



AUGUST 4, 2020

3:00 P.M.

**CITY COUNCIL
WORKSHOP AND MEETING
AGENDA**



**NOTICE OF WORKSHOP AND REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
HARKER HEIGHTS, TEXAS
VIA TELECONFERENCE**

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Spencer H. Smith

Mayor Protem
Michael Blomquist

City Council
Jennifer McCann
Jackeline Soriano Fountain
John Reider
Jody Nicholas

Notice is hereby given that, beginning at 3:00 p.m. on Tuesday, August 4, 2020, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will conduct a telephonic workshop and regular meeting to contain the spread of COVID-19 in accordance with Governor Abbott's declaration of the COVID-19 public health emergency and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020. The subjects to be discussed are listed in the following agenda:

WORKSHOP AGENDA

I. Call to Order Workshop Session:

II. Roll Call:

III. Presentations by Citizens:

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and address for the record and limit your comments to three minutes.

IV. New Business:

1. Receive and discuss a presentation update on the United States Census 2020. (Interim Assistant City Manager).
2. Receive and discuss a presentation on the Bell County Tax Appraisal District and the methods for determining Property Taxes from Billy White, Chief Appraiser for Bell County Tax Appraisal District. (Interim Assistant City Manager)
3. Receive and discuss an update on the 2019-2020 Capital Improvement Projects. (Public Works Director)

V. Adjourn Workshop and Call to Order Regular Session:

MEETING AGENDA

VI. Roll Call:

VII. New Business:

1. Discuss and consider approving an amendment to the City of Harker Heights, Texas, July 23, 2019, City Council Meeting Minutes to correct a clerical error, and take the appropriate action. (City Manager)

VIII. Adjournment:

I hereby certify that the above notice of meeting was posted on the window board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the 31st day of July 2020 by 2:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Juliette Helsham
City Secretary

The public may participate remotely in this meeting by dialing-in using the toll-free number: (866) 899-4679 and use Access Code: 158-384-789.

To join the meeting from your computer, tablet or smartphone, use the following meeting link: <https://global.gotomeeting.com/join/158384789>

The public will be permitted to offer public comments telephonically as provided by the agenda. Written questions or comments may be submitted two hours before the meeting to the City Secretary's Office. When submitting your written questions or comments, you must include your Name and Address. Agenda packet and recording of the telephonic meeting will be available on the City of Harker Heights website at www.ci.harker-heights.tx.us.

"This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5614, or email jhelsham@harkerheights.gov for further information."

"Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary."



COUNCIL MEMORANDUM

AGENDA ITEM # IV-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 4, 2020

RECEIVE AND DISCUSS A PRESENTATION ON THE UNITED STATES CENSUS 2020.

EXPLANATION:

Every ten years, the U.S. Census Bureau undertakes a mammoth task: tallying up all the people living in the United States and recording basic information such as age, sex, and race. The founding Fathers thought this data, called the census, was so important they mandated it as part of the Constitution.

Ms. Yvette Stewart, the Partnership Specialist out of the Dallas Regional Census Center/Waco will give an update on the Census 2020 to include the updated timeline.

ATTACHMENTS:

1. The 2020 Census & Data Presentation
2. 2020 Census Operational Updated Timeline Presentation



Presented by: Ms. Stewart, Yvette
Partnership Specialist
Dallas Regional Census Center/Field Division/Denver Region

1

Agenda

- 2020 Census-Overview
- Field Operations
- Community Partnership and Engagement Program
- Critical Next Steps and Q&A

2

Why We Do a Census?



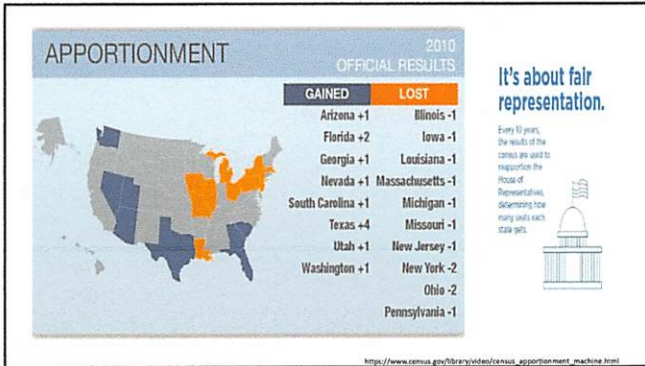
It's in the constitution.

The U.S. Constitution mandates that everyone in the country be counted every 10 years. The first census was in 1790.

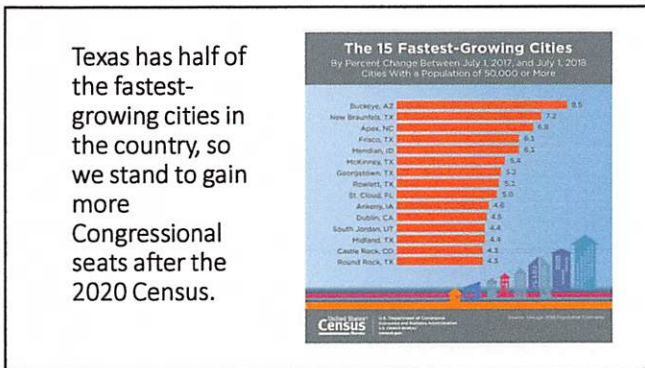
Article 1, Section 2 of the US Constitution

