

City of Killeen
Regular City Council Meeting
Killeen City Hall
March 11, 2014 at 5:00 p.m.

Presiding: Mayor Daniel A. Corbin

Attending: Mayor Pro-Tem Elizabeth Blackstone, Council members Terry Clark, Jared Foster, Wayne Gilmore, Steve Harris, Jonathan Okray, and Jose Segarra

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Fulgham.

Mayor Corbin gave the invocation, and Councilmember Gilmore led everyone in the pledge of allegiance.

Approval of Agenda

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

Citizens Petitions

- CP-14-002** Discuss Parking on Neighborhood Streets:
Ronald Shelton (402 Perch Cove) – Mr. Shelton is having a problem with a neighbor parking/storing operational vehicle on street/cul-de-sac when there is adequate parking in driveway. Neighbor refuses to move vehicle. Mr. Shelton presented a handout to council.
Scott and Jaine Mathis (403 Perch Cove) – Due to van parked on street, street sweeper hasn't swept in year. Three other vehicles removed this year already, why not that one. Having the vehicle consistently parked there reduces children's playing area. Sometimes trash truck can't get to receptacles.
Wallace and Janice Moore (404 Perch Cove) – Feels van is an eye-sore and wants something done about it.

Consent Agenda

- CA-14-029** Consider minutes of Regular City Council meeting of February 25, 2014. No changes.
- CA-14-030** Consider a memorandum/resolution authorizing the award of a professional services agreement with The Wallace Group to design the Septic Tank Elimination Program (STEP) Phase IX Project.
Staff comments: Sean Ray
After negotiating a fair and reasonable price for The Wallace Group's engineering service, staff recommends approval of their proposal to design the STEP Phase IX

Project for a total amount of \$108,230.00. Funding is available through the Water and Sewer Fund.

CA-14-031 Consider a memorandum/resolution approving the investment report for the quarter ended December 31, 2013.

Staff comments: Susan Anderson – Investment Advisor for city
Investment report summarizes all investment activity for the quarter that ended December 31, 2013. Ms. Anderson briefly went over investment report.

CA-14-032 Consider a memorandum/resolution to authorize the award of a professional services contract to SCS Engineers to prepare a Solid Waste Master Plan and Rate Study.

Staff comments: Scott Osburn

A proposed scope of services from SCS Engineers to develop a solid waste master plan and rate study for the City's Solid Waste Division was provided. The scope includes the development of a 20-year master plan that will be a comprehensive assessment, addressing a range of solid waste issues over the planning period. Funding in the amount of \$140,000 is available. Staff recommends that the City Council authorize the City Manger to enter into an agreement with SCS Engineers for professional engineering.

CA-14-033 Consider a memorandum/resolution awarding Bid No. 14-05 to Colliver Tire Service for Fleet Services.

Staff comments: Grant Roach

There were two (2) vendors that submitted bids, Colliver Tire Service and Southern Tire Mart. Colliver Tire Service presents the best value based on demonstrated performance and lowest cost. Funds are available. By accepting the bid from Colliver Tire Service, there is no change in the anticipated annual expense since the bid pricing is the same as that currently paid. Contract is for 1 year. Staff recommends awarding the tire services annual contract to Colliver Tire Service.

CA-14-034 Consider a memorandum/resolution for the procurement of network and core switches through the co-operative purchasing network -Texas Department of Information Resources.

Staff comments: Don Fine

The IT Department is seeking approval to purchase network and core switches with costs exceeding \$50,000 to be purchased through one vendor, the Texas Department of Information Resources (DIR).

Motion was made by Mayor Pro-Tem Blackstone to approve Consent Agenda items 29 through 34, as presented. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Public Hearings / Ordinances

- PH-14-015A** HOLD a public hearing and consider an ordinance amending the FY 2013-2014 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing the Reimbursement Resolution Trimmier Expenditure Account by \$37,448 for the Trimmier Road widening project from US 190 to Bacon Ranch Road.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE FY 2013-2014 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE REIMBURSEMENT RESOLUTION TRIMMIER EXPENDITURE ACCOUNT BY \$37,448 FOR THE TRIMMIER ROAD WIDENING PROJECT FROM US 190 TO BACON RANCH ROAD; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Mayor Corbin read PH-14-15B. Discussion by Mr. Osburn of 15A & 15B was combined.

- PH-14-015B** Consider a memorandum/resolution authorizing the City Manager to enter into an Advance Funding Agreement with the Texas Department of Transportation for the Trimmier Road Widening project from US 190 to Bacon Ranch Road.

Staff comments: Scott Osburn

The proposed amendment would provide sufficient funds to cover the Texas Department of Transportation Advanced Funding Agreement (AFA) design review costs on the Trimmier Road Widening project from US 190 south to Bacon Ranch Road. The proposed design review cost in the Advanced Funding Agreement is estimated to be \$37,448 for the applicable portion of the Trimmier Road Widening (US 190 to Bacon Ranch Road portion) project.

