

City of Killeen
Regular City Council Meeting
Killeen City Hall
January 27, 2009
6:00 p.m.

Presiding: Mayor Timothy L. Hancock

Attending: Mayor Pro-Tem Fred Latham and Councilmembers Larry Cole, Scott Cosper, Otis Evans, Juan Rivera, Kenny Wells, and Billy Workman

Also attending were City Manager Connie Green, City Attorney Kathryn Davis, City Secretary Paula Miller, and Sergeant-at-Arms Sam Ellis

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

Approval of Agenda

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

Presentations

PR-1 Presentation - Arts Commission Certificate of Appreciation to Killeen Civic Art Guild

Martie Gillespie, on behalf of the Arts Commission, presented a certificate of appreciation to the Killeen Civil Art Guild.

PR-2 Presentation - Arts Commission Certificate of Appreciation to Killeen LULAC Council 4535 Foundation

Martie Gillespie, on behalf of the Arts Commission, presented a certificate of appreciation to the Killeen LULAC Council 4535 Foundation.

PR-3 Presentation – Earned Income Tax Credit

Finance Director Barbara Gonzales presented information regarding the earned income tax credit and where additional information may be found.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of January 13, 2009.

CA-3 Consider a memorandum/resolution [09-009R] awarding Bid No. 09-01 annual supply of printer cartridges and toner.

CA-6 Consider a memorandum/resolution [09-010R] approving a professional services contract with Jacobs Engineering for design of North Slope Storm Drainage Improvements at the Killeen-Fort Hood Regional Airport.

- CA-7 Consider a memorandum/resolution [09-011R] approving a professional services contract with Jacobs Engineering for design of a blast pad for Runway 15/33 North at the Killeen-Fort Hood Regional Airport.
- CA-8 Consider a memorandum/resolution [09-012R] approving a professional services contract with Jacobs Engineering for design of the slurry seal (Micro Seal) for Runway 15/33 at the Killeen-Fort Hood Regional Airport.

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

- CA-2 Consider a memorandum/resolution approving the appointment of the Director of Information Technology.

City Manager Green announced his selection for Director of Information Technology, subject to approval by the City Council, was Donald Fine.

Mayor Pro-Tem Latham moved to approve the resolution [09-013R], seconded by Councilmember Rivera. The motion was approved unanimously.

- CA-4 Consider a memorandum/resolution authorizing the City Manager to execute a Tax Increment Reinvestment Zone interlocal agreement with Bell County and Central Texas College.

The City Council approved a Tax Increment Reinvestment Zone in November 2008 as an economic tool to create a fund for public improvements. Both Bell County and Central Texas College have agreed to participate in the TIRZ, and these agreements set the boundary, policies, and terms of the TIRZ.

Councilmember Workman moved to approve the resolution [09-014R], seconded by Mayor Pro-Tem Latham. The motion was approved unanimously.

- CA-5 Consider a request by Quail Commercial, LP, Killeen M&M LP, Rocky Morgan and Roy Dale Leifester (Case #08-045FS: Plentl Addition) for a final plat of approximately 2.936 acres being part of the S.P.R.R. CO. Survey, Abstract No. 794 for property located on the south right-of-way of W. Stan Schlueter Loop (FM 3470) west of Saddle Ridge Drive, Killeen, Texas.

This plat covers 2.936 acres currently zoned B-5 with RC-1, and the plat creates two lots. No development plans have been identified at this time. The plat meets all development regulations, and the Planning and Zoning Commission voted 8-0 to recommend approval of the plat.

Councilmember Workman moved to approve the plat, seconded by Mayor Pro-Tem Latham. The motion was approved unanimously.

Public Hearings / Ordinances

PH-1 **HOLD** a public hearing and consider a request for an ordinance by Robert and Roy Adair (Case #08-56) to rezone Lots 10, 11 and 12, Block 30, Crescent Manor 2nd Extension from B-1 (Professional Business District) with SUP (Specific Use Permit) for car and truck accessories to B-4 (Business District) for Car and Truck Accessories and used car sales. The property is locally known as 1500 S. W S. Young Drive, 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 B-1 (LOCAL BUSINESS DISTRICT) WITH SUP (SPECIFIC USE PERMIT) TO B-4 (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request is submitted to allow the applicant to sell used cars at this location. The surrounding property is all residentially-zoned property. While W. S. Young Drive is capable of handling a lot of traffic, the Planning and Zoning Commission determined this location is not suited for such an intensive use of the property, and there is not an adequate buffer between the location and all the residential property. The Commission recommended disapproval of the request, and a three-fourths' majority vote will be required for approval.

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

Councilmember Rivera moved to disapprove the request for safety reasons, seconded by Councilmember Wells. The motion was approved unanimously, and the request was denied.

PH-2 A. **HOLD** a public hearing and consider a request for an ordinance by Michael R. Lackmeyer (Case #Z08-58) to rezone approximately 4.47 acres from 'A' (Agricultural District) to B-3 (Local Business District) and 12.73 acres from 'A' (Agricultural District) to R-1 (Single-Family Residential District) for a 17.2 acre tract, being part of the Moses T. Martin Survey, Abstract No. 963. The property is located on the south right-of-way of Stagecoach Road directly across from Wells Fargo Loop, Killeen, Texas.

B **HOLD** a public hearing and consider a request to amend the Stagecoach Land Use Plan (LUP) from Low Density Residential to Business and Medium Density Residential for a 17.30 acre property located on the south right-of-way of Stagecoach Road directly across from Wells Fargo Loop, Killeen, Texas.

These items were withdrawn by the applicant.

Ordinances / Resolutions

- OR-1 Consider an ordinance ordering the general election of four single member district councilmembers on May 9, 2009.

The caption of the ordinance was read as follows:

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION IN THE CITY OF KILLEEN, TEXAS, FOR THE PURPOSE OF ELECTING FOUR SINGLE MEMBER DISTRICT COUNCILMEMBERS; PRESCRIBING THE QUALIFICATIONS FOR CANDIDATES; PROVIDING FOR THE FILING OF WRITTEN APPLICATION TO HAVE THEIR NAMES PRINTED ON THE OFFICIAL BALLOT; FIXING THE TIME WITHIN WHICH SUCH APPLICATION MAY BE FILED; SPECIFYING THAT THE PROVISIONS OF THE GENERAL ELECTION LAWS SHALL CONTROL ALL QUESTIONS PERTAINING TO SUCH ELECTION; PRESCRIBING THE CONTENTS OF THE OFFICIAL BALLOT; PROVIDING FOR COMPENSATION; DESIGNATING THE POLLING PLACES AND NAMING THE ELECTION JUDGES AND ALTERNATE JUDGES OF EACH OF THE POLLING PLACES, AND PROVIDING FOR POSTING AND PUBLICATION OF NOTICE OF SAID ELECTION AND CONTAINING MISCELLANEOUS PROVISIONS.

This ordinance calls the election for four district Councilmembers for May 9, with early voting starting on April 27 and continuing through May 5. Voting on election day will be at the voters' regular polling locations.

Mayor Pro-Tem Latham moved to approve the ordinance [09-004], seconded by Councilmember Rivera. The motion was approved unanimously.

- OR-2 Consider a memorandum/resolution [09-015R] declaring a vacancy on the Killeen Volunteers Inc. Board.

Sharon Brank has submitted her resignation from the KVI board as a citizen representative, and her position needs to be declared vacant.

Councilmember Evans moved to declare the position held by Sharon Brank vacant, seconded by Councilmember Wells. The motion was approved unanimously.

- OR-3 Consider a memorandum/resolution [09-016R] declaring vacancies in the Killeen Volunteers Inc. Youth Advisory Commission and appoint new members.

Councilmember Evans moved to appoint Lisa Badilla to replace Havean Blackburn, Dana Summers to replace Sarah Copsy, Sierra Mallory to replace Orlando Moore, and TraJian Morgan to replace Breaua Ware. Councilmember Cosper seconded the motion, and it was approved unanimously.

Citizens Petitions and Information

CP-1 Clint Hocker (4508 Tanglewood Cir) - Ordinance Chapter 28 - Parking on all Weather Surface

Mr. Hocker did not appear.

CP-2 Shebra Davis (4007 Mustang Drive) - Ordinance Amendment - Neighbors Parking in Front of her House

Ms. Davis did not appear.

Adjournment

With no further business, upon motion being made by Mayor Pro-Tem Latham, seconded by Councilmember Rivera, and unanimously approved, the meeting was adjourned at 6:47 p.m.

Timothy L. Hancock, Mayor

Paula Miller, City Secretary