

City of Killeen
Regular City Council Meeting
Killeen City Hall
November 27, 2012
5:00 p.m.

Presiding: Mayor Daniel A. Corbin

Attending: Mayor Pro-Tem Michael Lower, Councilmembers Elizabeth Blackstone, Terry Clark, Jared Foster, Wayne Gilmore, Jonathan Okray, and Jose Segarra

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Paula Miller, and Sergeant-at-Arms Eric Bradley

Mayor Pro-Tem Lower gave the invocation, and Councilmember Foster led everyone in the pledge of allegiance.

Approval of Agenda

Mayor Pro-Tem Lower moved to approve the agenda as written, seconded by Councilmember Gilmore. The motion was unanimously approved.

Citizens Petitions and Information

CP-1 Benton Goodnight – Celebrate Killeen Holiday Activities

Benton Goodnight, Chair of the Celebrate Killeen Committee, updated the City Council on activities occurring during the Christmas holiday season.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of November 13, 2012.

CA-2 Consider a memorandum/resolution [12-096R] authorizing the award of construction contract Bid No. 12-20 for South Nolan Creek CIP Bank stabilization project (Drainage master plan project #2) to CVI Development, LLC.

There were three bids for this project, and the low bidder is CVI Development in the amount of \$342,923.61.

CA-3 Consider a memorandum/resolution [12-097R] accepting Texas A&M Forest Service TIFMAS Reimbursement Grant for Fire Officer 2 Officer Training.

This is a grant for reimbursement of certification and testing fees for Fire Officer 2 training.

CA-4 Consider a memorandum/resolution [12-098R] rescheduling the City Council meeting of December 25, 2012.

The regular Council meeting of December 25 will be rescheduled to December 18.

CA-5 Consider a memorandum/resolution [12-099R] adopting the 2012 Water and Wastewater Master Plan and Policy Statement.

Freese and Nichols have completed work on the 2012 Water and Wastewater Master Plan and Policy Statement. The Plan presents a capital improvement plan with cost estimates in three-year bond packages, and the system was evaluated with population projections to 2032. The Policy Statement allows the Council the flexibility to move projects forward or backward, depending on the needs of the City at that time.

CA-6 Consider a memorandum/resolution [12-100R] approving the Equitable Sharing Agreement and Certification Report (Federal Seizure Fund) for the fiscal year ended September 30, 2012.

The City is required to submit an annual certification report to the U.S. Department of Justice to account for all proceeds received.

CA-7 Consider a memorandum/resolution [12-101R] approving the Chapter 59 Law Enforcement Agency Asset Forfeiture annual report (State Seizure Fund) for the fiscal year ended September 30, 2012.

The City is also required to submit an annual certification report to the Texas Attorney General for all proceeds received.

CA-8 Consider a memorandum/resolution [12-102R] for lease of one Konica Minolta copier through the State of Texas DIR Cooperative for Utility Collections division.

Staff has determined that the lease of a copier, rather than the purchase of a printer, for the Utility Collections division is the most cost-effective for the division's needs.

Mayor Pro-Tem Lower moved to approve the above items on the Consent Agenda, seconded by Councilmember Clark. The motion was approved unanimously.

Public Hearings / Ordinances

PH-1 **HOLD** a public hearing and consider a request for a plat by Destiny World Outreach Center, Inc. (Case #12-010RRS: Destiny World Outreach Addition, Phase Two) being a replat of Lot 1, Block 1, Destiny World Outreach Addition and 3.385 acres out of the Henry McClung Survey, Abstract No. 570, Killeen, Texas. The property is locally known as 101 N. W.S. Young Drive, Killeen, Texas.

Destiny World Outreach is replatting the remainder of their property into one large lot. The Council approved a modification to the Thoroughfare Plan for right-of-way along W.S. Young Drive, and that modification is shown on the plat. The plat meets all development regulations, and the Planning and Zoning Commission recommended approval of the plat.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

Councilmember Clark moved to approve the plat, seconded by Councilmember Okray. The motion was approved unanimously.

PH-2 **HOLD** a public hearing and consider an ordinance as requested by Kara Hagston (Case #Z12-39) to rezone approximately 0.911 acres, being part of the J. E. Madera Survey, Abstract No. 600, from R-1 (Single-family Residential District) to B-5 (Business District). The property is located on the east right-of-way of Clear Creek Road (S. H. 201), approximately 250 feet south of the intersection of W. Stan Schlueter Loop (FM 3470) and Clear Creek Road (S. H. 201), and is locally known as 4806 Clear Creek Road, Killeen, Texas.

The caption of the ordinance was read as follows:

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 R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO B-3 (LOCAL BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request was originally submitted for B-5 and fronts on Clear Creek Road. There was no response to the six letters of notification. The area is shown as Suburban Commercial on the Comprehensive plan, and the Planning and Zoning Commission recommended approval of the request for B-3.

Mayor Corbin opened the public hearing. John Reider, 455 East Central Texas Expressway, Harker Heights, appeared in support of the application. With no one else appearing, the public hearing was closed.

Councilmember Blackstone moved to approve the ordinance [12-082], seconded by Councilmember Segarra. The motion was approved unanimously.

PH-3 **HOLD** a public hearing and consider an ordinance as requested by Barnes Independent Developers, L.P. (Case #Z12-44) to rezone approximately 9.478 acres, being part of the W.L. Harris Survey, Abstract No. 1155, from 'A' (Agricultural District) and AR-1 (Agricultural Single-Family Residential District) to R-1 (Single-Family Residential District). The property is located approximately 1,275 feet south of 2302 W. Stan Schlueter Loop (FM 3470), along the eastern boundary of an unimproved roadway, Killeen, Texas.

The caption of the ordinance was read as follows:

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 A (AGRICULTURAL DISTRICT) AND AR-1 (AGRICULTURAL SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request is submitted for single-family residential development. The property is shown as Suburban Residential on the Comprehensive Plan; however, the City is in the process of amending the Plan, and this area is under review at this time. Currently the property can only be accessed by a dirt road, and that issue must be addressed during platting.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

Mayor Pro-Tem Lower moved to approve the ordinance [12-083], seconded by Councilmember Segarra. The motion was approved unanimously.

Ordinances / Resolutions

OR-1 Consider an ordinance to authorize updating service credits and increasing retirement annuities.

The caption of the ordinance was read as follows:

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, “UPDATED SERVICE CREDITS” IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF KILLEEN; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

It is necessary for the City to set the contribution rate for calendar year 2013. The current rate is 7.67% and will be increased to 7.77%; however, this is lower than the budgeted amount of 8%.

Councilmember Okray moved to approve the ordinance [12-084], seconded by Mayor Pro-Tem Lower. The motion was approved unanimously.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Lower, seconded by Councilmember Segarra, and unanimously approved, the meeting was adjourned at 5:32 p.m.

Daniel A. Corbin, Mayor

Paula Miller, City Secretary