

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, February 8, 2022, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

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

MAYORAL PROCLAMATIONS AND PRESENTATIONS:

1. Mayor Smith presented a Proclamation to Marcus Maple declaring him, a "Bright Star of Central Texas".

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the meeting held on January 25, 2022.

Blomquist made the motion to approve the minutes of the meeting held on January 25, 2022, as written. Seconded by Fountain. All in favor. Motion approved 5-0.

2. Council discussed and considered approving the amended minutes of the meeting held on December 14, 2021.

Fountain made the motion to approve the amended minutes of the meeting held on December 14, 2021. Seconded by Nash. All in favor. Motion approved 5-0.

PUBLIC HEARINGS:

At 5:14 p.m. Councilmember Jackeline Soriano Fountain filed an Affidavit for Conflict of Interest for Public Hearing item number one and left the meeting.

1. Council conducted a Public Hearing to discuss and consider approving an amendment to the Conditions of Ordinance 2019-16, allowing for a Planned Development at property described as A0288BC, V.L. Evans, Woodlawn Mobile Home Park, acres 28.867, generally located at 101 N. Roy Reynolds Dr., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Nash made the motion to approve an ordinance to amend conditions of Ordinance 2019-16, allowing for a Planned Development at property described as A0288BC, V.L. Evans, Woodlawn Mobile Home Park, Acres 28.867, generally located at 101 N. Roy Reynolds Dr., Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by McCann. McCann, Blomquist, Nash and Halabi, All in favor. Motion approved 4-0.

At 5:17 p.m. Councilmember Jackeline Soriano Fountain returned to the meeting.

2. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District) to B-1 (Office District) on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way (E. FM 2410), Harker Heights, Texas. (Kristina Ramirez, Planning and Development Director, made the presentation.

The following Harker Heights citizens were present at the meeting and presented verbal comments regarding the request:

- Mary Gauer, 206 Arrowhead Drive, Harker Heights, Texas 76548
- Joe Hogan, 1723 Forest Hills, Harker Heights, Texas 76548
- Todd Gauer, 206 Arrowhead Drive, Harker Heights, Texas 76548
- Amanda Barton, 5311 Encino Oak Way, Killeen, Texas 76542

Fountain made the motion to disapprove an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-1 (Office District) on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way/E. FM 2410, Harker Heights, Texas, based on the Planning and Zoning Commission recommendations and findings being as follows:

1. The request causes substantial detriment to the surrounding lands.
2. The proposed zoning is substantially inconsistent with the zoning of the neighboring lands.

Seconded by Halabi. Blomquist, Fountain and Halabi in favor of disapproval of the request. McCann and Nash against. Motion to disapprove passes 3-2.

3. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, changing zoning designation from B-4 (Secondary And Highway Business District) to R-2 (Two-Family Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0012, Property ID 11455, generally located at 106 W. Kathey Rd., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to R-2 (Two-Family Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0012, Property ID 11455, generally located at 106 W. Kathey Rd, Harker Heights, Bell County, Texas, based on staff's recommendation and findings being as follows:

1. The proposed use and rezoning would likely not have an adverse impact on adjoining uses and zoning districts.
2. The proposed use and rezoning is compatible with existing uses and zoning in the neighborhood.
3. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

Seconded by McCann. All in favor. Motion approved 5-0.

4. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, changing the Land Use Designation from Community Center to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0012, Property ID 11455, generally located at 106 W. Kathey Rd., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Fountain made the motion to approve with explanation of an ordinance to change the land use designation from Community Center to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0012, Property ID 11455, generally located at 106 W. Kathey Rd., Harker Heights, Texas, based on staff's recommendation and findings being as follows:

1. This action would amend the current Comprehensive Plan and Land Use Plan such that the proposed use would be compatible with the new R-2 zoning.
2. The proposed use is compatible with new R-2 zoning in the neighborhood.

Seconded by Halabi. All in favor. Motion approved 5-0.

5. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0010, Property ID 11453, generally located at 110 W. Kathey Rd., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0010, Property ID 11453, generally located at 110 W. Kathey Rd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Halabi. All in favor. Motion approved 5-0.

6. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change Land Use Designation from Community Center to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 003, Lot 0010, Property ID 11453, generally located at 110 W. Kathey Rd., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Halabi made the motion to approve an ordinance to change the land use designation from Community Center to Medium Density Residential on property described Kern Acres 2nd Extension & Revision, Block 003, Lot 0010, Property ID 11453, generally located at 110 W. Kathey Rd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Fountain. All in favor. Motion approved 5-0.

7. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Two, Lot Tract 111, acres 10.06, Property ID #38147, generally located at 10485 Highview Drive, Harker Heights, Texas and locally known as 10485 Highview Drive, Belton, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Two, Lot Tract 111, Acres 10.06, Property ID #38147, generally located at 10485 Highview Drive, Harker Heights, Texas and locally known as 10485 Highview Drive, Belton, Texas, based on staff's recommendation and findings. Seconded by McCann. All in favor. Motion approved 5-0.

8. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Second Ext, Block 007, Lot 0003, Property ID #111315, generally located at 116 E. Turnbo Road, Harker Heights, TX. Kristina Ramirez, Planning and Development Director, made the presentation. Raymond Hamden, applicant, was present to represent the request.

Fountain made the motion to approve with explanation of an ordinance to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Second Ext, Block 007, Lot 0003, Property ID #111315 generally located at 116 E. Turnbo Road, Harker Heights, TX, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

9. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres, Block 001, Lot 0001, & 25' Strip ADJ on N, Property ID #60753 generally located at 901 Ramblewood Dr., Harker Heights, TX. Kristina Ramirez, Planning and Development Director, made the presentation. Raymond Hamden, applicant, was present to represent the request.

McCann made the motion to approve an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres, Block 001, Lot 0001, & 25' Strip ADJ on N, Property ID #60753 generally located at 901 Ramblewood Dr., Harker Heights, TX, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

10. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres, Block 002, Lot 0002, & 10' Strip ADJ on S, Property ID #17693 generally located at 902 Ramblewood Dr., Harker Heights, TX. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve an ordinance to change zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres, Block 002, Lot 0002, & 10' Strip ADJ on S, Property ID #17693 generally located at 902 Ramblewood Dr., Harker Heights, TX, based on staff's recommendation and findings. Seconded by Halabi. All in favor. Motion approved 5-0.

11. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Michael Withers, 3200 Comanche Gap Rd., applicant, was present to represent the request.

The applicant, Mr. Withers was present and made a request to Council to withdraw this request. No action taken by Council.

At 6:40 p.m. Mayor Smith called for a short break.

Mayor Smith reconvened the meeting at 6:55 p.m.

REGULAR BUSINESS:

1. Council discussed and considered approving a Minor Plat referred to as Dunyasha Place on property described as 5.806 Acres, situated in the W.H. Russell Survey, Abstract 1019, Bell County, Texas, embracing all of Lot 1, Block 1, Withers Way, an addition within the City of Harker Heights, Bell County, Texas, according to the Plat of Record in Plat Year 2016, Plat #20, Plat Records of Bell County, Texas, and embracing all of a Called 3.30 acre tract conveyed to Michael Withers and Dunyasha Withers in Document No. 2016-00036332, Official Public Records of Real Property, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to disapprove a Minor Plat referred to as Dunyasha Place on property described as 5.806 acres, situated in the W.H. Russell Survey, Abstract 1019, Bell County, Texas, embracing all of Lot 1, Block 1, Withers Way, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #20, Plat Records of Bell County, Texas, and embracing all of a called 3.30 acre tract conveyed to Michael Withers and Dunyasha Withers in Document No. 2016-00036332, Official Public Records of Real Property, Bell County, Texas, with the explanation of disapproval being that the Minor Plat does not meet the current zoning ordinance for the R1-R district. Seconded by Nash. All in favor. Motion to disapprove passed 5-0.

2. Council discussed and considered approving a Preliminary Plat referred to as Becca Ramos Addition, on property described as a 12.768 acre tract of land out of the Uriah Hunt Survey, Abstract No. 401, Bell County, Texas, Being that Tract of Land Conveyed to Donna Wham as recorded in Instrument No. 2020-068934, Official Public Records of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Fountain made the motion to approve with conditions, with explanation a request for Preliminary Plat for the subdivision referred to as Becca Ramos Addition, on property described as a 12.768 acre tract of land out of the Uriah Hunt Survey, Abstract No. 401, Bell County, Texas, being that tract of land conveyed to Donna Wham as recorded in Instrument No. 2020-068934, Official Public Records of Bell County, Texas based on staff's recommendations and findings with the following conditions:

1. Dedicate half of the required remaining right of way for Knight's Way (FM 2410) along the frontage of this subdivision.
2. Annotate the centerline of the existing ONCOR infrastructure on the plat dedication page.
3. Provide a 30-foot passage easement for the joint driveway access that allows for maneuverability between Lots and meets fire lane requirements.
4. Amend the dedication language on the plat dedication page and the separate dedication instrument to accurately reflect what is being offered and dedicated to the City.
5. Provide a Utility Easement for the existing Lumen (Century Link) infrastructure in the southwestern corner of the subdivision.

Seconded by Blomquist. All in favor. Motion approved 5-0.

3. Council discussed and considered approving a Preliminary Plat referred to as Freedom Park Subdivision Phase 2, on property described as a 2.488 acre tract of land situated in the Vincent L. Evans Survey, Abstract No. 288, in Bell County, Texas, Being all of Lots 1-5 in Block Three of Kern Terrace Extension 2 as recorded in Cabinet A, Slide 225A of the Plat Records of Bell County, Texas and also being a part of a 51.161 acre tract, designated as Tract One in a Deed to Roy Reynolds Estates, LLC in Document #2019-2238 of the Official Public Records of Bell County, Texas, save and except Lot One (1), Block A, Lot Nine (9), Block B and Lot Eight (8), Block A, Freedom Park Subdivision, Phase 1, Harker Heights, Bell County, Texas, Plat of Record filed in Instrument Number 2020069308, Official Public Record of Real Property of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