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

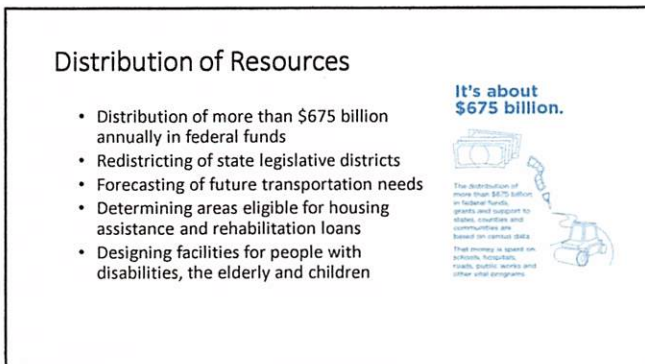
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***New for the
2020 Census***

7


**New Ability to Self
Respond**
Started March 23, 2020

- Internet
- Phone
- Paper Form

Or traditional in-person interview



8



Short Questionnaire

Name
Age and Date of Birth
Sex
Race and Origin
Own or Rent Home
Relationship
Phone Number

Data protected by Title 13 Confidentiality

9

The 2020 Census and Confidentiality



All Census Bureau staff take a lifetime oath to protect your personal information, and any violation comes with a penalty of up to \$250,000 and/or up to 5 years in prison.



10

Response Outreach Area Mapper (ROAM)



11

Low Response Score by Census Tract

Predicted Mail Non-Response Rate (%)

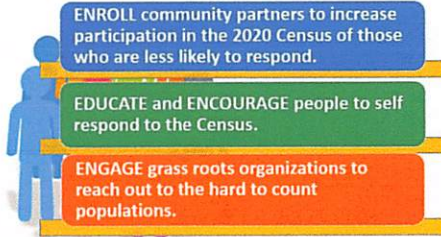
- 30.0 to 57.8
- 24.5 to 29.9
- 20.0 to 24.4
- 15.5 to 19.9
- 0.0 to 15.4
- 1

Census Tract 220
Bell County, Texas
Low Response Score (%): 25.2
2013 - 2017 ACS 5-year estimates
ACS Self-Response Rate: 50.0
Total Population: 5,053
Median Household Income (\$): 56,744
Median Age: 34.2
Population Under 5 (%): 6.24
Population 18-24 (%): 12.22
Population 65 and Over (%): 11.25
Persons Below Poverty Level (%): 18.99
Children Under 18 Living in Poverty (%): 34.25
School-Enrolled Children Age 3 and 4 (%):
Not High School Graduate (%): 16.59
No Health Insurance Under 19 (%): 3.19
No Health Insurance Age 19-64 (%): 20.67
No Health Insurance Age 65 and Over (%): 20.67

Low Response Score by Census Tract

12

Community Partnership and Engagement Program



13

Local Partnership Strategies

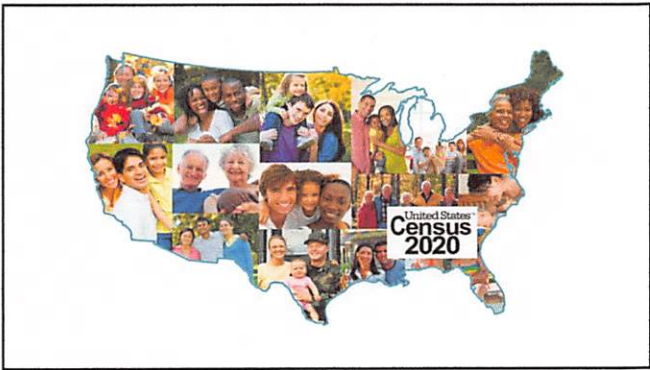
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|------------------------------------------------------------------|----------------------------------------------------------------------|
| • American Indian and Alaska Natives | Foreign-Born/Immigrants |
| • State Complete Count Commissions | Higher Education Institutions |
| • Complete Count Committees | Lesbian, Gay, Bisexual, Transgender and Questioning/Queer Businesses |
| • Community/Non-Profits/Social Service Organizations/Foundations | Faith-Based Organizations |

14

What Can You Do?

- What can you do to help?
 - Engage the community
 - Have trusted voices speak about the Census
 - Ensure we are doing everything and anything possible for the count

15



16

2020 Census Operational Adjustments Due to COVID-19

The 2020 Census is underway, and more than half of the households across America have responded and more are responding every day. Online, phone, and mailed self-responses will continue throughout the data collection process. In light of the COVID-19 outbreak, the U.S. Census Bureau has adjusted 2020 Census operations in order to:

- Protect the health and safety of the American public and Census Bureau employees.
- Implement guidance from federal, state, and local authorities regarding COVID-19.
- Ensure a complete and accurate count of all communities.

The Office of Management and Budget and the Office of Personnel Management have provided federal agencies with guidelines for resuming operations on an epidemiologically sound, data-driven basis, adhering to the latest federal, state, and local guidance. The Census Bureau

continues to monitor the changing conditions at the state and local level, and in consultation with the appropriate officials, update its planned start dates for selected operations in selected states.

The information the Census Bureau receives daily from FEMA and state and local authorities guides Census Bureau decisions on timing. As a result, selected field operations will resume on a phased schedule on a geographic basis.

Under the adjusted 2020 Census operational plan, the Census Bureau is conducting a series of preparatory activities so we are fully ready to resume field activities as we continue to advance the mission of the 2020 Census to ensure a complete and accurate count. In-person activities, including enumeration, office work, and processing activities, will always incorporate the most current guidance from authorities to ensure the health and safety of the public and Census Bureau employees.

Activity/Operation	Original Schedule	New Schedule
Self-Response Phase Online, phone, and mailed self-responses continue throughout the data collection process.	March 12–July 31	March 12–October 31
Group Quarters (e-Response and Paper Enumeration) Many group quarters have already begun responding through our e-response enumeration option.	April 2–June 5	April 2–September 3
Remote Alaska Early operation to reach parts of Alaska that may be difficult to reach later in the year and whose populations depart for other activities. The operation will be mostly completed on the original planned schedule, though some areas with year-round populations will be enumerated when it is safe to do so.	January 21–April 30	January 21–August 31

Connect with us
@uscensusbureau

For more information:
2020CENSUS.GOV

D-FS-GP-EN-022 June 16, 2020

**Shape
your future
START HERE >**

United States®
**Census
2020**

Activity/Operation	Original Schedule	New Schedule
Island Areas Census takers interview households in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands. This operation is coordinated with the local Island Areas governments. Census takers use paper questionnaires to interview households.	February 3–June 30	February 3–September 30
Field Offices at Peak Operations Managers and staff commence administrative, training, deployment, and support activities for peak data collection operations. This includes selecting and hiring field staff.	March 1	Phased reopening occurred between May 4–June 12.
Update Leave—Stateside Census takers drop off invitations to respond and paper questionnaires at the front doors of 5 million households stateside while updating the addresses.	March 15–April 17	Phased reopening occurred between May 4–June 12.
Update Leave—Puerto Rico Update Leave Operation for the Commonwealth of Puerto Rico, approximately 1.7 million households, will be coordinated separately.	March 15–April 17	May 22
Update Enumerate Census takers interview about 6,500 households in remote parts of northern Maine and southeast Alaska.	March 16–April 30	June 14–July 29
Nonresponse Followup (NRFU) Census takers will interview households in person.	May 13–July 31	August 11–October 31
In-Person Group Quarters Enumeration Group quarters that remain a part of our in-person group quarters enumeration efforts will begin in July.	April 2–June 5	July 1–September 3
Service-Based Enumeration We're working with service providers at soup kitchens, shelters, and regularly scheduled food vans to count the people they serve.	March 30–April 1	September 22–September 24
Mobile Questionnaire Assistance Census Bureau staff assists people with responding online at places people gather (grocery stores, etc.).	March 30–July 31	Being modified to reflect the current environment.

Activity/Operation	Original Schedule	New Schedule
Count of People Experiencing Homelessness Outdoors Census takers count people under bridges, in parks, in all-night businesses, etc.	April 1	September 22–September 24
Enumeration at Transitory Locations Census takers count people staying at campgrounds, RV parks, marinas, and hotels if they do not usually live elsewhere.	April 9–May 4	September 3–September 28.
Process Apportionment Counts After collection activities are complete, Census Bureau experts run and review output from programs to unduplicate responses, determine final housing unit status, populate any missing housing unit data on household size, and finalize the universe to be included in the apportionment count file.	July 31, 2020–December 31, 2020	October 31, 2020–April 30, 2021
Process Redistricting Data Census Bureau experts run and review programs to populate any missing demographic data for each household, run differential privacy programs to ensure confidentiality, and run tabulation programs for each state delivery.	January 1, 2021–March 30, 2021	May 1, 2021–July 31, 2021
Deliver Apportionment Counts to the President By law, the Census Bureau will deliver each state's population total, which determines its number of seats in the U.S. House of Representatives.	By December 31, 2020	Deliver by April 30, 2021.
President Delivers Apportionment Counts to Congress	Within 7 days of start of legislative session or approximately 10–20 days after receipt.	Within 14 days of receipt.
Deliver Redistricting Counts to the States By law, the Census Bureau will deliver the local counts each state needs to complete legislative redistricting.	By April 1, 2021	Deliver by July 31, 2021.



COUNCIL MEMORANDUM

AGENDA ITEM # IV-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 4, 2020

RECEIVE AND DISCUSS A PRESENTATION ON THE BELL COUNTY TAX APPRAISAL DISTRICT AND THE METHODS FOR DETERMINING PROPERTY TAXES FROM BILLY WHITE, CHIEF APPRAISER FOR BELL COUNTY TAX APPRAISAL DISTRICT.

EXPLANATION:

Mr. Billy White, the Chief Appraiser of the Tax Appraisal District of Bell County, will give a presentation pertaining to how tax values are determined.

ATTACHMENTS:

None.



COUNCIL MEMORANDUM

AGENDA ITEM # IV-3

From: The Office of the City Manager

08-04-2020

RECEIVE AND DISCUSS AN UPDATE ON THE 2019-2020 CAPITAL IMPROVEMENT PROJECTS.

EXPLANATION:

Receive a construction update on the bond and non-bond capital improvement projects for FY 19-20. The last update given was in February 2020.

