

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, September 14, 2021, in the Harker Heights Library and Activities Center, Meeting Room A, at 400 Indian Trail Drive, 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
	Lynda Nash	Councilmember Place 4
	Sam Halabi	Councilmember Place 5
	David Mitchell	City Manager
	Julie Helsham	City Secretary

**Consent Items:**

1. Council discussed and consider approving the minutes of the meetings held on August 24, 2021, and September 7, 2021.

McCann made the motion to approve the minutes as recorded with the amendments listed in the addendum. Seconded by Blomquist. All in favor. Motion approved 5-0.

**Presentations by Citizens:**

1. John Foster, 1098 North 60<sup>th</sup> Street, Killeen, Texas, presented information regarding Ordinance Section 155.020, on the requirement for a manufactured home must have a permanent foundation.
2. Howard Arey, 2027 Sandy Point Road, Harker Heights, Texas, made a presentation.
3. James Gest, 3420 Shoreline Drive, Harker Heights, Texas, did not speak or make a presentation. Attached is the speaker form submitted with comments.
4. John Kohn, 3418 Shoreline Drive, Harker Heights, Texas, did not speak or make a presentation. Attached is the speaker form submitted with no comments.

**Budget Items:**

Mayor made an announcement that Budget Item numbers 1, 2, 3, and 4, will not be addressed during this meeting. David Mitchell, City Manager, confirmed the Budget Items will be addressed on Monday, September 27<sup>th</sup>, 2021, and Tuesday, September 28<sup>th</sup>, 2021.

1. Discuss and consider approving an Ordinance of the City Council of the City of Harker Heights, Texas, Adopting the Budget for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022, and take the appropriate action. (Finance Director)
2. Discuss and consider approving an Ordinance of the City Council of the City of Harker Heights, Texas, prescribing and setting the Fiscal Year 2021-2022 Rates and Charges; Penalties for non-payment; and providing for an effective date, and take the appropriate action. (Finance Director)
3. Discuss and consider ratifying the Property Tax Increase reflected in the Fiscal Year 2021-2022 Budget and take the appropriate action. (Finance Director)
4. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City Council of the City of Harker Heights, Texas, Levying a Tax Rate of \$0.6519 Per \$100 Valuation, comprised of \$0.5063 for Maintenance and Operations and \$0.1456 for Interest and Sinking, for Fiscal Year 2021-2022 (Tax Year 2021) and take the appropriate action. (Finance Director)

## Planning and Zoning:

1. 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-1 (One-Family Dwelling District) and R1-A (Single-Family Garden Home Residential District) on property described as Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship Recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas, generally located at 13436 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas and locally known as 13436 FM 2410, Belton, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Lina Chtay, was present to represent the request and made a presentation.

Blomquist made the motion to approve an Ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) and R1-A (Single-Family Garden Home Residential District) on property described as Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas, generally located at 13436 E. Knights Way (E. FM 2410) and locally known as 13436 FM 2410, Belton, Bell County, Texas, based on staff's recommendation and findings. Seconded by Fountain. All in favor. Motion approved 5-0.

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 R1-R (Rural One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as 12.477 acres, Abstract No. A0223BC W B Cross, 2-4,3-1,4, Lot 9-10, Block E, generally located at 12560 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas and locally known as 12560 FM 2410, Belton, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Susan Franz, applicant, was present to represent the request.

The following Harker Heights citizen was present at the meeting and presented verbal comments regarding the request:

- Kenneth Wilson, 2307 Tye Valley Road, Harker Heights, Texas.

Fountain 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) with a CUP (Conditional Use Permit) on property described as 12.477 acres, Abstract No. A0223BC W B Cross, 2-4,3-1,4, Lot 9-10, Block E, generally located at 12560 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas and locally known as 12560 FM 2410, Belton, Bell County, Texas, based on staff's recommendation and findings and subject to the following conditions:

1. The applicant shall be allowed to have a total of 15 accessory buildings on the 12.477 acre parcel.
2. The maximum aggregate square footage of all accessory buildings shall not exceed 5,000 square feet per acre and not to exceed a total of 10,000 square feet on the 12.477 acre parcel.
3. Accessory buildings constructed after the date of this ordinance shall be allowed to be placed in front of the existing home.
4. Accessory buildings constructed after the date of this ordinance shall be placed no closer than 300 feet from the FM 2410 property boundary line.
5. The applicant shall construct and maintain the accessory buildings and manage wildlife in accordance with applicable City Ordinances and Texas Parks & Wildlife standards, regulations and permitting requirements for wildlife rehabilitation.

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

3. 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-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as Highland Oaks Estates Section Three (3), Block Thirteen (13), Lot Seven (7), generally located at 204 Evergreen Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Leslie Linthicum, applicant, was present to represent the request.

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

- James Livingston, 604 E. Woodlawn Drive, Harker Heights, Texas
- Sandra Rowell, 201 Redwood Circle, Harker Heights, Texas
- Linda Pellegrino-Sawyer, 202 Cottonwood Drive, Harker Heights, Texas
- Michael Butler, 605 Cagle Lane, Harker Heights, Texas
- Jed Schappell, 209 Pin Oak Drive, Harker Heights, Texas
- Jean Shine, 602 Cagle Lane, Harker Heights, Texas

Zawanda L. Washington, 215 Evergreen Drive, Harker Heights, Texas, did not speak or make a presentation. Attached is the speaker form submitted with comments.