Staff recommends that the City Council approve this ordinance amending the FY 2013-2014 General Fund Budget.

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

Motion was made by Councilmember Segarra to approve PH-015A & B. Motion was seconded by Councilmember Harris. Motion carried unanimously.

- PH-14-016** HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (Case #Z14-01) to rezone Lots 1-3, Block 15, Purser Crossing, Phase One, from R1-A (Single-Family Garden Home Residential District) to R-2 (Two-Family Residential District). The properties are locally known as 3100, 3102 and 3104 John Helen 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 R1-A (SINGLE-FAMILY GARDEN HOME RESIDENTIAL DISTRICT) TO R-2 (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The applicant is rezoning the properties for residential duplex use. The property is located on the south right-of-way of John Helen Drive, east of Bunny Trail, Killeen, Texas. The applicant's zoning request is consistent with the Comprehensive Plan. The staff notified three surrounding property owners regarding this request. Staff has received no responses at this time.

The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 7 to 0.

Mayor Corbin opened the public hearing.

Michelle Lee with Killeen Engineering & Surveying, 2901 E. Stan Schlueter Loop – represented the applicants and encouraged the Council to approve rezoning.

With no one else appearing the public hearing was closed.

Motion was made by Mayor Pro-Tem Blackstone to approve PH-016. Motion was seconded by Councilmember Segarra. Motion carried 6 to 1 with Councilmember Harris opposing.

PH-14-017 HOLD a public hearing and consider an ordinance requested by Lagan Construction, Inc. (Case #Z14-02) to rezone 6.77 acres, part of the Thomas Robinett Survey, Abstract No. 686, from "A" (Agricultural District) to "R-2" (Two-Family Residential District). The property is located west of the terminus of Waterproof Drive, immediately east of Robert M. Shoemaker High School, 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 "A" (AGRICULTURAL DISTRICT) TO "R-2" (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The applicant is rezoning the property for duplex use. The staff notified forty-eight surrounding property owners regarding this request. Staff has received no responses at this time. The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 7 to 0.

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

Motion was made by Councilmember Gilmore to approve PH-017. Motion was seconded by Councilmember Segarra. Motion carried 5 to 2 with Councilmember Harris and Councilmember Okray opposing.

PH-14-018A HOLD a public hearing and consider a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' to 'General Residential' for approximately 5.77 acres located along the south right-of-way of Watercrest Road adjacent to the intersection of Bachelor Button Boulevard, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'GENERAL COMMERCIAL' TO 'GENERAL RESIDENTIAL' FOR 5.77 ACRES OF LAND LOCATED ALONG THE SOUTH RIGHT-OF-WAY OF WATERCREST ROAD, ADJACENT TO THE INTERSECTION OF BACHELOR BUTTON BOULEVARD, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

This is a request to revise the Comprehensive Plan's Future Land Use Map (FLUM) to change 5.77 acres from a 'General Commercial' designated area to a 'General Residential' designated area. The Planning and Zoning Commission recommend approval of amending the FLUM from 'General Commercial' to 'General Residential' for this area with a unanimous vote of 6 to 0. The amendment to 'General Residential' is entirely compatible with the existing residential development observed in the immediate area.

Mayor Corbin opened the public hearing.

Michelle Lee w/Killeen Engineering & Surveying – indicated that no commercial businesses have been interested in the area and spoke in favor of the request.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Segarra to approve PH-018A. Motion was seconded by Councilmember Okray. Motion carried unanimously.

PH-14-018B HOLD a public hearing and consider an ordinance requested by Killeen Sunflower, Inc. (Case #Z14-03) to rezone 4.854 acres, part of the Thomas Robinett Survey, Abstract No. 686, from B-5 (Business District) to R-2 (Two-Family Residential District). The property is located along the south right-of-way of Watercrest Road between Bachelor Button Boulevard and Foxglove Lane and is locally known as 4602 Watercrest 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 B-5 (BUSINESS DISTRICT) TO R-2 (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The applicant is rezoning the property for duplex use. The staff notified eighteen surrounding property owners regarding this request. Staff has received one response in support at this time. The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 6 to 0. The request is consistent with the Comprehensive Plan and the zoning of adjacent areas.

Mayor Corbin opened the public hearing.

Michelle Lee with Killeen Engineering & Surveying – property will fit nicely. Spoke in favor of rezoning.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Clark to approve PH-018B. Motion was seconded by Councilmember Gilmore. Motion carried unanimously.

