

City of Killeen
Regular City Council Meeting
Killeen City Hall
June 23, 2009
6:00 p.m.

Presiding: Mayor Timothy L. Hancock

Attending: Mayor Pro-Tem Scott Cospers and Councilmembers Larry Cole, JoAnn Purser, Juan Rivera, Kenny Wells, Ernest Wilkerson, 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 Wilkerson gave the invocation, and Councilmember Wells led everyone in the pledge of allegiance.

Approval of Agenda

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

Presentations

PR-1 Presentation – Water Conservation Plan

City Engineer John Nett updated the Council and public on the City's water conservation plan now in effect.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of June 9, 2009.

CA-2 Consider a memorandum/resolution [09-091R] authorizing the award of a professional services contract to Wallace Group, Inc. to perform preliminary design services on the Bending Trail and Acorn Major Drainage Capital Improvements Projects.

CA-5 Consider a memorandum/resolution [09-092R] authorizing an agreement with First Response Medical Training, LLC. for clinical ambulance rotation of EMT/Paramedic training.

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

CA-3 Consider a memorandum/resolution authorizing a Sister Cities Agreement between Bayamon, Puerto Rico and Killeen, Texas.

City Attorney Davis advised Killeen Sister Cities was formed in 1993, and in 1995 the City established a relationship with Osan, Korea. Within the last couple of years, a group of residents organized to establish a similar relationship with Bayamon, Puerto Rico. This resolution will

establish that relationship with Bayamon and authorize the Mayor to sign an agreement to formalize the affiliation.

Councilmember Wilkerson moved to approve the resolution [09-093R], seconded by Councilmember Rivera. The motion was unanimously approved.

CA-4 Consider a memorandum/resolution approving Bid No. 09-16-Consolidated vehicles and light duty trucks for 2008-09.

Finance Director Barbara Gonzales advised these bids are valid until July 8, and the vehicles recommended for purchase will be used by and purchased from the Water and Sewer fund. None of the vehicle bids intended for purchase from the General Fund is recommended to be awarded at this time. Councilmember Wilkerson expressed his concern regarding the impact the purchase will have on the Water and Sewer funds.

Councilmember Wilkerson moved to disapprove the resolution, seconded by Councilmember Workman. The motion was denied 3-4 (Mayor Pro-Tem Cosper and Councilmembers Purser, Rivera, and Wells in opposition).

Councilmember Purser moved to approve the resolution [09-094R], seconded by Councilmember Rivera. The motion was approved 4-3 (Councilmembers Cole, Wilkerson, and Workman in opposition).

Public Hearings / Ordinances

PH-1 **HOLD** a public hearing to solicit citizen comments and consider an ordinance authorizing the FY 2009-10 Annual Action Plan describing the use of funds for the Community Development Block Grant and HOME Program activities to be undertaken with FY 09-10 entitlement funds and reprogrammed funds from prior years.

CDBG Director Leslie Hinkle gave a brief history of the CDBG and HOME programs. A total of \$1,031,757.98 in CDBG funds and \$891,232.26 in HOME funds is available for the 2009-2010 program year.

Johnny Frederick, Chair of the Community Development Advisory Committee, presented the Committee's recommendations as follows:

CDBG Program

Public Services:

Bell County Human Services - \$10,000.00
City of Killeen Elderly Transportation Program - \$61,737.70
Communities in Schools - \$20,000.00
Families in Crisis - \$5,000.00
Greater Killeen Free Clinic - \$30,000.00
Hill Country Community Action - \$15,000.00

Killeen Housing Authority - \$3,000.00

Code Enforcement:

Violation abatement program - \$92,720.00

Dangerous building abatement program - \$30,000.00

Housing:

Housing renewal program - \$200,000.00

Acquisitions, Public Facilities, and Improvements:

Central Texas 4C - \$155,000.00

City of Killeen Parks and Recreation - \$50,000.00

City of Killeen Streets Department - \$157,816.68

Families in Crisis - \$8,500.00

Administration - \$192,983.60

HOME Program

Administration - \$48,845.60

City of Killeen 2009 HAP assistance with repairs - \$150,000.00

City of Killeen Elderly TBRA program - \$150,000.00

CHDO – Habitat for Humanity - \$73,268.40

Lankford Interests – Tremont Apartments Homes (loan) - \$469,118.26; and a forward commitment of \$165,881.74 from FY 2010-11 funding

Councilmember Workman asked why Central Texas Youth Services Bureau was not recommended for funding. Mr. Frederick advised the Committee viewed that project as maintenance and repair, and that is not an allowable project under HUD guidelines.

Mayor Hancock opened the public hearing.

Janell Sherwood, 504 N. 5th, Temple, thanked the Committee for its recommendation for the renovation of one of its Head Start buildings in Killeen.

Sue Ellen Jackson, 202 E. First, Belton, Executive Director of Aware Central Texas, said she was not contesting the Committee's recommendations; however, she wanted everyone to be aware that Bell County has one of the highest rates of child abuse and neglect.

Steven Wick, 601 Parmer, Central Texas Youth Services Bureau, said the organization viewed the project they proposed as a rehabilitation, rather than maintenance.

With no one else appearing, the public hearing was closed.

Councilmember Cole moved to approve the above allocations, seconded by Councilmember Rivera. The motion was approved 6-1 (Councilmember Workman in opposition).

PH-2 **HOLD** a public hearing and consider an ordinance amending the Fiscal Year 2008-2009 Annual Budget and Plan of Municipal Services of the City of Killeen by decreasing various major fund revenue and expenditure accounts.

The caption of the ordinance was read as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE FY 2008-2009 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY DECREASING VARIOUS GENERAL FUND REVENUE ACCOUNTS IN THE AMOUNT OF \$2,334,079; DECREASING VARIOUS KILLEEN FORT-HOOD REGIONAL AIRPORT FUND REVENUE ACCOUNTS IN THE AMOUNT OF \$66,550; DECREASING VARIOUS SKLYLARK FUND REVENUE ACCOUNTS IN THE AMOUNT OF \$40,000; DECREASING VARIOUS SOLID WASTE FUND REVENUE ACCOUNTS IN THE AMOUNT \$1,158,623; DECREASING VARIOUS WATER AND SEWER FUND REVENUE ACCOUNTS IN THE AMOUNT OF \$1,227,271; DECREASING VARIOUS DRAINAGE UTILITY FUND REVENUE ACCOUNTS IN THE AMOUNT OF \$98,738; AND DECREASING VARIOUS GENERAL FUND EXPENDITURE ACCOUNTS IN THE AMOUNT OF \$2,334,079; DECREASING VARIOUS HOTEL OCCUPANCY TAX FUND EXPENDITURE ACCOUNTS IN THE AMOUNT OF \$76,070; DECREASING VARIOUS KILLEEN FORT HOOD REGIONAL AIRPORT FUND EXPENDITURE FUND ACCOUNTS IN THE AMOUNT OF \$159,112; DECREASING VARIOUS SKYLARK FIELD FUND ACCOUNTS IN THE AMOUNT OF \$53,773; DECREASING VARIOUS SOLID WASTE FUND EXPENDITURE ACCOUNTS IN THE AMOUNT OF \$1,065,945; DECREASING VARIOUS WATER AND SEWER FUND EXPENDITURE FUND ACCOUNTS IN THE AMOUNT OF \$382,066; AND DECREASING VARIOUS DRAINAGE UTILITY FUND EXPENDITURE ACCOUNTS IN THE AMOUNT OF \$73,133; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

City Manager Green advised the City Council has been briefed over the past several meetings about the need to reduce expenditures in the current budget by approximately \$4.1 million. Staff has reviewed the various budgets and reduced expenditures to bring them into line with the declining revenue. Overtime has been reduced to cover only emergency uses, and cuts have been made in capital outlay programs. Staff does not believe there will be any effect on the delivery of services or public safety.

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

Mayor Pro-Tem Cospers moved to approve the ordinance [09-035], seconded by Councilmember Wells. The motion was approved unanimously.

PH-3 **HOLD** a public hearing and consider a request for an ordinance by South Killeen Professional Plaza, L.P. (Case #Z09-11) to rezone approximately 1.768 acres, being

part of the W. L. Harris Survey, Abstract No. 1155, from R-1 (Single-family Residential District) to B-5 (Business District). The property is locally known as 1602 W. Stan Schlueter Loop, 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 R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) 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 on property on Stan Schlueter Loop and is currently zoned R-1. The applicant asked for B-5 zoning; however, it was determined that B-4 could accommodate the intended use as a nursery. There were two letters of support returned in response to the fourteen letters of notification, and the Planning and Zoning Commission voted to recommended approval as B-4.

Mayor Hancock opened the public hearing. Jim Wright, 3106 S. W.S. Young Drive, appeared in support of the application, and concurred with the B-4 zoning. With no one else appearing, the public hearing was closed.

Councilmember Rivera moved to approve the ordinance [09-036] with B-4 zoning, seconded by Councilmember Purser. The motion was approved unanimously.

PH-4 A. **HOLD** a public hearing and consider a request for an ordinance by Barnes Independent Developers, L.P. (Case #Z09-12) to rezone approximately 42.39 acres, being part of the W. L. Harris Survey, Abstract No 1155, from A (Agricultural District) and R-1 (Single-family Residential District) to R-1 (Single-family Residential District) and B-4 (Business District). The property is located west of Renick Ranch Road on the south right-of-way of Stan Schlueter Loop (FM 3470) in Killeen, Texas.

B. Consider a request by Barnes Independent Developers, L.P. (Case #09-016FS: Eagle Valley) for a final plat of approximately 42.39 acres, being part of the W. L. Harris Survey, Abstract No. 1155, the property is located on the south right-of-way of W. Stan Schlueter Loop west of Renick Ranch Road in 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 A (AGRICULTURAL) AND R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1 (SINGLE FAMILY RESIDENTIAL

DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

This rezoning request and plat is submitted on a parcel located on the south side of Stan Schlueter Loop, west of Renick Ranch Road. The applicant intends to construct 120 single-family homes and wants to have one commercial lot to be used for storage and parking. The Planning and Zoning Commission believed B-4 was inappropriate at this time because of the abutting R-1 zoning and recommended zoning the entire tract as R-1 with the understanding the applicant may request B-4 zoning at a future date.

Mayor Hancock opened the public hearing. Colette Marshall, Barnes Independent Developers, appeared in support of the application. With no one else appearing, the public hearing was closed.

Councilmember Wilkerson moved to approve the ordinance [09-037] with R-1 zoning and plat, seconded by Councilmember Workman. The motion was approved unanimously.

Ordinances / Resolutions

OR-1 Consider a memorandum/resolution appointing Councilmembers to the Tax Increment Reinvestment Zone Number Two Board and to various ad hoc committees.

Tax Increment Reinvestment Zone Number Two Board: Larry Cole, Timothy Hancock, JoAnn Purser

Land Use/Development Committee: Juan Rivera, Ernest Wilkerson, JoAnn Purser, Craig Langford, Bruce Whitis, Michael Dehart

Smoking Ordinance Committee: Juan Rivera, Kenny Wells

Mayor Pro-Tem Cosper moved to approve the resolution [09-095R], seconded by Councilmember Wells. The motion was approved 5-2 (Councilmembers Cole and Workman in opposition).

Citizens Petitions and Information

CP-1 Julius Shaw (308 N. 22nd Street) – Green Space/Urban Parks

Mr. Shaw did not appear.

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Mayor Pro-Tem Cosper, and unanimously approved, the meeting was adjourned at 7:15 p.m.

Timothy L. Hancock, Mayor

Paula Miller, City Secretary