

City of Killeen
Regular City Council Meeting
Killeen City Hall
October 29, 2013 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 Richard Bradley.

Cynthia Moss gave the invocation, and Councilmember Foster 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 Clark. The motion carried unanimously.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of October 8, 2013.

CA-2 Consider a memorandum/resolution for the procurement of one (1) backhoe for the Water and Sewer Division.

Staff comments: Frank Tydlacka - Funding for the purchase of this new backhoe was approved by a previous budget amendment on August 27, 2013. Holt Caterpillar - \$130,277.00. The old unit has failed and was auctioned off.

Staff recommends the purchase of the above backhoe utilizing the cooperative pricing in order for the Sewer Division to effectively conduct its duties.

CA-3 Consider a memorandum/resolution for a projected expenditure from the state seizure account for the Killeen Police Department.

Staff comments: Larry Longwell - In September of 2013 the court awarded the Killeen Police Department a 2012 Ford F250 Pickup. The awarded vehicle currently has an outstanding lien of \$13,105.08 from Ford Credit NRC.

This will release the seized vehicle for use in the Police Department's vehicle inventory. Staff recommends approval.

CA-4 Consider a memorandum/resolution authorizing the procurement of new street/transportation administrative building furniture and equipment through a state cooperative vendor.

Staff comments: Scott Osburn - City staff members have received quotes from Perry Office Plus, a state cooperative vendor through Texas Multiple Award Schedule (TXMAS). The quote received from Perry Office Plus, TOTAL - \$130,348.66. Old furniture was auctioned off.

Staff recommends the City Council award the purchase contract to Perry Office Plus for office furniture and equipment in the amount of \$130,348.66.

- CA-5 Consider a memorandum/resolution amending the Thoroughfare Plan to reclassify Castle Gap Drive from a collector to a local street within the Goodnight Ranch Phase Ten Subdivision.
Staff comments: Tony McIlwain - City staff recommends approval of the Thoroughfare Plan amendment to designate Castle Gap Drive as a local street. The Thoroughfare Plan should illustrate a collector in this vicinity of the City. Staff recommends that the alignment of the collector shifts onto the adjacent county tracts to the east, which will preserve the arterial-to-collector continuity of the Thoroughfare Plan. Additionally, this revised alignment will mitigate the topographical challenges as noted.
- CA-6 Consider a memorandum/resolution approving the appointment of an Executive Director of Public Works.
Staff comments: John Sutton - Richard Macchi served as Executive Director of Public Works from August 2011 through his retirement of October 2013, leaving the Executive Director of Public Works vacant.
The City Charter authorizes the City Manager to appoint department heads with approval of the City Council. The position of Executive Director of Public Works was advertised in a variety of outlets. The City received thirty-three (33) applicants. The top six (6) candidates were interviewed.
It is recommended that the City Council approve the appointment of Bradley Scott Osburn as Executive Director of Public Works.
- CA-7 Consider a memorandum/resolution authorizing the City Manager to enter into negotiations with Bell County Water Control & Improvement District No.1 for the design and construction of a water treatment plant on Stillhouse Hollow Reservoir.
Staff comments: Scott Osburn - Additional treatment capacity is necessary to facilitate anticipated growth in the near and distant future. Mr. Jerry Atkinson, General Manager of Bell County Water Control & Improvement District No. 1 ("District") presented a proposal for City Council's consideration. The proposal was based on a regional approach that contemplated a partnership between Harker Heights, Copperas Cove, and other Central Texas water providers to design and construct a water treatment plant on the Stillhouse Hollow Reservoir. The plant will be built to be expandable. Specifically, the proposal included information necessary to secure an additional 10 Million Gallons per Day ("MGD") or 12 MGD. The purpose of this resolution is to memorialize City Council's intent and secure City Council's direction to move forward with contractual negotiations to effectuate the construction of a water treatment plant on Stillhouse Hollow Reservoir. Following Council authorization to proceed and successful negotiation of contract terms, City staff will return to City Council for final authorization to proceed.

Motion was made by Mayor Pro-Tem Blackstone to approve Consent Agenda items 1 through 7 as presented. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

Public Hearings / Ordinances

PH-1 **HOLD** a public hearing and consider an ordinance requested by AJH Timber Ridge Estates, L.L.C. (**Case #Z13-33**) to rezone part of Lots 1-5, Block 17, Timber Ridge Estates, Phase Three, from R-1 (Single-family Residential District) to RT-1 (Residential Townhouse Single-family District) with a C.U.P. (Conditional Use Permit). The properties are locally known as 6010, 6100, 6102, 6104 and 6106 Boxelder Trail, Killeen, Texas.