ATTACHMENTS:

1. List of Capital Improvement Projects
2. PowerPoint presentation of the projects.

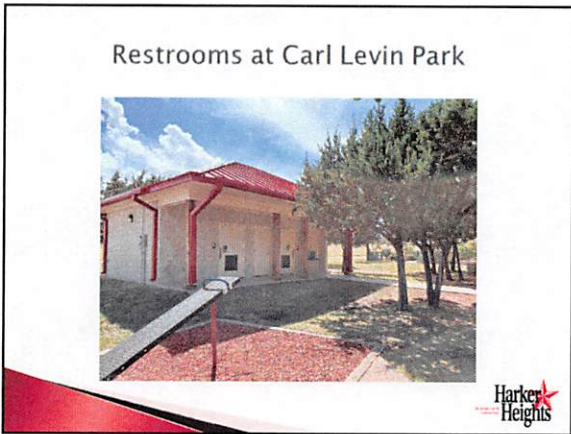
CAPITAL IMPROVEMENT PROJECTS

PROJECTS		Percent Construction Complete
<u>Series 2017 CO Projects</u>		
1	Restrooms at Carl Levin Park	100%
	<i>Subtotal</i>	
<u>Series 2018 CO Projects</u>		
2	Drainage Master Plan (DRM) Project #2; Phase 2; 3; 4	58%
3	DRM Proj #1 Goode-Connell detention w/soccer fields	41%
	<i>Subtotal</i>	
<u>Series 2019 CO Projects</u>		
4	Rattlesnake Road Waterline replacement	100%
5	Warrior's Path Wastewater Interceptor Line	100%
6	Fire Station #2 Renovation/Expansion	30%
7	Warrior's Path Street reconstruction	100%
	<i>Subtotal</i>	
<u>Capital Improvement Projects from Operating Funds</u>		
<u>Water Projects</u>		
8	12" water line at Live Oak addition (Dunkin Donuts)	100%
	<i>Subtotal</i>	
<u>Wastewater Projects</u>		
9	Prospector Trail Improvements	100%
10	VFW Lift Station Upgrade	
11	Trimmier Creek LS Iron Chloride Dosing System	100%
12	Sanitary Sewer at Fire Station #2	100%
	<i>Subtotal</i>	
<u>Drainage Projects</u>		
13	Tahuaya Drive Drainage project	100%
	<i>Subtotal</i>	
<u>Building Projects</u>		
14	Utility relocation at Old PD lot (Harley)	100%
15	Design for PW/Parks building	52%
	<i>Subtotal</i>	
<u>Park Improvement Projects</u>		
16	Master Plan	100%
	<i>Subtotal</i>	
<u>Sidewalk Projects</u>		
17	Sidewalk - Prospector to Vineyard	19%
	<i>Subtotal</i>	
<u>Street Projects</u>		
18	Mountain Lion to Pontiac Drainage Flume reconst.	50%
19	FY2018-2019 Misc. Street Projects:	
	Old Nolanville Road	
	Fullview Court Cul-De-Sac	
	Mountain Lion Road	
	Roy Reynolds Drive	
	Dorothy Lane	
	Roy Reynolds Circle Cul-De-Sac	
	Total FY2018-2019 Misc. Street Projects	100%
20	FY2019-2020 Misc. Street Projects:	
	Mossy Oaks Circle Cul-De-Sac	
	Tejas Trail Roadway Impr	90

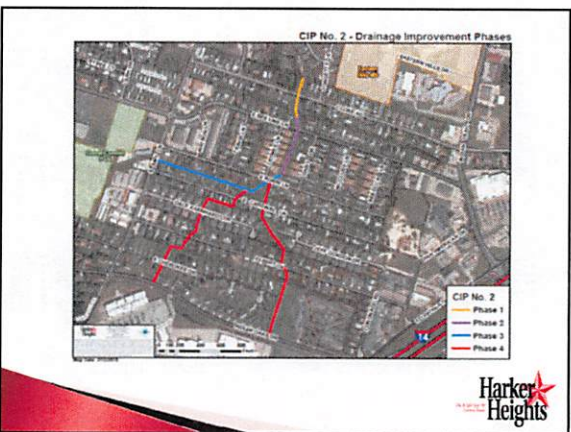
PROJECTS	Construction Complete
Chaparral Road	
Rattlesnake Road	
Total FY2019-2020 Misc. Street Projects	
<i>Subtotal</i>	
Total Capital Improvement Projects	



1



2



3

Drainage Master Plan Project No.2,
Phases 2, 3 & 4



4

Drainage Master Plan Project No.1
Goode-Connell Detention with Soccer Fields



5

Rattlesnake Road
6-inch Water Line Extension Project



6

Wastewater Interceptor Project



7

Wastewater Interceptor Project



8

Fire Station No. 2 Renovation & Expansion



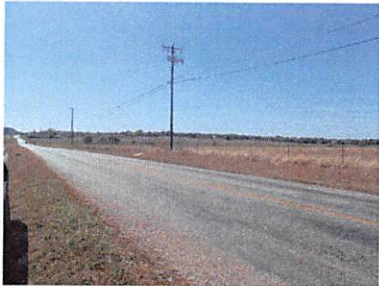
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Fire Station No. 2
Renovation & Expansion



10

Warriors Path Widening
Phase I

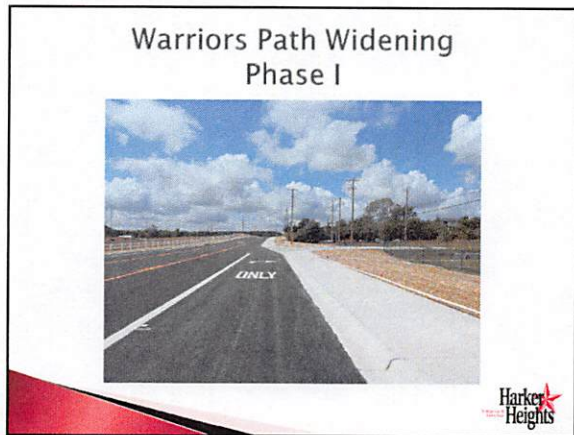


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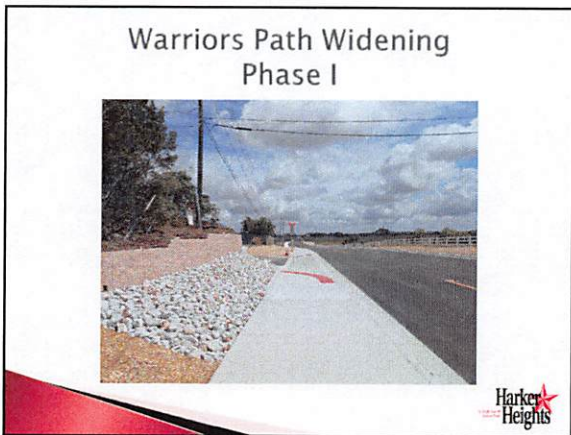
Warriors Path Widening
Phase I



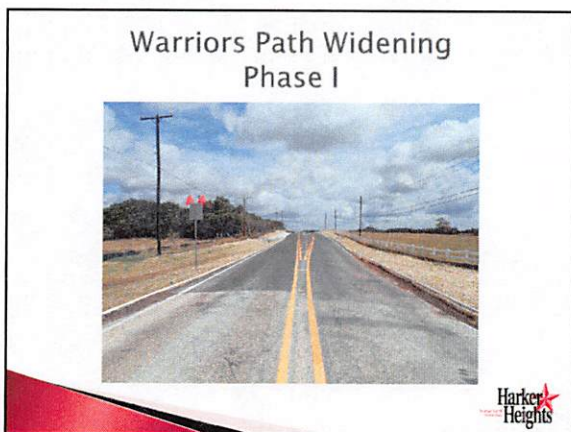
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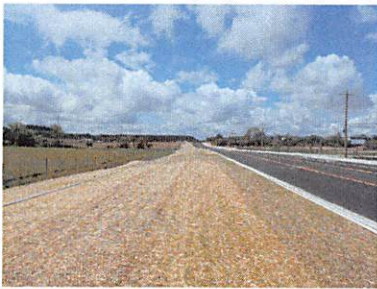
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Warriors Path Widening
Phase I



16

Warriors Path Widening
Phase I



17

Warriors Path Widening
Phase I



18

Dunkin Donuts 12-inch Water Line Oversizing Agreement



19

Prospector Trail Wastewater Improvements



20

VFW Lift Station Upgrade



21

Trimmier Lift Station
Iron Chloride Odor Control System



22

Fire Station No. 2
Sanitary Sewer Extension Project



23

Tahuaya Drive
Drainage Improvements



24

Tahuaya Drive
Drainage Improvements



25

Overhead Utility Relocation
at Old PD Lot



26

Public Works/Parks & Recreation
Campus Master Plan



27

Public Works/Parks & Recreation Campus Master Plan

City Property near S. Amy & E. Kellway



28

Parks & Recreation Master Plan



CITY OF HARKER HEIGHTS
PARKS, RECREATION AND OPEN SPACE
MASTER PLAN 2020-2030



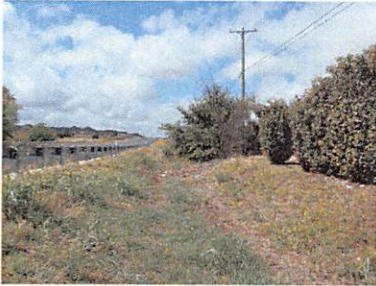
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Prospector Trail to Vineyard Trail Sidewalk Improvements



30

Prospector Trail to Vineyard Trail
Sidewalk Improvements



31

Mountain Lion Road to Pontiac Drive
Drainage Flume Reconstruction



32

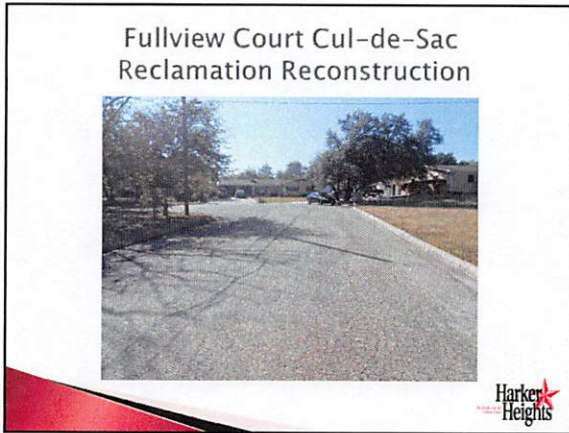
Old Nolanville Road
1-inch Asphalt Overlay