Blomquist made the motion to *disapprove* an Ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as Highland Oaks Estates Section Three (3), Block Thirteen (13), Lot Seven (7), generally located at 204 Evergreen Drive, Harker Heights, Bell County, Texas, with the condition that the proposed use and rezoning is not compatible with existing uses in the neighborhood. Seconded by Fountain. All in favor. Motion to disapprove passed 5-0.

4. 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-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as Hidden Valley Estates, Lot Twenty Three and Twenty Four (23-24), Block One (1), generally located at 2307 Tye Valley Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Kenneth Wilson, applicant, was present to represent the request.

Nash made the motion to approve an Ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as Hidden Valley Estates, Lot Twenty Three and Twenty Four (23-24), Block One (1), generally located at 2307 Tye Valley Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings and subject to the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 1,000 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

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

5. Council conducted a Public Hearing to discuss and consider approving an Ordinance Amending Chapter 11 of the City's Code of Ordinances, establishing Section 11.1 Comprehensive Plan, and Adopting the 2007 Comprehensive Plan and the 2021 Land Use Plan For The City Of Harker Heights, Texas Pursuant To Chapter 213 of the Texas Local Government Code; establishing the relationship of the Land Use Plan and the Development Regulations; providing for the Amendment of any existing Comprehensive Plan; and providing for the Amendment of any existing Land Use Plan. Kristina Ramirez, Planning and Development Director, made the presentation.

Council by consensus requested to put this item on a future agenda. No action taken.

- Council discussed and considered Land Use Assumptions and a Capital Improvements Plan relating to possible Adoption of Impact Fees for the 2022 Impact Fee Area, establish two Public Hearings Dates. Kristina Ramirez, Planning and Development Director, and Jessica Vassar, P.E., Freese and Nichols, Inc., made the presentation.

Nash made the motion to establish the public hearing dates on the land use assumptions and capital improvements plan relating to possible adoption of impact fees for the 2022 wastewater impact fee area for the October 26, 2021, and November 9, 2021, City Council meetings. Seconded by McCann. All in favor. Motion approved 5-0.

### **Regular Business:**

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

### **Items from Council and Announcements:**

- Council member closing statements.

Mayor Pro-tem McCann stated that the 2021 Harker Heights Food, Wine & Brew Fest, "Cheers to Our Hometown Heroes" event was a success and that it served the City well.

Councilmember Fountain stated that she attended the following events:

- August 25<sup>th</sup> – 3<sup>rd</sup> Cavalry Welcome Home Ceremony
- September 4<sup>th</sup> - Post 29 Disabled American Veterans meeting
- September 4<sup>th</sup> – Mid Texas Corvette Club Labor Day Weekend Car Show at Harker Heights Community Park
- September 11<sup>th</sup> - 2021 Harker Heights Food, Wine & Brew Fest, "Cheers to Our Hometown Heroes" event
- September 14<sup>th</sup> – Fort Hood NCO and Soldier of the Year Awards Luncheon

Councilmember Nash asked about the date of the upcoming up-coming Killeen Independent School District Town Hall Meeting with Dr. Craft regarding School rezoning. David Mitchell, City Manager, stated that the Town Hall Meeting is scheduled for Monday, September 27, 2021 at 5:30 p.m. at the Harker Heights Elementary School.

Councilmember Blomquist stated the he attended the following events:

- August 28<sup>th</sup> – Harker Heights Farmer's Market
- September 1<sup>st</sup> – Fort Hood Change of Command for the 1<sup>st</sup> Cavalry Division, 2<sup>nd</sup> Battalion, 8<sup>th</sup> Regiment
- September 1<sup>st</sup> – University Research Park & Innovation District Event
- September 2<sup>nd</sup> – Bell County Public Health District virtual Special Board Meeting
- September 4<sup>th</sup> - Harker Heights Farmer's Market
- September 9<sup>th</sup> – Heritage Funeral Home visitation for Mrs. Sue Hendricks
- September 11<sup>th</sup> - Harker Heights Farmer's Market
- September 13<sup>th</sup> – Bell County Public Health District Board meeting

- Updates and comments from the Mayor.

Mayor Smith stated that he attended the following events:

- August 25<sup>th</sup> – Fort Hood Community Services Council Meeting
- August 26<sup>th</sup> – Harker Heights Cares Committee Meeting
- August 26<sup>th</sup> – Central Texas Council of Governments Executive Board Meeting (Virtual)
- August 27<sup>th</sup> – Harker Heights City Council and City Staff Annual Budget Retreat at the Harker Heights Activity Center
- August 28<sup>th</sup> – Harker Heights Farmer's Market
- September 1<sup>st</sup> – Texas A&M Central Texas University Research Park and Innovation District Summit
- September 3<sup>rd</sup> – Harker Heights City Hall Meeting with City Staff
- September 7<sup>th</sup> – Harker Heights City Council Special Meeting and Workshop

- September 8<sup>th</sup> – Harker Heights City Hall Meeting with Mr. Fred Livers, Tri-Unity Ministries and City Staff
- September 8<sup>th</sup> – Harker Heights City Hall Meeting with City Staff and the City Council Representative to the Bell County Public Health District
- September 9<sup>th</sup> – Heritage Funeral Home visitation for Mrs. Sue Hendricks
- September 11<sup>th</sup> – Harker Heights Farmer’s Market
- September 11<sup>th</sup> Harker Heights Chamber of Commerce Annual Food, Wine and Brew Festival at Community Park
- September 14<sup>th</sup> – Fort Hood NCO and Soldier of the Year Awards Luncheon

**Adjournment:**

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:30 p.m.

**CITY OF HARKER HEIGHTS, TEXAS:**

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Spencer H. Smith, Mayor

**ATTEST:**

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Julie Helsham, City Secretary