opioid Settlement and adopting the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet.

Motion was made by Mayor Pro Tem Nash-King to approve the consent agenda removing RS-21-139 for separate consideration. Motion was seconded by Councilmember Brown. Motion carried unanimously.

- RS-21-139** Consider a memorandum/resolution awarding RFP 21-35 for contracted veterinary services to Texas Humane Heroes in an amount not to exceed \$97,500.
Mr. Joe Brown, Executive Director of Recreation Services was available to answer questions and to provide additional information.

Councilmember Nina Cobb joined the meeting at 5:19 p.m.

Motion was made by Councilmember Brown to approve RS-21-139 awarding the contract to El Centro Pet Medical Center. Without a second the motion died. Motion was made by Mayor Pro Tem Nash-King to approve RS-21-139. Motion was seconded by Councilmember Boyd. Motion carried 6 to 1 with Councilmember Brown in opposition.

Public Hearings

- PH-21-056** HOLD a public hearing and consider an ordinance requested by Quintero Engineering on behalf of Tara Campbell (Case #FLUM21-03) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Rural' (R) designation to a 'General Residential' (GR) designation for approximately 7.4 acres out of the W. L. Harris Survey, Abstract No. 1155, generally located south of West Stan Schlueter Loop and east of the Eagle Valley Subdivision, 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 7.4 ACRES, BEING OUT OF THE W. L. HARRIS SURVEY, ABSTRACT NO. 1155, FROM A 'RURAL' (R) DESIGNATION TO A 'GENERAL RESIDENTIAL' (GR) 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: Wallis Meshier, Director of Planning

The property is currently designated as rural on the Future Land Use Map (FLUM) of the Comprehensive Plan. The applicant has submitted a concurrent request to rezone the property from agricultural district to single-family residential. Thirty-six surrounding property owners within 400 feet were sent courtesy notices of the amendment request. City staff finds that the applicant's request is compatible with the adjacent land uses and recommends approval of the request to amend the FLUM. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant was in the audience and available to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-21-056. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried 5 to 2 with Councilmember Boyd and Councilmember Brown in opposition.

PH-21-057 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Tara Campbell, (Case #Z21-14) to rezone approximately 7.4 acres out of the W. L. Harris Survey, Abstract No, 1155 from "A" (Agricultural District) to "R-1" (Single-Family Residential District). The property is located south of West Stan Schlueter Loop and east of the Eagle Valley Subdivision, 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 7.4 ACRES OUT OF THE W. L. HARRIS SURVEY, ABSTRACT NO. 1155 FROM "A" (AGRICULTURAL DISTRICT) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning.

The request is inconsistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. However, a concurrent FLUM amendment request to change the designation from rural to general residential has been discussed and approved. Staff notified thirty-six surrounding property owners. To date, staff has not received any written responses. Staff recommends approval of the request to rezone the property from agriculture to single-family residential. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Pedro Quintero, appeared before City Council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Wilkerson to approve PH-21-057. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried 5 to 2 with Councilmember Boyd and Councilmember Brown in opposition.

PH-21-058 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Rachiii Brothers, LLC (Case #FLUM21-07) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'General Residential' (GR) designation to a 'General Commercial' (GC) designation for approximately 10.56 acres out of the Robert Cunningham Survey, Abstract No. 199, located at 4302 Cunningham 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 10.56 ACRES, BEING OUT OF THE ROBERT CUNNINGHAM SURVEY, ABSTRACT NO. 199, FROM A 'GENERAL RESIDENTIAL' (GR) DESIGNATION TO A 'GENERAL COMMERCIAL' (GC) 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: Wallis Meshier, Director of Planning.

The property is currently designated as general residential on the Future Land Use Map (FLUM) of the Comprehensive Plan. The applicant has submitted a concurrent request to rezone the property from single-family residential district to B-5 business district. Twenty-one surrounding property owners within 400 feet were sent courtesy notices of the amendment request. City staff finds that the applicant's request is compatible with the adjacent land uses and recommends approval of the request to amend the FLUM. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Pedro Quintero, appeared before City Council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Mayor Pro Tem Nash-King to approve PH-21-058. Motion was seconded by Councilmember Brown. Motion carried unanimously.

PH-21-059 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, LLC on behalf of Rachiii Brothers, LLC, (Case #Z21-29) to rezone approximately 24.61 acres out of the

Robert Cunningham Survey, Abstract No. 199 from "R-1" (Single-Family Residential District) to "R-2" (Two-Family Residential District) and "B-5" (Business District). The property is located at 4302 Cunningham 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 APPROXIMATELY 24.61 ACRES OUT OF THE ROBERT CUNNINGHAM SURVEY, ABSTRACT NO. 199 FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT) AND "B-5" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning.