The City Secretary read the Ordinance Caption.

Staff comments: Tony McIlwain - This area is designated as 'General Residential' on the future land use map (FLUM). Staff notified eight (8) surrounding property owners within a 200' notification boundary. Staff has not received any responses.

The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 8 to 0 with the following conditions: (i) the residential development will require 75% masonry (rock, brick, stone or stucco) on all sides of the buildings; (ii) a minimum of at least three different exterior architectural elevations will be required as part of the development; and (iii) the development shall be consistent with the submitted site plan, to include six (6) detached residential townhomes as illustrated.

Mayor Corbin opened the Public Hearing.

Gabe Loftin, 4712 Ramhorn Court – Spoke in opposition to the project. Mr. Loftin is concerned about his property value being poorly affected. Mr. Loftin feels there is an over abundance of housing and feels the rezoning of this project will add to the problem of people moving outside the city. Mr. Loftin request the Council not approve this rezoning request.

Phillip Burns, 4700 Cougar Creek – Spoke in opposition to the project. Mr. Burns is concerned about the affect of this project on the value of the existing homes in the area.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Okray to approve PH-1. Motion was seconded by Councilmember Segarra; motion carried unanimously.

PH-2 **HOLD** a public hearing and consider an ordinance requested by Malcolm V. Williams (**Case #13-36**) to rezone part of Tract 10, Willie F. Stefek Subdivision, from B-5 (Business District) to B-C-1 (General Business and Alcohol Sales District) for a lounge. The property is locally known as 104 W. Elms Rd., Suite #600, Killeen, Texas.

The City Secretary read the Ordinance Caption.

Staff comments: Tony McIlwain - The property is located approximately 622 feet west of Old Florence Road on the south right-of-way of W. Elms Road, Killeen, Texas.

An existing commercial strip center and gas station exist on the property. Suite 600 is to be used as a lounge.

The planning staff notified thirty-four (34) property owners within a 1,000 foot notification area regarding this request. Staff received two protests.

The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 5 to 2, with Commissioners Butler and Hoover not in support of the request.

Commissioner Dillard abstained from voting on this request. There are no existing public/private schools, churches, or public/private hospitals within 300 feet of the subject.

Mayor Corbin opened the public hearing.
Cherif Baldae – spoke in favor of the rezoning.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Segarra to approve PH-2. Motion was seconded by Mayor Pro-Tem Blackstone; motion carried unanimously.

PH-3 **HOLD** a public hearing and consider an ordinance requested by Adam Rivera (**Case #13-38**) to rezone approximately 1.122 acres, part of the J. H. Lewis Survey, Abstract No. 536, from R-1 (Single-family Residential District) to B-5 (Business District) for commercial use. The property is locally known as 4701 Reese Creek Road, Killeen, Texas.

The City Secretary read the Ordinance Caption.

Staff comments: Tony McIlwain - This request is to rezone 4701 Reese Creek Road from R-1 (Single-family Residential District) to B-5 (Business District). The tract is located approximately 238 feet west of the t-intersection of Reese Creek Road and Mayberry Park Drive. The applicant is rezoning the property to allow for prospective commercial use. There is a residential structure on the site.

The staff notified five (5) surrounding property owners regarding this request. Staff has received no responses.

The Planning and Zoning Commission recommended approval of B-3 (Local Business District) zoning for this site by a vote of 8 to 0, as opposed to the B-5 request, since there is an occupied single family residentially zoned home site to the east.

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

Motion was made by Councilmember Clark to approve PH-3 amending from B-5 to B-3. Motion was seconded by Councilmember Harris; motion carried unanimously.

Ordinances / Resolutions

OR-1 Consider a memorandum/resolution appointing members to various boards, commissions and committees.

Staff comments: Ann Farris – Staff recommends the reappointment of the following citizens for city boards:

Reappoint Barbara Taylor to Board of Adjustments and Appeals (Zoning);

Reappoint Juanita Borth and Klaus Adam to the Senior Citizens Advisory Board;

Reappoint Royce Matkin to the Bell County Appraisal District Killeen Representative.

Motion was made by Mayor Pro-Tem Blackstone to OR-1 with the above stated reappointments. Motion was seconded by Councilmember Foster; motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Segarra, and unanimously approved, the meeting was adjourned at 5:53 p.m.

Daniel A. Corbin, Mayor

Dianna Barker, City Secretary