

## MEETING OF THE TEMPLE CITY COUNCIL

**April 15, 2021**

### **PRESENT**

Mayor Timothy Davis  
Mayor Pro Tem Judy Morales  
Councilmember Susan Long  
Councilmember Wendell Williams  
Councilmember Jessica Walker

### **I. CALL TO ORDER**

1. Invocation

Mayor Pro Tem Judy Morales voiced the Invocation.

2. Pledge of Allegiance

City Secretary Jana Lewellen led the Pledge of Allegiance.

### **II. PUBLIC COMMENTS**

Bobbie Thompson, 904 Henderson Street, Temple, Texas requested Staff and Council assist in getting a bank and a grocery store established in East Temple.

### **III. SPECIAL RECOGNITIONS**

3. Present Temple Independent School District with a commemorative print of Wildcat Stadium as featured on the cover of the Central District Plan.

Director of Housing and Community Development Nancy Glover and Senior Planner Kelly Atkinson presented a commemorative print to Dr. Bobby Ott and Dan Posey with TISD.

### **IV. CONSENT AGENDA**

4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

### **Minutes**

(A) April 1, 2021 Regular Meeting Minutes.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

### **Contracts, Leases, & Bids**

- (B) Consider adopting a resolution authorizing a lease agreement with Austin R. Bowman for lease of T-hanger #23 at the Draughton-Miller Central Texas Regional Airport.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (C) Consider adopting a resolution authorizing contract amendment #2 to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple for construction phase services for Adams and Central Avenue Pedestrian Improvements in the amount of \$ 67,560.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (D) Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick and Associates, LP to develop the Temple Medical & Educational District (TMED) Neighborhood Planning District in the amount of \$165,850.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (E) Consider adopting a resolution authorizing a demolition contract with AAR, Inc for the demolition of three commercial properties in the Interstate Highway 35 & Temple High School Gateway Area in the amount of \$73,500.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (F) Consider adopting a resolution authorizing a demolition contract with Lutum, LLC for the demolition 8705 and 9009 Poison Oak Road in the amount of \$61,575.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

### **Ordinances - Second & Final Reading**

- (G) SECOND & FINAL READING – FY-21-14-ZC: Consider adopting an ordinance approving on a conditional use permit and development/ site plan for a minor vehicle servicing facility located on Lot 6, Block 1 Temple Mall Addition, Replat No. 1, addressed as 721 SW HK Dodgen Loop.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (H) SECOND & FINAL READING - FY-21-15-ZC: Consider adopting an ordinance approving a rezoning request from Agricultural (AG) District to Single-Family 3 (SF-3) on 24.100 +/- acres located at 1950 & 1980 E. French Ave, Temple, TX, near the northwest corner of E. French Avenue and N. 42nd Street.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (I) SECOND & FINAL READING - FY-21-16-ZC: Consider adopting and ordinance approving a rezoning with a Development Site Plan from Commercial (C) to Planned Development Multiple-Family 2 (PD-MF-2) on 18.1490 +/- acres and Planned Development Commercial (PD-C) on 4.00 +/- acres, in the Nancy Chance Survey,

Abstract No. 5. located in Temple, Texas in Bell County, and addressed as 5719 West Adams Avenue.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (J) SECOND & FINAL READING - FY-21-17-ZC: Consider adopting an ordinance approving a rezoning request from Agricultural to Planned Development General Retail (PD GR) District with a future development/site plan for a truck stop/travel center on 45.15 +/- acres located at 2404 E. State Highway 36, Temple, TX, at the northeast corner of SE H.K. Dodgen Loop (Loop 363) and E. State Highway 36 (US 190).

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (K) SECOND & FINAL READING – FY-21-1-ANX: Consider adopting an ordinance authorizing the annexation of 23.917 +/- acres of land situated in the Maximo Moreno Survey, Abstract No.14, Bell County, Texas, being a section of Old Hwy 95 right-of-way, commencing approximately 4,250 feet north of its intersection with FM 93 extending approximately 2.01 +/- miles south of its intersection with FM 93.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

## **Misc**

- (L) Consider adopting a resolution authorizing the purchase of properties necessary for the Avenue C Expansion Project and authorizing closing costs and relocation benefits in an estimated amount of \$325,000.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (M) Consider adopting a resolution authorizing the acquisition of two rights of way necessary for the construction of the Hartrick Bluff Road Expansion Project and authorizing closing costs associated with the purchase in an estimated amount of \$33,000.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (N) Consider adopting a resolution authorizing the acquisition of a right of way necessary for the construction of Outer Loop West Project Phase One and authorizing closing costs associated with the purchase in an estimated amount of \$45,000.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (O) Consider adopting a resolution authorizing the acquisition of a right of way necessary for the construction of the Blackland Road Expansion Project and authorizing closing costs associated with the purchase in an estimated amount of \$15,000.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (P) Consider adopting a resolution authorizing the acquisition of one right of way and one drainage easement necessary for the construction of the South Pea Ridge Road Expansion Project in an estimated amount of \$12,000.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (Q) Consider adopting a resolution accepting the donation of approximately 1.5-acres in fee simple, public utility easements, and an access easement from WBW Land Investments, LP, a Texas limited partnership, necessary for the construction of the Highway 317 water ground storage tank and pump station.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (R) Consider adopting a resolution amending the Board and Commission Policy to change the membership of the Main Street Advisory Board and the membership eligibility criteria for the Historic Preservation Board.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

- (S) Consider adopting a resolution authorizing budget amendments for fiscal year 2020-2021.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay: 0 – Final Result: Pass**

## **V. REGULAR AGENDA**

### **Ordinances**

5. FIRST READING - FY-21-21-ZC: Consider adopting an ordinance to amend Ordinance 2020-5052 to remove a Planned Development condition related to the timing of building construction for a self-storage facility located on Lot 4, TMED South Development, Replat No. 1, addressed as 23445 SE H.K. Dodgen Loop.

Moved by Councilmember Susan Long, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

Director of Planning and Development Brian Chandler presented this item and stated TMED Storage LLC requests an amendment to Ordinance 2020-5052 which requires as a Planned Development condition that self-storage building construction commences on Lot 4 after construction commences on either Lots, 1, 2 or 3 of the TMED South Development Replat No. 1. The ordinance was adopted by City Council by the 2nd reading on September 3, 2020. Mr. Chandler stated owners of four properties within 200-feet of the subject property, were sent notice of the public hearing as required and as of this date no notices have been returned. Mr. Chandler stated on April 5, 2021, the Planning & Zoning Commission voted 8 to 0 to recommend approval per staff's recommendation subject to the following conditions:

1. That the condition for the timing of building construction for an approved self-storage facility be waived and allow construction to proceed as approved by Ordinance 2020-5052;
2. That all other conditions of Ordinance 2020-5052 remain in effect and are included by reference;
3. That the Director of Planning & Development may be authorized discretion to approve minor modifications to the City Council-approved development/ site plan for Lot 4, including but not limited to, screening, buffering, enhanced landscaping and minor modifications to the overall site layout; and
4. Significant changes to the development/ site plan require review by the Planning & Zoning Commission and City Council.

Mayor Davis opened the Public Hearing. There being no comments or questions, the Public Hearing was closed.

6. **FIRST READING - PUBLIC HEARING:** Consider adopting an ordinance authorizing the abandonment of a 0.6529-acre portion of Jack White Street right of way as dedicated in Walker Saulsbury Commercial Subdivision Phase III, an addition to the City of Temple, as shown in the plat of record in Cabinet B, Slide 240-A, Plat Records of Bell County, Texas.

Moved by Councilmember Jessica Walker, seconded by Councilmember Susan Long to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

Assistant City Attorney Christina Demirs presented this item and stated the City of Temple, through the City Manager's Office, has submitted a request to abandon a 0.6529-acre portion of Jack White Street right of way as dedicated in Walker Saulsbury Commercial Subdivision Phase III, an addition to the City of Temple, as shown in the plat of record in Cabinet B, Slide 240-A, Plat Records of Bell County, Texas. Mrs. Demirs stated the City agreed to exchange the 0.6529-acre of Jack White Street right of way to a property owner as part of a cash transaction to acquire the necessary rights of way and easements from this property owner for the project and recommend approval as presented.

Mayor Davis opened the Public Hearing. There being no comments or questions, the Public Hearing was closed.

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Timothy A. Davis, Mayor

ATTEST:

A handwritten signature in blue ink that reads "Jana Lewellen". The signature is fluid and cursive, with the first name "Jana" and last name "Lewellen" clearly distinguishable.

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Jana Lewellen, City Secretary, TRMC, CMC