McCann made the motion to approve with conditions, a request for Preliminary Plat for the subdivision referred to as Freedom Park Subdivision Phase 2, on property described as a 2.488 acre tract of land situated in the Vincent L. Evans Survey, Abstract No. 288, in Bell County, Texas, being all of Lots 1-5 in Block Three Of Kern Terrace Extension 2 as recorded in Cabinet A, Slide 225A of the plat records of Bell County, Texas and also being a part of a 51.161 acre tract, designated as Tract One in a deed to Roy Reynolds Estates, LLC in Document #2019-2238 of the Official Public Records Of Bell County, Texas, save and except Lot One (1), Block A, Lot Nine (9), Block B and Lot Eight (8), Block A, Freedom Park Subdivision, Phase 1, Harker Heights, Bell County, Texas, plat of record filed in Instrument Number 2020069308, Official Public Record Of Real Property Of Bell County, Texas, based on staff's recommendations with the following conditions:

- Hard copies of the submission shall be provided prior to recordation.
- The dedication language on the plat dedication page and in the separate dedication instrument shall be amended as stated by city staff.
- All outstanding staff comments be addressed such that code requirements are met as determined by city staff.

Seconded by Halabi. All in favor. Motion approved 5-0.

4. Council discussed and considered approving a Final Plat referred to as Freedom Park Subdivision Phase 2, on property described as a 2.488 acre tract of land situated in the Vincent L. Evans Survey, Abstract No. 288, in Bell County, Texas, being all of Lots 1-5 in Block Three of Kern Terrace Extension 2 as recorded in Cabinet A, Slide 225A of the Plat Records of Bell County, Texas and also being a part of a 51.161 Acre Tract, designated as Tract One in a Deed to Roy Reynolds Estates, LLC in Document #2019-2238 of the Official Public Records of Bell County, Texas, save and except Lot One (1), Block A, Lot Nine (9), Block B and Lot Eight (8), Block A, Freedom Park Subdivision, Phase 1, Harker Heights, Bell County, Texas, Plat of Record filed in Instrument Number 2020069308, Official Public Record of Real Property of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Fountain made the motion to approve with conditions, a request for Final Plat for the subdivision referred to as Freedom Park Subdivision Phase 2, on property described as a 2.488 acre tract of land situated in the Vincent L. Evans Survey, Abstract No. 288, in Bell County, Texas, being all of Lots 1-5 in Block Three Of Kern Terrace Extension 2 as recorded in Cabinet A, Slide 225A of the plat records of Bell County, Texas and also being a part of a 51.161 acre tract, designated as Tract One in a deed to Roy Reynolds Estates, LLC in Document #2019-2238 of the Official Public Records of Bell County, Texas, save and except Lot One (1), Block A, Lot Nine (9), Block B and Lot Eight (8), Block A, Freedom Park Subdivision, Phase 1, Harker Heights, Bell County, Texas, plat of record filed in Instrument Number 2020069308, Official Public Record Of Real Property of Bell County, Texas, with the following conditions:

- Hard copies of the submission shall be provided prior to recordation.
- A Guarantee of Performance (bond) shall be provided for 100% of the public infrastructure that has not been constructed as of the date of approval of the final plat by City Council. Said bond shall be vetted and approved by the City Engineer.
- A Home Owners Association (HOA) shall be established, and the executed and recorded documentation provided to the City prior to release of a Certificate of Occupancy on any Lot within this subdivision.
- The dedication language on the plat dedication page and in the separate dedication instrument shall be amended as stated by city staff.
- All outstanding staff comments be addressed such that code requirements are met as determined by city staff.

Seconded by Nash. All in favor. Motion approved 5-0.

5. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the FM 3481 Sidewalk Improvements (Prospector Trail to Vineyard Trail) Project in the amount of \$509,090.00 to Choice Builders, LLC. Mark Hyde, Public Works Director, made the presentation.

Blomquist made the motion to approve a resolution awarding a contract for the FM 3481 Sidewalk Improvements (Prospector Trail to Vineyard Trail) Project in the amount of \$509,090.00 to Choice Builders, LLC. Seconded by McCann. All in favor. Motion approved 5-0.

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.

Council Member Fountain stated that she attended the following events:

- January 29th – Black Rifle Coffee Company Grand Opening.
- February 2nd – Harker Heights Police Department Swearing-In Ceremony.

Council Member Nash thanked City Staff and City Departments for the flowers and prayers after the passing of her father.

Council Member Blomquist stated that he attended the following events:

- January 29th – Black Rifle Coffee Company Grand Opening.
- February 2nd – Harker Heights Police Department Swearing-In Ceremony.

2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- January 26th – Fort Hood Community Services Council Meeting at the Lone Star Conference Center.
- January 27th – III Corps Commanding General and Mayors Engagement Luncheon at the National Mounted Warrior Museum.
- January 29th – Black Rifle Coffee Company Grand Opening.
- February 1st – Harker Heights City Council Workshop.
- February 2nd – Harker Heights Police Department Swearing-In Ceremony.
- February 4th – Killeen Temple Metropolitan Planning Organization Transportation Policy Board Leadership Meeting (Virtual)

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:36 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary