

City of Killeen
Regular City Council Meeting
Killeen City Hall
December 18, 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

Rev. Dan Carter gave the invocation, and Councilmember Okray led everyone in the pledge of allegiance.

Approval of Agenda

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

Presentations

PR-1 Presentation - Bell County Child Safety Check

Bell County Judge Jon Burrows, County Tax Assessor-Collector Sharon Long, and Precinct 4 County Commissioner John Fisher presented a check for \$152,293.07, representing the amount collected by Bell County to be used for child safety programs.

PR-2 Presentation-Quarterly Financial Report and Investment Report

Interim Finance Director Martie Simpson presented the quarterly financial report for the quarter ended September 30, 2012, and Susan Anderson of Valley View Consulting presented the quarterly investment report for the same period.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of December 11, 2012.

CA-2 Consider a memorandum/resolution [12-106R] approving the investment report for quarter ending September 30, 2012.

Ms. Anderson reported that the investment report fully complies with the requirements of the Public Funds Investment Act.

CA-4 Consider a memorandum/resolution [12-107R] authorizing publication of notice accepting sealed bids for the proposed sale of real property located at 1105.5 N. 18th Street.

Staff is requesting authorization to accept sealed bids for sale of a parcel of property the City acquired during negotiations regarding a sewer line. The property has remained dormant since that time. The property is landlocked, and the adjacent property owner has expressed interest in the purchase. The City has no need for the property other than the sewer line.

CA-5 Consider a request for a final plat by RSBP Developers, Inc. (Case #12-045FS: Bunny Trail Estates Phase Two) being 49.638 acres part of the John Maddera Survey, Abstract No. 600. The property is located west of Bunny Trail, south of Brighton Place and east of Bridgewood Addition, Phase II, Killeen, Texas.

This plat is for the second phase of Bunny Trail estates and divides the property into 206 residential lots. The plat meets all development regulations, and the Planning and Zoning Commission recommended approval of the plat.

CA-6 Consider a memorandum/resolution [12-108R] approving an interlocal agreement between the Cities of Killeen, Harker Heights and Belton, Texas for Nolan Creek early warning system.

The City of Belton has requested this interlocal agreement for an early warning system along Nolan Creek. The cost to the City is \$5,000 and all future maintenance will be the responsibility of Belton.

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

CA-3 Consider a memorandum/resolution [12-109R] authorizing a city/owner agreement in principle to oversize drainage infrastructure within Bunny Trail Estates, Phase One, and oversize Bunny Trail into a minor arterial street.

This City/owner agreement provides for a five-lane section of Bunny Trail from north of Goodnight Ranch to Stan Schlueter Loop as well as a detention pond that will serve the region and resolve flooding problems in the area. The total cost to the City is \$2,472,777.40, and the developer is contributing \$122,000 worth of property for the detention facility.

Mayor Pro-Tem Michael Lower moved to approve the resolution [12-109R], seconded by Councilmember Blackstone. The motion was approved 6-1 (Councilmember Okray in opposition).

Public Hearings / Ordinances

PH-1 A. **HOLD** a public hearing and consider a request by Killeen Chaparral Development, L.L.C. (Case #FLUM 12-45) to revise the Comprehensive Plans' future land use map (FLUM) to change an approximate 76.27 acre area currently

designated as 'Estate' to 'Suburban Residential'. The property is located at the Killeen/Harker Heights city limits line north of Chaparral Road.

The caption of the ordinance was read as follows:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'ESTATE' TO 'SUBURBAN RESIDENTIAL' FOR APPROXIMATELY 76.27 ACRES OF LAND LOCATED NORTH OF CHAPARRAL ROAD ALONG THE KILLEEN/HARKER HEIGHTS CITY LIMITS, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

An amendment to the plan for this area was submitted in September but was denied by the City Council. A new zoning classification, SR-1 (Suburban Residential Single-Family District), was adopted, and this classification provides for larger lot sizes. The applicant has asked that the land use map for this area be changed from estate to suburban residential. Staff recommended disapproval; however, the Planning and Zoning Commission recommended approval of the request.

Mayor Corbin opened the public hearing. David Olson, Killeen Engineering, 2901 E. Stan Schlueter Loop, appeared in support of the request. With no one else appearing, the public hearing was closed.

Councilmember Gilmore moved to approve the ordinance [12-086], seconded by Councilmember Segarra. The motion was approved 6-1 (Mayor Pro-Tem Michael Lower in opposition).

B. **HOLD** a public hearing and consider a request by Killeen Chaparral Development, LLC (Case #Z12-45) to rezone approximately 76.27 acres part of the A. H. Wood Survey, Abstract No. 886 and the W. E. Hall Survey, Abstract No. 1116 and the J. B. Harris Survey, Abstract No. 452 from A-R1 (Agricultural Single-Family Residential District) and A (Agricultural District) to SR-1 (Suburban Residential Single-Family District). The property is located at the Killeen/Harker Heights city limits line north of Chaparral Road.

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 A-R1 (AGRICULTURAL SINGLE FAMILY RESIDENTIAL DISTRICT) TO SR-1 (SUBURBAN RESIDENTIAL SINGLE FAMILY DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request is submitted and will be developed in accordance with the suburban residential standards. With the approval of the previous action, the rezoning will be consistent with the land use map. There was no response to the three letters of notification, and the Planning and Zoning Commission recommended approval of the request.

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

Councilmember Segarra moved to approve the ordinance [12-087], seconded by Councilmember Clark. The motion was approved unanimously.

PH-2 **HOLD** a public hearing and consider an ordinance amending the FY 2012-13 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing various capital improvement beginning fund balance accounts in the amount of \$14,936,525 and decreasing various capital improvement expense accounts in the amount of \$6,141,269.

The caption of the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE FY 2012-2013 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING VARIOUS CAPITAL IMPROVEMENT BEGINNING FUND BALANCE ACCOUNTS IN THE AMOUNT OF \$14,936,525 AND DECREASING VARIOUS CAPITAL IMPROVEMENT EXPENSE ACCOUNTS IN THE AMOUNT OF \$6,141,269; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

This budget amendment will true up the beginning fund balances in various capital improvement fund accounts. There is no fiscal impact on this action.

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

Councilmember Blackstone moved to approve the ordinance [12-088], seconded by Councilmember Okray. The motion was approved unanimously.

Ordinances / Resolutions

OR-1 Consider a memorandum/resolution declaring vacancies on various board and commission and appointing new members.

Bell County Health District: Christopher L. Kuklock will replace Dr. Ronald Coleman.

Heritage Preservation Board: Robin DeHart will replace Billy J. Mills.

Killeen Volunteers, Inc.: Emily Cumming will replace Magen Davis and Catherine Mason will replace Minerva Verdejo.

Councilmember Clark moved to approve the resolution [12-110R], seconded by Councilmember Gilmore. The motion was unanimously approved.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Michael Lower, seconded by Councilmember Segarra, and unanimously approved, the meeting was adjourned at 5:55 p.m. and convened into workshop session.

Daniel A. Corbin, Mayor

Paula Miller, City Secretary