

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, March 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
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

Excused: Jennifer McCann Mayor Pro-tem

The invocation was given by Mayor Smith. The Pledge of Allegiance to the U.S. Flag and to the Texas State Flag was led by Scout Troop 287.

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the meeting held on February 22, 2022.

Fountain made the motion to approve the minutes of the meeting held on February 22, 2022, as written. Seconded by Nash. All in favor. Motion approved 4-0.

2. Council discussed and considered approving an Order declaring Unopposed Candidates in the Harker Heights General Election scheduled to be held on May 07, 2022, Elected to Office; Cancelling the Election. Julie Helsham, City Secretary, made the presentation.

Blomquist made the motion to approve the Order of General Election Cancellation; declared unopposed candidates Jenn McCann and Tony Canterino elected to office; and cancelled the Harker Heights General Election scheduled to be held on May 7, 2022. Seconded by Halabi. All in favor. Motion approved 4-0.

PRESENTATIONS BY CITIZENS:

Nigel Dunn, 3410 Shoreline Drive, Harker Heights, Texas, gave a presentation regarding the av small business grants.

PUBLIC HEARINGS:

1. Council conducted a Public Hearing to discuss and consider adoption of Impact Fee Calculations and Impact Fees for Wastewater Facilities for the 2022 Wastewater Impact Fee area in the amount of up to \$6,133 per service unit. Kristina Ramirez, Planning & Development Director and Jessica Vassar, P.E., Freese and Nichols, Inc., made the presentation.

The following citizens spoke on this item:

Mr. Scot Arey, 2027 Sandy Point, Harker Heights, Texas 76548

Mr. Josh Welch, 2002 Rustic Manor Drive, Temple, Texas 76502

Mr. Dustin King, 1629 S. Fort Hood Street, Killeen, Texas 76542

Blomquist made the motion to approve adoption of Impact Fee Calculations and Impact Fees for wastewater facilities for the 2022 Wastewater Impact Fee Area in the amount of \$6,133 per service unit. Seconded by Halabi. Blomquist and Halabi, in favor. Fountain and Nash, against. Due to a tie vote the Mayor was required to vote. Mayor Smith voted in favor. Motion approved 3-2.

2. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a Conditional Use Permit (CUP) to allow for modifications to adjust design requirements for an existing storage business on property designated as B-5 (General Business District), on property described as J P T C Addition, Block 001, Lot 4, PT 3, 5.394AC, generally located at 1174 S. Amy Ln., Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Fountain made the motion to approve with conditions an ordinance to change zoning designation from B-5 (General Business District) to B-5 (General Business District) with a Conditional Use Permit (CUP) to allow for modifications to adjust design requirements for an existing storage business on property designated as B-5 (General Business District), on property described as J P T C Addition, Block 001, Lot 4, PT 3, 5.394AC, generally located at 1174 S. Amy Ln., Harker Heights, Bell County, Texas, with the four conditions presented by staff, based on staff's recommendation and findings.

1. One Additional Structure shall be allowed to be constructed and shall be consistent with the existing storage facility structures.
2. With the exception of the screening materials and architectural feature requirements, the new structure built on site must meet all other requirements within the Harker Heights Code of Ordinances at the time the Conditional Use Permit is approved.
3. Screening wall shall be allowed at a maximum height of 9ft., 6 in. (9' 6"), and be constructed of metal wall panels with stucco finish.
4. The applicant agrees that, upon approval of the conditional use permit with the submitted voluntary agreement, the City is authorized to enforce the February 23, 2022, voluntary agreement.

Seconded by Blomquist. All in favor. Motion approved 4-0.

3. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas.

This item was withdrawn by the requestor. No action taken.

4. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change land use designation from 'Low Density Residential' to 'Community Center' on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas.

This item was withdrawn by the requestor. No action taken.

5. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, amending §150.02(J) of the Harker Heights Code of Ordinances; Adopting and Amending the 2021 International Fire Code.

This item was withdrawn. No action taken.

REGULAR BUSINESS:

1. Council discussed and considered approval of a Preliminary Plat referred to as Pat Kern Subdivision Replat 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Nash made the motion to approve a Preliminary Plat request for the subdivision referred to as Pat Kern Subdivision Replat 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records of Bell County, Texas. Seconded by Fountain. All in favor. Motion approved 4-0.

2. Council discussed and considered approval of a Final Plat referred to as Pat Kern Subdivision Replat 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records 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 Pat Kern Subdivision Replat 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records of Bell County, Texas, with the following conditions:

1. A Maintenance Bond shall be provided in accordance with section 154.24 of the City's adopted Code of Ordinances. Additionally, the final plat shall not be filed for record and no permits issued until the executed approved Maintenance Bond is provided to the City.
2. Remaining comments to be adequately addressed per city staff.

Seconded by Nash. All in favor. Motion approved 4-0.

3. Council discussed and considered approval of a Final Plat referred to as Savannah Commercial Addition, Replat 2, Phase 2, on property described as a 3.833 acre tract of land situated in the Daniel J. Keiger Survey, Abstract No. 491, Bell County, Texas, and being all of the remnant portion of Lot 2R, Block 1, Final Plat of Lot 2R, 3R, and 4R, Block 1, Savannah Commercial Addition Replat, recorded in Cabinet D, Slide 381-B of the plat records of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Michael Hatcher, 9410 Spring Hollow Drive, Austin, Texas 78750, applicant, was present to represent the request.

Fountain made the motion to approve with conditions a request for Final Plat for the subdivision referred to as Savannah Commercial Addition, Replat 2, Phase 2, on property described as a 3.833 acre tract of land situated in the Daniel J. Keiger Survey, Abstract No. 491, Bell County, Texas, and being all of the remnant portion of Lot 2R, Block 1, Final Plat of Lot 2R, 3R, and 4R, Block 1, Savannah Commercial Addition Replat, recorded in Cabinet D, Slide 381-B of the plat records of Bell County, Texas, with the following conditions:

1. A Guarantee of Performance (bond/letter of credit) 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. Additionally, the final plat shall not be filed for record and no permits issued until the executed Guarantee of Performance is provided to the City.
2. Remaining comments to be adequately addressed per city staff.

Seconded by Halabi. All in favor. Motion approved 4-0.

4. 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 he attended the following events:

- March 2nd – Cub Scout Pack 232 meeting.
- March 3rd – Meet and greet at Bell County Health District in Temple, Texas.
- March 7th – Bell County Health District Quarterly Meeting – Chaired the meeting as Chairman.
- March 8th – Harker Heights Chamber of Commerce Coffee Connection at the Life Moves Yoga.

Councilmember Fountain stated that she attended the following events:

- Guest speaker at the Killeen Lions Club
- February 24th - State Representative Hugh Shine Legislative Update
- March 3rd - Harker Heights Chamber of Commerce Military Affairs Committee Luncheon with Garrison Commander Colonel Chad R. Foster

2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- February 23rd – Fort Hood Community Services Council Meeting at the Lone Star Conference Center.
- February 25th – Harker Heights Chamber of Commerce Luncheon at Central Texas Homebuilders Association. Speaker Texas Representative Hugh Shine District 55.
- February 25th – III Corps HQ Retirement Ceremony for Harker Heights resident LTC Carydaniel Cegedi.
- February 25th – III Corps HQ Retirement Ceremony for Command Sergeant Major Michael Crosby, Army Futures Command.
- March 7th – Meeting with City Staff at the Harker Heights City Hall.

Mayor Smith thanked everyone for their prayers and concern for his wife during her recent hospitalization at Baylor University Medical Center in Dallas.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:10 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary