

City of Killeen
Regular City Council Meeting
Killeen City Hall
November 13, 2007
6:00 p.m.

Presiding: Mayor Timothy L. Hancock

Attending: Mayor Pro-Tem Fred Latham and Councilmembers Claudia Brown, Larry Cole, 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 Eureka Williams

Councilmember Evans gave the invocation, and Councilmember Brown led everyone in the pledge of allegiance.

Approval of Agenda

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

Presentations

PR-1 Presentation - Exchange Club Check Presentation

The Exchange Club of Killeen presented a check in the amount of \$5,000 to the City for the Senior Center.

PR-2 Presentation – Keep Killeen Beautiful Business of the Month

This item was tabled.

PR-3 Presentation – American Planning Association Certificate of Achievement for Planning Excellence

Mayor Hancock presented the Mayor's Commendation to Tom Dann for his service to the City as the Director of Planning and Economic Development 1997-2007. He will retire at the end of November. City Manager Green presented Mr. Dann with a City coin and the City Manager's Distinguished Service Award. A gift was also presented to Mrs. Dann.

Consent Agenda

CA-1 Consider minutes of Regular City Council Meeting of October 23, 2007.

CA-2 Consider a memorandum/resolution [07-182R] authorizing the procurement of a one-ton crew cab, flatbed, 4x4 pickup and two ¾-ton crew cab 4x4 pickups through the state cooperative (Tarrant County) for the Drainage Utility Division.

CA-3 Consider a memorandum/resolution [07-183R] approving a three-year lease with a

- procurement option for a wheel loader through the state cooperative (TASB Buyboard) for the Solid Waste Transfer Station Division.
- CA-4 Consider a memorandum/resolution [07-184R] authorizing the procurement of one backhoe loader through the state cooperative (TASB Buyboard) for the Drainage Utility Division.
 - CA-5 Consider a memorandum/resolution [07-185R] authorizing the procurement of one tractor with batwing mower through state cooperative (HGAC) for the Drainage Utility Division.
 - CA-6 Consider a memorandum/resolution [07-186R] awarding landfill subsidence repair (Bid No. 07-51).
 - CA-7 Consider a memorandum/resolution [07-187R] approving a joint agreement for airport advertising.
 - CA-8 Consider a memorandum/resolution [07-188R] approving a Transportation Security Administration (TSA) Cooperative Agreement Ratification.
 - CA-9 Consider a memorandum/resolution [07-189R] modifying the right-of-way acquisition requirement for a proposed plat (Kinderland Addition, Phase Two) at the northwest intersection of Trimmier Road and Mary Jane Drive.

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

Public Hearings / Ordinances

- PH-1 **HOLD** a public hearing (first of two) and consider the annexation of approximately 7,694 acres of land located in the City of Killeen's extraterritorial jurisdiction (ETJ), as follows: Tract 1 - an area of approximately 265 acres located in the northwest area of the City of Killeen's ETJ; Tract 2 - an area of approximately 363 acres located in the western area of the City of Killeen's ETJ; Tract 3 - an area of approximately 2,055 acres located in the west central portion of the City of Killeen's ETJ; Tract 4 - an area of approximately 908 acres located in the southwest area of the City of Killeen's ETJ; and Tract 5 - an area of approximately 4,103 acres located in the southeastern area of the City of Killeen's ETJ.

Director Dann advised that the water and wastewater master plan adopted in July 2007 identified needs for future growth, and five areas for possible annexation were considered. The Council directed staff to prepare service plans for the areas. This is the first of two required public hearings to receive input from the public.

Mayor Hancock opened the public hearing.

Elsie Pascua, 315 Tomahawk Drive, Harker Heights, owns land in Tract 4. The property is agricultural, and she does not need any services of the City and asked not to be annexed.

Bruce Ellyson, 431 Yates Road, said he wants to live in the country without restrictions.

Jon Connor, 809 Oakhill Drive, complained of conditions in Conder Park, and asked the City to take care of what it already has before annexing additional property.

Henry Sanders, PO Box 7418, Navasoto, and his family own property in Tract 5 and asked not to be annexed. He believed it will be too expensive to get utilities that far south to reach him.

Andrew J. Foulkrod, 13799 FM 2784, Salado, inquired about shooting coyotes and other predators on his property. He believed the response time from emergency vehicles would take too long.

Gary Taylor, 900 Bellaire, owns property in Tract 4 and addressed issues relating to the possible loss of state funding for the local volunteer fire department should they be annexed.

Judy Parker, 1235 River Ranch Road, said she lives south of the Lampasas River and asked why there was such a rush to annex when the master plan did not indicate a time period for providing service south of the river.

Joel Barton, Hwy. 195, believed extending water and wastewater services to this area would cause pollution of the Lampasas River.

Joan Vanderlaan, 13724 FM 2484, Salado, asked if the annexation area were scaled back, would that amount carry forward. She noted many of the landowners in the area were not eligible for development agreements due to the size of their property, and she was concerned that reduction in funding for the local volunteer fire department would result in less protection. Would people filing development agreements have to look to the volunteer fire department for protection, or would the City respond?

Robert Trudo, 804 Cagle, Harker Heights, said a small portion of rural property he owns has been included in Tract 5 and asked that it be deleted. The property cannot be developed since it is in the flood plain.

Dorrance Monteith, 13423 Crows Ranch Road, Salado, said the Monteith ranch cannot be served with City services without detriment to current citizens. He asked that the ranch be deleted from Tract 5.

Dale Just, 623 Reeces Creek, advised he lives in Western Oaks, a community adopted by the City in 1972. He questioned why the property between Hwy. 201 and Reeces Creek has not been annexed.

Katherine Keller, 497 Hi Ridge Drive, said she moved from Georgetown to live in the country and wants to continue to live in the country.

Don Kirk, 13175 SH 195, said they have all the services they need, and he asked that the property not be annexed.

Nicole Hendrickson, 18856 Wolfridge Road, noted the description of Tract 4 said 1,000 feet on either side of Hwy. 195. She asked whether the 1,000 feet began at the centerline of the highway or at the edge of each side of the road.

Theron Gollheair, 1309 Missouri, said that every time properties are reclassified, taxes go up. He noted illegal dumping on his property that the City was unable to stop.

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

Mayor Hancock announced the second public hearing will be held November 27.

Ordinances / Resolutions

OR-1 Consider a memorandum/resolution [07-190R] appointing members to the various boards and commissions.

Housing Authority of Killeen: Mayor Pro-Tem Latham moved to appoint Brockley Moore to replace Darlene Golden and reappoint Genevieve Hyde, seconded by Councilmember Evans. The motion was approved unanimously.

OR-2 Consider a memorandum/resolution [07-191R] appointing members to the Killeen Volunteer's Board.

Councilmember Evans moved to appoint Glenn Melton to replace Craig Good, Wayne Hamilton to replace Christi Myers, and Steve Moore to replace Wayne D. Hamilton. Mayor Pro-Tem Latham seconded the motion, and it was approved unanimously.

OR-3 Consider an ordinance granting a franchise to Express Cab Company to operate a taxicab service in Killeen (first of three readings).

The caption of the ordinance was read as follows:

AN ORDINANCE GRANTING A FRANCHISE TO EXPRESS CAB CO. TO OPERATE A TAXICAB SERVICE IN THE CITY OF KILLEEN, TEXAS, AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR THE REGULATION OF THE TAXICAB SERVICE; PROVIDING AN INDEMNITY CLAUSE; ESTABLISHING THE FRANCHISE TERM AND EFFECTIVE DATE; PROVIDING A TERMINATION PROVISION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN ADOPTION CLAUSE; PROVIDING A REPEALER CLAUSE AND PROVIDING A CODE AMENDMENT CLAUSE.

City Attorney Davis advised Express Cab had previously filed an application for a franchise in April 2006; however, the application was denied because of complaints from other companies and the Police Department about the company's picking up passengers without a franchise permit. The company was advised it would need to wait at least six months before reapplying. Express Cab applied in May 2007, and there were some issues regarding the amount of insurance

and the number of vehicles meeting the City's requirements. All issues have now been resolved, and staff recommends the ordinance be approved on its third and final reading.

Mayor Pro-Tem Latham moved to approve the first reading of the ordinance, seconded by Councilmember Evans. The motion was approved unanimously.

Citizens Petitions and Information

CP-1 Ann Farris (210 N. 16th Street) - Food for Families Drive

Dr. Ann Farris, 210 N. 16th Street, advised that the Food for Families food drive will be held on November 16, and there will be various drop-off locations. The sorting will take place at the Special Events Center, and Dr. Farris invited the Council to attend and assist.

CP-2 Julius Shaw (605 N. Gray) - Inclusionary Housing: Housing Policy?

Mr. Shaw did not appear.

Mayor, Council, and City Manager Items – Future Agendas

The Council thanked Mr. Dann for his years of service to the City.

Councilmember Workman advised he and Public Works Director James Butler will review the sidewalks around Brookhaven to see if crosswalks need to be painted. He said he intends to vote against the annexation.

Mayor Pro-Tem Latham reminded citizens of the various activities for the holidays. He noted the City will send out written responses to questions posed by speakers at tonight's public hearing; however, he noted there were a number of inaccurate statements and he wanted to make certain those inaccuracies were corrected.

Adjournment

With no further business, upon motion being made by Councilmember Evans, seconded by Mayor Pro-Tem Latham, and unanimously approved, the meeting was adjourned at 7:30 p.m.

Timothy L. Hancock, Mayor

Paula Miller, City Secretary