The property is designated as general residential on the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff finds that the request for two-family residential is consistent with the FLUM. The request for B-5 business district is not consistent with the FLUM. However, a concurrent FLUM amendment request to change the designation of 10.56 acres on the FLUM from general residential to general commercial has been discussed and approved. Staff notified twenty-five surrounding property owners. To date, staff has not received any written responses. Staff recommends approval of the request to rezone the property from single-family residential to two-family residential and B-5 business district. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant, Pedro Quintero, appeared before City Council to provide additional information and answer questions. Mr. Quintero also addressed that his clients, the Rachiii Brothers, LLC have requested to amend their request for B-5 business district to B-4 business district.

Mayor Segarra opened the public hearing.

Ms. Anca Neagu spoke in support of the request.

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

Motion was made by Councilmember Brown to approve PH-21-059 for 10.56 acres to be zoned B-4. Motion was seconded by Councilmember Williams. Motion carried unanimously. Motion was made by Councilmember Brown to disapprove PH-21-059 of the applicant's request for 14 acres of R-2 zoning. Without a second, the motion died. Motion was made by Mayor Pro Tem Nash-King to approve PH-21-059 of the applicant's request for 14 acres to R-2 zoning. Motion was seconded by Councilmember Boyd. Motion carried 6 to 1 with Councilmember Brown in opposition.

PH-21-060 HOLD a public hearing and consider an ordinance requested by Andrea Thompson on behalf of The Estate of Dallas L. Adams Jr. (Case #FLUM21-08) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' (SC) designation to a 'General Residential' (GR) designation for approximately 5.346 acres out of the J. H. Lewis Survey, Abstract No. 536, located at 7700 Clear Creek 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 5.346 ACRES, BEING OUT OF THE J. H. LEWIS SURVEY, ABSTRACT NO. 536, FROM A 'SUBURBAN COMMERCIAL' (SC) DESIGNATION TO A 'GENERAL RESIDENTIAL' (GR) 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: Wallis Meshier, Director of Planning.

The property is currently designated as suburban commercial on the Future Land Use Map (FLUM) of the Comprehensive Plan. The applicant has submitted a concurrent request to rezone the property from single-family residential district to mobile home and travel trailer park district. Twelve surrounding property owners within 400 feet were sent courtesy notices of the amendment request. City staff is of the determination that the applicant's request to amend the FLUM designation as submitted is not appropriate for the subject property and recommends disapproval. The Planning and Zoning Commission recommended approval by a vote of 4 to 2.

Mayor Segarra invited the applicant to speak.

The applicant, Andrea Thompson, appeared before City Council to provide additional information and answer questions.

Mayor Segarra opened the public hearing.

Mr. Leo Gukeisen spoke in support of the request.

Ms. Debra Zarate spoke in support of the request.

Mr. Jose Villanueva spoke in support of the request.

Ms. Anca Neagu spoke in opposition of the request.

Mr. Jack Thompson spoke in support of the request.

Mr. Victor Wiggins spoke in opposition of the request.

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

Motion was made by Councilmember Boyd to disapprove PH-21-060. Motion was seconded by Mayor Pro Tem Nash-King. Motion carried unanimously.

PH-21-061 HOLD a public hearing and consider an ordinance requested by Andrea Thompson on behalf of The Estate of Dallas L. Adams Jr. (Case #Z21-30) to rezone approximately 5.346 acres out of the J. H. Lewis Survey, Abstract No. 536 from "R-1" (Single-Family Residential District) to "R-MP" (Mobile Home and Travel Trailer Park District). The property is located at 7700 Clear Creek Road, Killeen, Texas. (Requires 3/4 Majority Vote)

The applicant, Andrea Thompson, withdrew the rezoning request.

PH-21-062 HOLD a public hearing and consider an ordinance requested by Kendra Crawford (Case #Z21-31) to rezone approximately 0.2 acres being Lot 3, Block 1, out of the Wanda Park Survey, from "B-5" (Business District) to "R-2" (Two Family Residential District). The property is located at 1902 Wood 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 APPROXIMATELY 0.2 ACRE BEING LOT 3, BLOCK 1, OUT OF THE WANDA PARK SURVEY, FROM "B-5" (BUSINESS DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Wallis Meshier, Director of Planning.

The request is consistent with the Future Land Use Map (FLUM) of the Comprehensive Plan. Staff notified fifty-five surrounding property owners. To date, staff has received one written response in support of the request. Staff further recommends approval of the request to rezone the property from B-5 business district to two-family residential district. The Planning and Zoning Commission recommended approval by a vote of 6 to 0.

Mayor Segarra invited the applicant to speak.

The applicant did not attend the meeting.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Brown to approve PH-21-062. Motion was seconded by Councilmember Wilkerson. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Mayor Pro Tem Nash-King, seconded by Councilmember Boyd, and unanimously approved, the meeting was adjourned at 6:52 p.m.