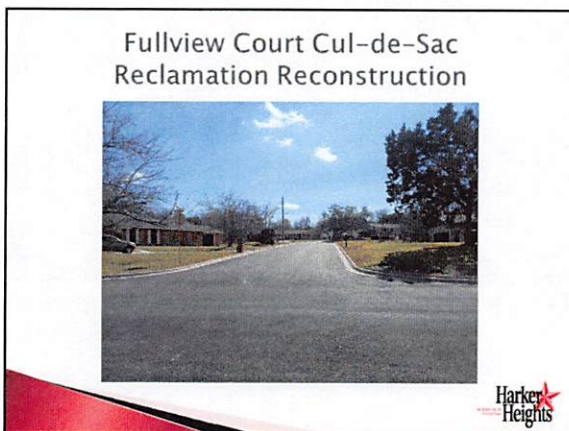
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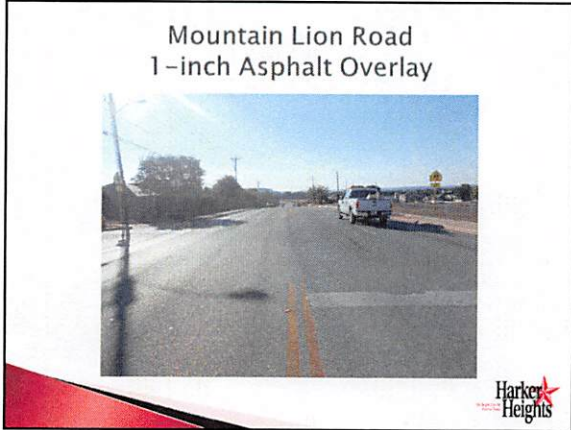
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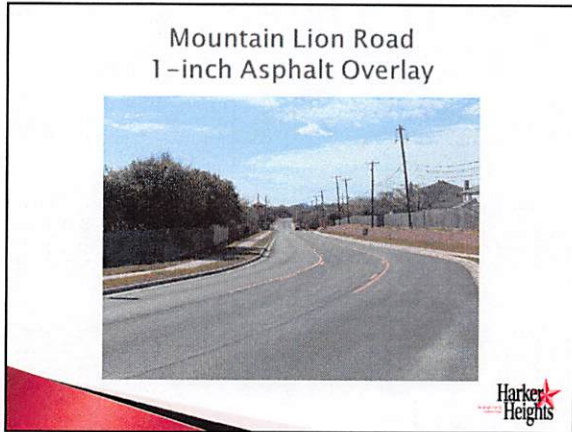
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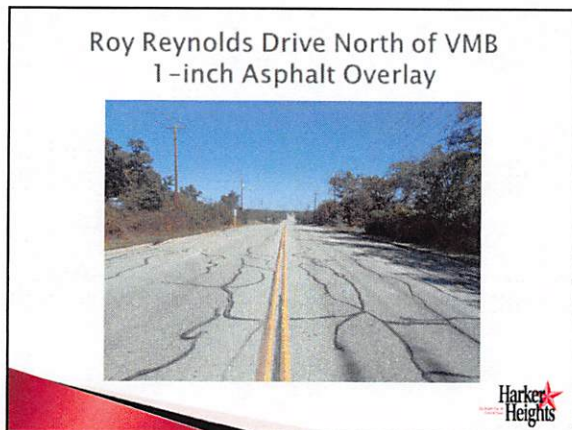
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39

Roy Reynolds Drive North of VMB
1-inch Asphalt Overlay



40

Dorothy Lane
Reclamation Reconstruction



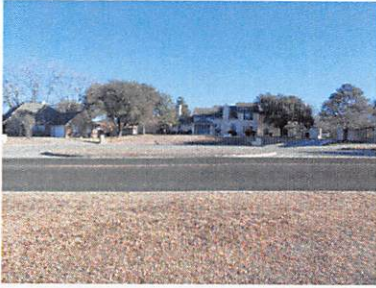
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Dorothy Lane
Reclamation Reconstruction



42

Roy Reynolds Circle
Reclamation Reconstruction



43

Roy Reynolds Circle
Reclamation Reconstruction



44

Modoc Drive Drainage Improvements
at Purser Park



45

Modoc Drive Drainage Improvements
at Purser Park



46

Mossy Oaks Circle Cul-de-Sac
1-inch Asphalt Overlay



47

Tejas Trail Street Extension
City/Developer Agreement



48

Tejas Trail Street Extension
City/Developer Agreement



49

Tejas Trail Street Extension
City/Developer Agreement



50

Chaparral Road
Reclamation Reconstruction



51

Chaparral Road
Reclamation Reconstruction



52

Rattlesnake Road
Reclamation Reconstruction



53

Traffic Guard Rail at Miller's Crossing
Add Alternate Project-Street Improvements



54



55

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 4, 2020

**DISCUSS AND CONSIDER APPROVING AN AMENDMENT TO THE CITY OF
HARKER HEIGHTS, TEXAS, JULY 23, 2019, CITY COUNCIL MEETING
MINUTES TO CORRECT A CLERICAL ERROR, AND TAKE THE
APPROPRIATE ACTION.**

EXPLANATION:

During the July 23, 2019, City Council meeting, a public hearing was held to discuss an ordinance (2019-20) granting a Conditional Use Permit (CUP) for property located at 703 W Knights Way (FM 2410) to allow a residential property to be utilized as a business. The motion to approve the Ordinance was amended to limit the potential uses on the property and, after much discussion, was approved by a vote of 3 to 1 in favor.

The meeting minutes for the July 23, 2019, City Council meeting were approved during the regular meeting of the City Council on August 13, 2019, however, the meeting minutes did not accurately reflect the motion for its approval. The meeting minutes listed the approved conditions of the CUP, with Condition 1, which was intended to limit the uses within the B-1 zoning district, stating:

1. The property may be used only as (a) a real estate office; or (b) a professional office for doctors, dentists, lawyers, architects, certified public accountants, or registered engineers and surveyors. Any such office may include customary staff associated with such offices or professions.

