

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, October 11, 2022, at 5:00 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Mayor Spencer H Smith
Mayor Pro Tem Jennifer McCann
Councilmember, Place 2 Michael Blomquist
Councilmember, Place 3 Tony Canterino
Councilmember, Place 4 Lynda Nash
Councilmember, Place 5 Sam Halabi

City Manager David Mitchell
City Secretary Julie Helsham

MAYORAL PROCLAMATIONS AND PRESENTATIONS:

1. Mayor Smith presented a Proclamation declaring Tonkawa Chapter Native Plant Society of Texas as "Bright Stars of Central Texas."

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the meeting held on September 27, 2022, and the special meeting held on October 4, 2022.

Councilmember, Place 2 Blomquist made a motion to approve the minutes of the meeting held on September 27, 2022, and the special meeting held on October 4, 2022. Councilmember, Place 5 Halabi seconded the motion. Carried unanimously.

PUBLIC HEARINGS:

1. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to amend §154.37 Streets and §161.01 Section 1, Thoroughfare Plan of the Harker Heights Code of Ordinances, and portions of the Mobility 2030 Thoroughfare Plan to clarify definitions and update references. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember, Place 3 Canterino made a motion to approve an amendment to §154.37 Streets, and §161.01 Section 1, Thoroughfare Plan of the code of ordinances and Mobility 2030 Thoroughfare Definitions; clarifying definitions; updating references and providing for an effective date of the amendment, based upon staff's recommendation and findings and with the recommended format correction. Mayor Pro Tem McCann seconded the motion. Carried unanimously.

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 uses associated with a B-1 (Office District) zoning on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember, Place 3 Canterino made a motion to approve an ordinance changing zoning designation from R-1 (One Family Dwelling District) to R-1 (One Family Dwelling District) zoning with a Conditional Use Permit (CUP) to allow for a Barber Shop, Beauty Shop, or Beauty Parlor on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas with the eleven (11) conditions as discussed, based on staff's recommendation and findings, with the conditions being as follows:

1. The property may operate as a Barber Shop, Beauty Shop, or Beauty Parlor.
2. A maximum of one (1) business may occupy the building.
3. A six (6') foot 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 either 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.
4. The external architectural style and appearance of the structure shall maintain a residential character.
5. Parking in the rear yard shall be accessed by a driveway installed on the west side of the property and both driveway and parking area must consist of a permanent, all-weather surface. All patrons must park in the designated parking areas. Parking for patrons will not be allowed on the street or on landscaped areas.
6. Landscaping shall meet the requirements of the B-1 zoning district.
7. All exterior lighting shall be fully shielded and down-lit to prevent light trespass onto surrounding properties.
8. Signage shall consist of:
 1. 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. Signage must be externally illuminated, shielded and down lit. In addition, one monument sign listed below may be permitted on site.
 - i. 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; OR
 - ii. If shared, one (1) Monument sign out of the public right-of-way shall be permitted. The sign shall not exceed sixty (60) square feet in area and may not be more than ten (10') feet in height. Signage must be externally illuminated, shielded, and down lit.
9. No box or channel letter type signs are permitted.
10. No outside storage will be allowed.
11. The site will comply with all other regulations and requirements within the Harker Heights Code of Ordinances. Councilmember, Place 4 Nash seconded the motion. Carried unanimously.

3. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a Change in Zoning Designation from B-5 (General Business District) to R-1 (One Family Dwelling District), on property described as Stillforest Subdivision Replat (Blks 6-7, 11 PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI), Acres 0.13, generally located north of 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Iris Keen, applicant, was present to represent the request.

Mayor Pro Tem McCann made a motion to approve an ordinance to change zoning designation from B-5 (General Business District) to R-1 (One-Family Dwelling District) on property described as Stillforest Subdivision Replat (Blks 6-7, 11 PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI), Acres 0.13, generally located north of 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Councilmember, Place 5 Halabi seconded the motion. Carried unanimously.

4. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a Change in Zoning Designation from R-2 (Two-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as A0288BC VL Evans, Acres .78, Property ID #77900, generally located Northwest of the intersection of N. Mary Jo Drive and W. Valley Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Gene Clarkston, representative, was present to represent the applicant on the request.

Councilmember, Place 3 Canterino made a motion to approve an ordinance to change zoning designation from R-2 (Two-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as A0288BC VL Evans, Acres .78, Property ID #77900, generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Councilmember, Place 2 Blomquist seconded the motion. Carried unanimously.

5. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a change in zoning designation from R-1 (one-family dwelling district) to R1-I (One-Family Infill Dwelling District) and R2-I (Two-Family Infill Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 012, lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Eddie and Deidra Bass, applicants, were present to represent the request.

The following Citizens spoke against the item:

- Burl Lewis, Jr., 115 East Ruby Road, Harker Heights, Texas 76548
- Melvina L. Hart, 121 East Ruby Road, Harker Heights, Texas 76548

Councilmember, Place 2 Blomquist made a motion to disapprove with explanation of the proposed R2-I zoning is not compatible with the current Land Use Plan. an ordinance to change zoning from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Councilmember, Place 5 Halabi seconded the motion. Carried 4-1 (opposed: Councilmember, Place 4 Nash).

6. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a change in land use designation from Low Density Residential to Low Density Residential and Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Mayor Pro Tem McCann made a motion to disapprove with explanation, the proposed Medium Density Residential use is not compatible with the current Land Use Plan; and the proposed Medium Density Residential use is not compatible with existing zoning in the neighborhood, an ordinance to change land use designation from Low Density Residential to Low Density Residential and Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Councilmember, Place 3 Canterino seconded the motion. Carried unanimously.

REGULAR BUSINESS:

1. Council discussed and considered approving a Preliminary Plat referred to as Habitat for Humanity Northside Addition, on property described as 2.797 acres of land, situated in the V.L. Evans Survey, Abstract 288, Bell County, Texas, being all of the called 2.80 acre tract conveyed to Fort Hood Area Habitat for Humanity, of record in Document Number 2020053778, Official Public Records of Real Property, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Joseph Theriot, P.E., Republic Engineering, was present to represent the request.

Councilmember, Place 2 Blomquist made a motion to approve, a Preliminary Plat referred to as Meadow White Addition, on property described as being a 1.021 acre tract of land in Bell County, Texas, being part of the John T. Tumlinson Survey, Abstract No. 831, the land herein being part of Lot 2, Block 5, Meadow Acres, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 143-C, Plat Records of Bell County, Texas (P.R.B.C.T.), and being that all certain tract of land conveyed in a General Warrant Deed to BFF Construction, LLC, a Texas limited liability company, being described of record under Instrument No. 2022035043, Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.) based on the discussed recommendations and findings. Councilmember, Place 4 Nash seconded the motion. Carried unanimously.

Kristina Ramirez, Planning and Development Director suggested to Council that an additional motion be made to clarify the correct legal description of this property.

Councilmember, Place 2 Blomquist made a motion to approve a request for a Preliminary Plat referred to as Habitat for Humanity Northside Addition, on property described as 2.797 acres of land, situated in the V.L. Evans Survey, Abstract 288, Bell County, Texas, being all of the called 2.80 acre tract conveyed to Fort Hood Area Habitat for Humanity, of record in Document Number 2020053778, Official Public Records of Real Property, Bell County, Texas, based on staff's recommendations and findings. Councilmember, Place 4 Nash seconded the motion. Carried unanimously.

2. Council discussed and considered approving a Preliminary Plat referred to as Harker Heights Fuller Addition, on property described as being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas and being part of that certain called 2.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-00000521 of the Official Public Records of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Bob Gage, GBT Realty, was present to represent the request.

Mayor Pro Tem McCann made a motion to approve a request for a Preliminary Plat referred to as Harker Heights Fuller Addition, on property described as being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas and being part of that certain called 2.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-00000521 of the Official Public Records of Bell County, Texas based on staff's recommendations and findings with the following condition: Per §154.21(C)(1)(d), dedicate additional Right-of-Way width as required for a Major Collector. Councilmember, Place 4 Nash seconded the motion. Carried unanimously.

3. 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:

- October 1st – Breakfast with Sparky at the Harker Heights Activities Center, hosted by the Harker Heights Fire Department and Harker Heights Lions Club.
- October 1st – Harker Heights Farmers' Market.
- October 3rd – Chaired the Bell County Health District Meeting in Temple, Texas.
- October 4th – III Corps Chain of Command Ceremony and Promotion of MG Sean Bernabe to Lt. General.
- October 4th – Harker Heights National Night Out with the Mayor, Council and City Staff.
- October 5th – 7th – The Texas Municipal League Annual Conference in San Antonio.
- October 8th – Harker Heights Farmers' Market.
- October 10th – The NAACP Candidate Forum in Killeen for Central Texas Political Candidates.
- October 11th – Harker Heights Fire Department Promotion for Lt. Justin Lewis and D/O Justin Elliott.
- October 11th – Harker Heights Veterans Council Meeting – Planning for the Harker Heights Veterans Ceremony at Harker Heights Activities Center on November 10th from 6:30 p.m. – 7:30 p.m.

Councilmember Canterino stated that he attended the following events:

- September 27th – Breakfast at Papa's Café with County Commissioner Bobby Whitson.
- September 30th – The Phantom Honors Retiree Ceremony on Fort Hood.
- October 1st – Harker Heights Farmers' Market.
- October 4th – Breakfast with County Commissioner Bobby Whitson.
- October 5th – 7th – The Texas Municipal League Annual Conference in San Antonio.
- October 10th - the NAACP Candidate Forum in Killeen for Central Texas Political Candidates.
- October 11th - Breakfast with County Commissioner Bobby Whitson.

2. Update and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- September 28th – Fort Hood Community Services Council Meeting at Lonestar Conference Center.
- September 28th – Meeting with City Staff at City Hall.
- September 29th – III Corps Proclamation Ceremony for Domestic Violence Awareness Month.
- September 30th – Disabled Veterans Property Tax Exemption Meeting at the Heart of Texas Defense Alliance.
- October 1st – AUSA Car Show Judge at the Killeen Special Events Center.
- October 1st – Carl Levin Park Art in the Park.
- October 4th – Harker Heights City Council Special Meeting.
- October 4th – Harker Heights City National Night Out.
- October 5th and 6th – Texas Municipal League Annual Conference and Exhibition in San Antonio.
- October 11th – Harker Heights Fire Department Promotion Ceremony.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:42 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

CITY COUNCIL: Meeting
October 11, 2022