

City of Killeen
Regular City Council Meeting
Killeen City Hall
July 28, 2015 at 5:00 p.m.

Presiding: Mayor Scott Cosper

Attending: Council members Jim Kilpatrick, Juan Rivera, Shirley Fleming, Brockley Moore, Jonathan Okray, and Elizabeth Blackstone

Absent: Mayor Pro-Tem Jose Segarra

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

Chaplin Dillard gave the invocation, and Councilmember Okray led everyone in the pledge of allegiance.

Approval of Agenda

Motion was made by Councilmember Blackstone to approve the agenda as written. Motion seconded by Councilmember Okray. The motion carried unanimously.

Citizens Petitions

CP-15-003 Kathy Hickok - Code Enforcement (14333 SH 195) – Ms. Hickok voiced her concern regarding the city’s code enforcement department and their multiple visitation/citations against her property. These complaints on her stem from her neighbor. Ms. Hickok made a request that Mr. Morrison do something about investigating the code enforcement department for harassment allegations or form a committee and have them look into code enforcement activities.

Minutes

Motion was made by Councilmember Blackstone to approve the minutes of the July 14th Regular City Council Meeting. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

Resolutions

RS-15-042 Consider a memorandum/resolution appointing a veterinarian to the Animal Advisory Board.

Staff comments: Glenn Morrison

Due to the resignation of the current veterinarian, City Council action is required to appoint a replacement. Staff recommends the City Council appoint Keri Jones to replace Laura K. Szeremi.

Motion was made by Councilmember Fleming to approve RS-042. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Public Hearings

PH-15-029 HOLD a public hearing and consider an ordinance requested by Jin Hui Lee Yamamoto (Case #Z15-13) to rezone Lot 12, Block 19, Fairway Park 1st Unit, from “RC-1” (Restaurant and Alcohol Sales District) to “B-C-1” (General Business and Alcohol Sales District) to allow for the sale and on-premises consumption of beer, wine, and/or mixed beverages for 511 W. Rancier 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 CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM RC-1(RESTAURANT AND ALCOHOL SALES DISTRICT) TO B-C-1 (GENERAL BUSINESS AND ALCOHOL SALES DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The property is currently the site of the U & I Club Restaurant and Karaoke.

The staff notified two hundred forty-four surrounding property owners within a 1,000’ notification boundary regarding this request. Staff has received two protests. The Planning and Zoning Commission recommended approval of the requested “B-C-1” zoning request by a vote of 5 to 2, with Commissioners Dillard and Harkin in opposition. The location is already zoned to provide alcoholic beverages through the current "RC-1" zoning.

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

Motion was made by Councilmember Rivera to approve PH-029. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.

PH-15-030 HOLD a public hearing and consider an ordinance requested by David Kelpé (Case #Z15-15) to rezone Lot 1, Block 1, Lee Addition First Section, from “B-5” (Business District) to “B-5” (Business District) with a Conditional Use Permit (CUP) for use as an impound yard. The property is locally known as 707 Haynes 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 B-5 (BUSINESS DISTRICT) TO B-5 WITH CONDITIONAL USE PERMIT (CUP); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The zoning request is consistent with the FLUM of the Comprehensive Plan. The staff notified sixteen (16) surrounding property owners within a 200’ notification boundary regarding this request. Staff has received no protests. The Planning and Zoning Commission recommended approval of the requested Conditional Use Permit (CUP) with the following conditions:

1. That the CUP for the impound yard is valid for a period of five (5) years;
2. No salvaging or dismantling is allowed on the premises as part of the CUP; and

3. All existing screening shall remain place.
As stated earlier, the subject property has been operated as an impound yard on multiple occasions since July 10, 1990.

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

Motion was made by Councilmember Moore to approve PH-030. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

PH-15-031 HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (Case #Z15-16) to rezone Lot 1A, Block 14, Purser Crossing Phase One Amended, Lot 2, Block 14, Purser Crossing Phase One and Lots 1-16, Block 1, Purser Crossing Phase Five, from “R1-A” Single-Family Garden Home Residential District to “R-2” Two-Family Residential District.

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 AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The zoning request is consistent with the FLUM of the Comprehensive Plan. The staff notified six (6) surrounding property owners within a 200’ notification boundary regarding this request. Staff has received no protests, but did receive support from Carothers Homes, the owners of several properties within the notification boundary. The Planning and Zoning Commission recommended approval of the requested “R-2” zoning district by a vote of 7 to 0.

Mayor Cospers opened the public hearing.

Benjamin Purser, 5702 Aquarius Dr. - Spoke in support of the request.
With no one else appearing the public hearing was closed.

Motion was made by Councilmember Kilpatrick to approve PH-031. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Fleming, and unanimously approved, the meeting was adjourned at 5:17 p.m.

Scott Cospers, Mayor

Dianna Barker, City Secretary