PH-14-019 HOLD a public hearing and consider an ordinance amending the FY 2013-14 Annual Budget and Plan of Municipal Services of the City of Killeen to provide for a \$5,000,000 up-front capital equity contribution to Bell County Water Control and Improvement District No. 1, to facilitate the design and construction of a water treatment plant on Stillhouse Lake.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE FY 2013-2014 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE WCID-CAPITAL CONTRIBUTION EXPENDITURE ACCOUNT (550-3405-435.50-96) IN THE WATER AND SEWER FUND IN THE AMOUNT OF \$5,000,000; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Martie Simpson

Approval of this budget amendment will increase the Water and Sewer Fund expenditures by \$5,000,000. Staff recommends that the City Council approve the ordinance amending the FY 2013-2014 Water and Sewer Fund Budget by \$5,000,000.

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

Motion was made by Mayor Pro-Tem Blackstone to approve PH-019. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

Ordinances / Resolutions

OR-14-010 Consider an ordinance appointing presiding and alternate election judges; precinct number change; and increase in election worker hourly pay.

City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING ORDINANCE NO. 14-005 TO APPOINT THE PRESIDING AND ALTERNATE ELECTION JUDGES FOR THE 2014 GENERAL ELECTION; CHANGING THE HOURLY RATE PAID TO THE ELECTION WORKERS; CHANGING THE NAME OF PRECINCT 407 TO 401; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Dianna Barker

This amendment to Ordinance No. 14-005 names the election judges and their alternates, changes the rate of pay to election workers from \$8.50/hour to \$10.00/hour, and changes Precinct 407 to Precinct 401.

Motion was made by Councilmember Okray to approve OR-010. Motion was seconded by Councilmember Clerk.

Councilmember Clark made a motion to follow the national standard and raise the pay for election workers from \$8.50/hour to \$10.10/hour. Motion failed for lack of a second.

Original Motion carried unanimously.

OR-14-011 Consider an ordinance amending Chapter 31 of the Code of Ordinances of the City of Killeen, amending Chapter 31, Article IV, Divisions 3A and 3B, Districts “SR-1” and “SR-2” Suburban Residential Single-Family Districts.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; AMENDING CHAPTER 31, ARTICLE IV, DIVISIONS 3A AND 3B, “SR-1” AND “SR-2” SUBURBAN RESIDENTIAL SINGLE-FAMILY DISTRICTS, BY REVISING THE ZONING REGULATIONS AND REQUIREMENTS THEREIN; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The purpose of the amendment is to more align uses in that area. Mr. McIlwain gave a brief overview of the changes. Staff conducted a public hearing on this matter with the Planning and Zoning Commission.

The Planning and Zoning Commission recommended approval of the proposed changes by a vote of 5 to 2.

Motion was made by Councilmember Okray to approve OR-011. Motion was seconded by Mayor Pro-Tem Blackstone. Motion carried unanimously.

OR-14-012 Consider an ordinance amending Chapter 31 of the Code of Ordinances of the City of Killeen, amending Chapter 31, Article IV, Division 12, District “B-3” Local Business District and amending Chapter 31, Article IV, Division 16, “RC-1” Restaurant and Alcohol Sales 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; AMENDING CHAPTER 31, ARTICLE IV, DIVISION 12, “B-3” LOCAL BUSINESS DISTRICT, BY REVISING THE ZONING REGULATIONS AND REQUIREMENTS THEREIN; AMENDING CHAPTER 31, ARTICLE IV, DIVISION 16, BY ESTABLISHING A RESTRICTION ON NEW APPLICATIONS FOR “RC-1” RESTAURANT AND ALCOHOL SALES DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The Planning and Zoning Commission directed staff to bring the draft ordinance forward as a public hearing item. The Planning and Zoning Commission failed to recommend approval of the ordinance by a vote of 3 to 4. There was no subsequent motion, and staff informed the Commission that the item would be advanced to the City Council for consideration. Staff recommends approval of the ordinance.

Motion was made by Councilmember Foster to approve OR-012. Motion was seconded by Councilmember Harris. Motion carried unanimously.

OR-14-013 Consider a memorandum/resolution for the removal from and appointment to various boards, commissions, committees, and commissions’ sub-committees.

Staff comments: Ann Farris

Boards, Commissions, and Commissions Sub-Committees Members - The Mayor and Council make annual appointments and removals to the City’s boards, commissions, and commission’s sub-committees as well as throughout the year as vacancies occur.

Bell County Health District

Current Member	Status	New Member	Comments
Dr. Charles Lucey	removed		

Community Development Advisory Committee

Current Member	Status	New Member	Comments
Brandon Harlee Sr.	Remove	Eric McConaughey	Not Meeting Attendance Requirements

Motion was made by Councilmember Clark to approve OR-013. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Blackstone, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 6:07 p.m.

Daniel A. Corbin, Mayor

Dianna Barker, City Secretary