The motion actually stated that the uses in the B-1 zoning district be limited to *only* Section 155.028 (A)(2)(b) but leaving out veterinarians and including real estate offices.

- (b) Recognized professions. Members of a recognized profession include those persons and customary staff normally considered as professional and shall be deemed to include doctors, ~~veterinarians~~, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, and professions providing personal services, and the like.

As such, Condition 1 within the July 23, 2019, City Council Meeting Minutes should be written as:

1. The property may be used as a business office, specifically members of recognized professions including those persons and customary staff normally considered as professional and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, professions providing personal services, or a real estate office.

RECOMMENDATION:

Staff recommends approval of an amendment to the City of Harker Heights July 23, 2019, City Council Meeting Minutes to correct a clerical error.

ACTION BY THE CITY COUNCIL:

1. Motion to APPROVE/DENY an amendment to the City of Harker Heights, Texas, July 23, 2019, City Council Meeting Minutes to correct a clerical error.
2. Any other action desired.

ATTACHMENTS:

1. Harker Heights Code of Ordinances B-1 Zoning District
2. Revised July 23, 2019 City Council Meeting Minutes

§ 155.028 B-1 OFFICE DISTRICT.

(A) Permitted uses.

(1) Office, general business.

(2) Offices of practitioners of the recognized professions, as herein defined:

(a) *Professional building.* Any structure used solely for the housing of professional offices of recognized professions.

(b) *Recognized professions.* Members of a recognized profession include those persons and customary staff normally considered as professional and shall be deemed to include doctors, veterinarians, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, and professions providing personal services, and the like.

(3) Uses customarily incidental to the primary use.

(4) Coffee shop.

(5) Barber shop; beauty shop; beauty parlor.

(6) Public schools.

(7) Public parks, municipal golf courses, public recreation facilities, and community buildings.

(8) Municipal buildings, public libraries or museums, police and fire stations.

(9) Construction field office and yard on the job site for the duration of construction only.

(10) An on-premises residential use or living quarters associated with the business provided both uses are in compliance with appropriate building codes, and the proprietor or employee of the business is a resident of the living quarters.

(11) Low impact telecom towers.

(12) Churches or places of worship.

(B) Conditional uses.

(1) Private schools.

(2) Civic clubs.

(3) Fitness centers.

(C) Height regulations. No building shall exceed three and one-half stories or 45 feet in height.

(D) Area regulations. Front yard, side yard, and rear yards as per Table 21-A.

(E) Landscaping requirements. As per § 155.051.

(F) Intensity of use. There are no minimum lot area or lot width requirements.

(G) Parking regulations. As per §§ 155.061 through 155.068.

(H) Additional use, height, and area regulation.

(1) *Conditions for use.* Buildings may be used for one or more of the uses prescribed in division (A)(2) hereof only under the following conditions:

(a) The total area of a professional building devoted to any single incidental use shall not exceed 15% of the gross floor area of the building.

(b) The total area of a professional building devoted to incidental uses in the aggregate shall not exceed 25% of the gross floor area of the building.

(c) Public access to such incidental uses shall be from the interior of the building.

(2) *Parking.* No parking space shall occupy any part of the required front yard, except as provided in division (G) of this section.

(3) *Visibility of interior.* No building in this district shall be constructed or altered to produce a store front, show window or display window, and there shall be no merchandise visible from the exterior of the building.

(4) *Storage.* No outside storage shall be permitted in this district.

(5) *Signage.* As per Chapter 151.

(6) *Screening requirements.* As per § 155.050.

(7) *Building facade.* As per § 155.040.

Minutes of the City Council Meeting held at 5:00 p.m. on Tuesday, July 23, 2019, 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	Mayor Pro-tem
	Jennifer McCann	Councilmember Place 1
	Jackeline Soriano Fountain	Councilmember Place 3
	John Reider	Councilmember Place 4
	Jody Nicholas	Councilmember Place 5
	David Mitchell	City Manager
	Patricia Brunson	Assistant City Manager
	Burk Roberts	City Attorney

Consent Items:

1. Council discussed and considered approving the minutes of the meeting held on July 9, 2019. Nicholas made the motion to approve. Seconded by Reider. All in favor. Motion approved 5-0.

Public Hearings:

At 5:05 p.m. Councilmember John Reider 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 ordinance granting a Conditional Use Permit (CUP) to allow uses associated with a B-1 Zoning District or a Real Estate Office on property described as Lot Four (4), Block Ten (10), Highland Oaks Estates Section Three (3), a subdivision in the City of Harker Heights according to the Plat in Cabinet A, Slide 215-C, Plat Records of Bell County, Texas, and Lot One A (1A), Block One (1), Replat of Lot 4, Block B, Highland Oaks Estates, Section One, and Lots 1 & 5, Block 10, Highland Oaks Estates, Section Three, an addition to the City Of Harker Heights, according to the Plat of Record in Cabinet C, Slide 339-C, Plat Records of Bell County, Texas, generally located at 703 W. Knights Way (W. FM 2410), Harker Heights, Bell County, Texas. Joseph Molis, Planning and Development Director, made the presentation. Barry Hinshaw, representative, was present to represent the request. Blomquist made the motion to approve an ordinance granting a Conditional Use Permit (CUP) to allow uses associated with B-1 Zoning District. This permit is subject to the following conditions:
 1. The property may be used as a business office, specifically members of recognized professions including those persons and customary staff normally considered as professional and shall be deemed to include doctors, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, professions providing personal services, or a real estate office.

