

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, January 25, 2022, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

<b>Roll Call:</b>	Spencer H. Smith	Mayor
	Jennifer McCann	Mayor Pro-tem
	Michael Blomquist	Councilmember Place 2
	Jackeline Soriano Fountain	Councilmember Place 3
	David Mitchell	City Manager
	Charlie Olson	City Attorney
	Julie Helsham	City Secretary
<b>Excused:</b>	Lynda Nash	Councilmember Place 4
	Sam Halabi	Councilmember Place 5

#### **MAYORAL PROCLAMATIONS AND PRESENTATIONS:**

1. Mayor Smith presented a Proclamation to Jeff Achee, Parks and Recreation Director, proclaiming January 25, 2022, as the "Mayor's Monarch Pledge Day".
2. Mayor Smith presented a Proclamation to Re'Shaun Sandford II, declaring him a "Bright Star of Central Texas".

#### **CONSENT ITEMS:**

1. Council discussed and considered approving the minutes of the meetings held on January 11, 2022, and January 18, 2022.

Blomquist made the motion to approve the minutes of the meetings held on January 11, 2022 and on January 18, 2022. Seconded by Fountain. All in favor. Motion approved 3-0.

#### **PUBLIC HEARINGS:**

1. Council conducted a Public Hearing to discuss and consider approving an Amendment to Chapter 125 of the Harker Heights Code of Ordinances pertaining to establishments not licensed by the Texas Alcoholic Beverage Commission; Deleting §125.42(B); Amending §125.43 Relating to Security of Premises; Deleting §125.45; Deleting §125.46; Amending §125.60 Criminal Penalty. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve an amendment to §125 of the Harker Heights Code of Ordinances; deleting §125.42(b); amending §125.43 relating to security of premises; deleting §125.45; deleting §125.46; and amending §125.60 Criminal Penalty, based upon staff's recommendation and findings. Seconded by McCann. All in favor. Motion approve 3-0.

#### **RECESS INTO EXECUTIVE SESSION:**

At 5:20 p.m. the Mayor announced a closed meeting for the following purposes:

1. Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551, the Council may convene into executive session to discuss the following:
  - A). Pursuant to Section 551.071 Tex. Gov't Code - Consultation with attorney regarding pending litigation – Harker Heights Condominiums v. City of Harker Heights, et al

## **RECONVENE INTO OPEN MEETING:**

Mayor Smith reconvened the Regular Meeting at 5:45 p.m.

1. Council held a discussion and took action regarding settlement of pending litigation – Harker Heights Condominiums v. City of Harker Heights, et al.

City Attorney Charlie Olson gave a presentation regarding settlement of pending litigation – Harker Heights Condominiums v. City of Harker Heights, et al and made the following motion:

Motion authorizing the City Manager to execute the settlement agreement with Harker Heights Condominiums and its successor BSLNC, Inc., Cause #308829B in Bell County Texas.

McCann made the motion to approve the motion as stated by City Attorney Charlie Olson. Seconded by Fountain. All in favor. Motion approved 3-0.

## **REGULAR BUSINESS:**

1. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, calling a general election to be held on Saturday, May 7, 2022, for the purpose of electing two (2) members of the Harker Heights City Council for Place 1, and Place 3, for a three year term (2022-2025); Establishing procedures for the election and providing for an effective date. Julie Helsham, City Secretary, made the presentation.

Fountain made the motion to approve a Resolution Ordering a Municipal Election for the City of Harker Heights to be held on Saturday, May 07, 2022; for the purpose of electing a Councilmember for Place 1, and Place 3, to the Harker Heights City Council; Establishing procedures for the election and providing for an effective date. Seconded by Blomquist. All in favor. Motion approved 3-0.

2. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, Authorizing a Joint Election Agreement and Contract for Election Services with the Elections Officer of Bell County, Texas, for a general election to be held on Saturday, May 7, 2022, Authorizing the City Manager to act and sign on behalf of the City. Julie Helsham, City Secretary, made the presentation.

McCann made the motion to approve a Resolution authorizing a joint election agreement and contract for election services with Bell County Elections Officer for a general election to be held on Saturday, May 7, 2022; and authorize the City Manager to sign on behalf of the City. Seconded by Fountain. All in favor. Motion approved 3-0.

3. Council discussed and considered approving a Resolution authorizing continued participation with the ATMOS Cities Steering Committee; and authorizing the payment of five cents per capita to the ATMOS Cities Steering Committee to fund regulatory and related activities related to ATMOS Energy Corporation. Ayesha Lealiiiee, Finance Director, made the presentation.

Fountain made the motion to approve a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. Seconded by McCann. All in favor. Motion approve 3-0.

4. Council discussed and considered approving a request for alcohol services for the Harker Heights Chamber of Commerce "Harker Heights Food, Wine, & Brew Festival" at the 2410 Community Park on Saturday, September 10, 2022. Jeff Achee, Parks and Recreation Director, made the presentation.

Blomquist made the motion to approve a request for alcohol services for the Harker Heights Chamber of Commerce "Harker Heights Food, Wine & Brew Festival" at the FM 2410 Community Park for September 10, 2022. Seconded by Fountain. All in favor. Motion approved 3-0.

5. Council discussed and considered approving a request for alcohol services for the Harker Heights Chamber of Commerce "Harker Heights Brew & Brats 5k Mug Run" scheduled for Saturday, October 15, 2022, at the 2410 Community Park. Jeff Achee, Parks and Recreation Director, made the presentation.

McCann made the motion to approve a request for alcohol services for the Harker Heights Chamber of Commerce Brews & Brats 5K Mug Run at the 2410 Community Park for October 15, 2022. Seconded by Blomquist. All in favor. Motion approved 3-0.

6. Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

#### **ITEMS FROM COUNCIL AND ANNOUNCEMENTS:**

1. **Councilmember closing statements.**

Councilmember Blomquist stated that the opening of the Harker Heights Farmers Market is 101 days away and we are looking for vendors. It is never too early to start looking for the vegetable vendors. Hopefully the City will not have too many big freezes this year which kind of curtailed the early release of the Farmers Market vegetables. Stay tuned, it is coming.

Councilmember Fountain stated she wanted to share that the Community Salute launched this month a breakfast for our Military Recruiters. As everyone knows, our Community Salute recognizes new recruits that are going in, but they thought it would be great for our community to also recognize our Recruiters by providing lunch for them on the third Thursday of every month. Community Salute is reaching out to the community businesses to participate, and Ms. Kimberly of Allstate Insurance provided lunch. This is for all Armed Forces, not just the Army. It is for every single Recruiter that is out there working to make sure that they have the defenders that we need for us to be the strongest Nation in the world.

Fountain stated that last Friday she attended a ceremony where State Representative Mr. Buckley was recognized by the Commissions for Veterans and it was an honor to see Representative Buckley being recognized. The Texas Commission for Veterans also recognized our own John Footman. It was so pretty cool that Mr. Footman was recognized with a coin for serving in Vietnam.

2. **Updates and announcements from the Mayor.**

Mayor Smith stated that he attended the following events:

- January 18<sup>th</sup> – Harker Heights City Council Workshop and Special Meeting.
- January 19<sup>th</sup> – Killeen Temple Metropolitan Planning Organization Transportation Policy Board Meeting Chairman.
- January 21<sup>st</sup> – Meeting with City Staff at City Hall.

**ADJOURNMENT:**

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:14 p.m.

**CITY OF HARKER HEIGHTS, TEXAS:**

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Spencer H. Smith, Mayor

**ATTEST:**

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Julie Helsham, City Secretary