2. A six foot (6') masonry fence shall be constructed along the rear property boundary. Fences along neighboring properties to either side of the site must be constructed of cedar or pressure treated materials, with support posts located eight feet on center, or other materials and designs as may be approved by the Director of Planning and Development. Additionally, all screening requirements must be completed prior to receiving a Certificate of Occupancy on the property.
3. The architectural style and appearance of the structure shall maintain a residential character.
4. Parking in the rear yard must consist of a permanent, all-weather surface, or decomposed granite. All patrons must park in the designated parking areas. Parking for patrons will not be allowed on the street or on landscaped areas.
5. Any trees removed from the property shall be replaced onsite by trees of a similar type.
6. All exterior lighting shall be fully shielded and down-lit to prevent light trespass onto surrounding properties.
7. Signage shall consist of either:
 - a. One (1) wall sign not to exceed twenty four (24) square feet may be placed on the front façade wall parallel to the surface to which it is attached. If illuminated, signage must be externally illuminated, shielded and down lit. In addition, one monument sign listed below may be permitted on site.
 - b. One (1) Monument sign out of the public right-of-way shall be permitted. The sign shall not exceed thirty (30) square feet in area and may not be more than six (6') feet in height. Signage must be externally illuminated, shielded and down lit.
8. No box or channel letter type signs are permitted.
9. No outside storage will be allowed.
10. Site plan approval is required prior to the issuance of any development permits, including clearing, grading and Storm Water Pollution Prevention Plans (SWPPP). Site Plans may be approved by the Director or Planning and Development upon determination that the proposal complies with the requirements of Ordinance 2013-16 (Development Overlay District No. 1).
11. The site will comply with all other regulations and requirements within the Harker Heights Code of Ordinances.

Seconded by McCann. The affidavit filed by Councilmember Reider indicates that he has a statutory conflict due to having a substantial interest in a business that stands to realize a special economic effect so he is disqualified from the vote. Thus four (4) members is the number that are qualified here in voting and is considered being the entire Council in this case and so to overturn the decision of the Planning and Zoning Commission, $\frac{3}{4}$ of four (4) and not $\frac{3}{4}$ of five (5) Council members or a vote of three (3) to approve is needed. The motion was approved 3-1 with Fountain against.

At 6:20 p.m. Councilmember John Reider returned to the meeting.

At 6:20 p.m. Mayor Smith called for a ten (10) minute break.

Mayor Smith reconvened the meeting at 6:31 p.m.

New Business:

1. Council discussed and considered approving a request for alcohol services for the 3rd Annual Puerto Rican Heritage Festival at 2410 Community Park on Saturday, September 7, 2019. The applicant withdrew the request. No action taken.
2. Council discussed and considered approving an ordinance of the City of Harker Heights, Texas, amending the Parks and Recreation Activenet Online Service Charges in the Fiscal Year 2018-2019 Fee Schedule to increase fees by 4%. Jeff Achee, Parks and Recreation Director, made the presentation. Fountain made the motion to approve. Seconded by Reider. All in favor. Motion approved 5-0.
3. Council discussed and considered approving a resolution awarding a contract for the Rattlesnake Road 6-Inch Waterline Replacement Project in the amount of \$199,990.00 to TTG Utilities, LP. Mark Hyde, Public Works Director, made the presentation. Reider made the motion to approve. Seconded by Blomquist. All in favor. Motion approved 5-0.

Items from Council:

Councilmember Fountain thank Jeff Achee, Parks and Recreation Director and Lisa Youngblood, Library Director, for all their work in the Parks and Rec Fest event on July 11th.

Mayor Pro-tem Blomquist encouraged everyone to partake of the Farmer's Market on Saturdays in front of Seton Medical Center.

Staff Reports:

1. Council received and discussed the Unaudited Financial Statements for the third quarter of Fiscal Year 2018-2019. Alberta Barrett, Finance Director, made the presentation. No action taken.
2. Council received and discussed the Fiscal Year 2018-2019 third quarter Investment Report. Alberta Barrett, Finance Director, made the presentation. No action taken.
3. Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

Announcements:

Mayor Smith stated that he attended the following events:

- July 10th – 3rd Cavalry Regiment Change of Command
- July 15th – Harker Heights Public Forum
- July 16th – Harker Heights City Council Workshop
- July 17th – Killeen Temple Metropolitan Planning Organization (KTMPPO) Transportation Policy Planning Board (TPPB)
- July 22nd – American Legion Post 573 Harker Heights Veterans Affairs Clinics Announcement Ceremony

Closed Meeting:

1. At 7:00 p.m. the Mayor announced a closed meeting for the following purposes:
 - A) Pursuant to §551.074 of the Texas Government Code to discuss and deliberate the appointment of the Municipal Judge.
2. At 7:10 p.m. Mayor Spencer H. Smith reconvened the open meeting to take action as appropriate on matters discussed in the closed meeting. Blomquist made the motion to re-appoint Billy Ray Hall, Jr. as Municipal Judge for a two year term from October 1, 2019 – October 1, 2021, with a 3% cost of living increase and the same benefit package. Seconded by Fountain. All in favor. Motion approved 5-0.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:11 p.m.

Spencer H. Smith, Mayor

ATTEST:

Juliette Helsham, City Secretary