

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, July 26, 2022, at 5:00 p.m., 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 Michael Blomquist
Councilmember Tony Canterino
Councilmember Sam Halabi

City Manager David Mitchell
City Secretary Julie Helsham
City Attorney Charlie Olson

EXCUSED: Councilmember Lynda Nash

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the special meeting held on July 19, 2022.

Mayor Pro Tem McCann made a motion to approve the minutes of the special meeting held on July 19, 2022. Councilmember Blomquist seconded the motion. Carried unanimously.

PRESENTATIONS BY CITIZENS:

1. Vitalis Dubininkas, 4310 Lakecliff Drive, Harker Heights, Texas 76548, gave a brief presentation.
2. Council received a presentation by Rebecca Caldwell regarding continued repair on Loblolly, water conservation, changes in Cedar Knob Road, suggested trash alternatives and reducing utility bill mailings.
3. Council received a presentation by Nigel Dunn regarding anti-bullying programs, active shooter drills and KISD school security.
4. Council received a presentation by Lisa Williams regarding Grande Communications fiberoptic construction notifications.

REPORTS OF ADVISORY BOARDS & COMMISSIONS:

1. Council received and discussed a presentation by Angie Wilson, Parks & Recreation Advisory Board and Tree Advisory Board Chair, regarding an annual update on board activities in 2021-2022. Jeff Achee, Parks and Recreation Director, and Angie Wilson, Parks and Recreation Advisory Board and Tree Advisory Board Chair, made the presentation. No action taken.

PUBLIC HEARINGS:

1. Council conducted a public hearing pursuant to Article VIII, Section 8.07 of the Harker Heights City Charter to discuss and consider taking action on the proposed initiative ordinance relating to and restricting low-level marijuana enforcement in the City of Harker Heights, Texas. Julie Helsham, City Secretary, made the presentation.

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

Joe Hogan, 1723 Forest Hills, Harker Heights, Texas 76548
Steve Moody, 204 Elbert Lane, Harker Heights, Texas 76548
Terry Delano, 514 Lobo Trail, Harker Heights, Texas 76548
Stacey Wilson, 2401 Creek Drive, Harker Heights, Texas 76548
Charles Wilson, 2401 Creek Drive, Harker Heights, Texas 76548
Dr. Eddie West, 3203 Eagle Ridge, Harker Heights, Texas 76548
Howard Arey, 2027 Sandy Point, Harker Heights, Texas 76548
Mikhail Gray, 813 Snow Bird Drive, Harker Heights, Texas 76548
Michael T. Johnson, 116 Wind Ridge Drive, Harker Heights, Texas 76548
Nigel Dunn, 3410 Shoreline Drive, Harker Heights, Texas 76548
Lisa Williams, 405 Cattail Circle, Harker Heights, Texas 76548

Attached to the minutes is a written comment submitted by Donald A. Krieger, 2218 Fuller Lane, Harker Heights, Texas 76548, for public comment.

Councilmember Blomquist made a motion to disapprove the proposed ordinance and order to submit the proposed ordinance as set forth in the initiative petition to the voters. Councilmember Halabi seconded the motion. Carried unanimously.

REGULAR BUSINESS:

1. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City Manager to execute an Advance Funding Agreement with the Texas Department of Transportation for a surface transportation program metropolitan mobility project (Warriors Path, Phase 2 Project) and authorizing local funding share. Mark Hyde, Public Works Director, made the presentation.

Mayor Pro Tem McCann made a motion to approve a Resolution authorizing the City Manager to execute an Advance Funding Agreement for the Warriors Path, Phase 2 Project with the Texas Department of Transportation. Councilmember Halabi seconded the motion. Carried unanimously.

2. 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 he attended the Harker Heights Music Friendly Certification event on Friday, July 22nd at Carl Levin Park. Blomquist had the honor of being a member of the Music Friendly Advisory Committee which worked with the Harker Heights Chamber of Commerce to make this certification by the Office of the Texas Governor happen. Harker Heights is now one of thirty-five cities in Texas that have this Music Friendly Certification. Together through music we all celebrate the joys of life and share these moments with others. Music brings us all together, and through music, we make the Bright Star of Texas, our City, even brighter. Blomquist stated that on Saturday, July 23rd, he attended the Harker Heights Farmers' Market at City Hall. The market is still going strong and encourages everyone to come early while the goods last. Blomquist mentioned he will see everyone Saturday for the next Farmers' Market.

Mayor Pro Tem McCann stated she also wanted to bring up the Music Friendly Certification Event, it was very well attended. McCann expressed how proud she is of our City and the Harker Heights Chamber of Commerce and that everyone was pretty grateful to be there. It was a really fun night and something that will put Harker Heights on the map is a big bonus. McCann stated the Mayor gave her the opportunity to attend the Fort Hood Council Meeting where she learned more about our neighbors, what is going on in Fort Hood, what Fort Hood does for Harker Heights and the surrounding cities, and how we can all help Fort Hood. It was a great meeting to attend.

Councilmember Canterino stated that last Tuesday night he attended the 3 x 9 Fishing Tournament that happens up at Lake Stillhouse Hollow. He stated that he wears all of his Harker Heights swag and is on Facebook live promoting Harker Heights. He stated that he also went to the Music Friendly Certification and it was a great time. Canterino expressed how these fishing events allow the opportunity to meet people, and a great way to get out and spend time in our City and in one of our beautiful parks. Canterino stated he also went to the Farmers' Market and says Back Forty Beef is the best meat he has ever bought anywhere on the planet - It was wonderful. Canterino mentioned attending a meeting between the City of Harker Heights and Highland Park. He was with Interim Police Chief Hawkins, Fire Chief Sims, Retired Police Chief Gentry, Human Resources Director Leona Clay, and Deputy Fire Chief of Operations Cindy Hicks. They used the time to explore Triple Certification for the City's Police Officers and Fire-fighters. They got a lot of great information. Canterino announced with sadness the passing of a friend, a dynamic 3 x 9 Fisherman and an important member of the Harker Heights Fishing Community, Ron Wilhite. He was a great guy and will be missed.

2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- July 20th – Killeen-Temple Metropolitan Planning Organization, Transportation Policy Planning Board Meeting, Chairman, in Belton.
- July 21st – Harker Heights Care Committee Meeting at the Harker Heights Activities Center.
- July 22nd – Harker Heights Music Friendly Certification Ceremony at Carl Levin Park.
- July 23rd – Guam Liberation Day Celebration with the Chamorro Association of Central Texas at Ogletree Gap in Copperas Cove.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:24 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

City Council
July 26, 2022

Regarding Harker Heights City Council Meeting on July 26, 2022:

Agenda Item "VII. Public Hearings:"

1. Conduct a public hearing pursuant to Article VIII, Section 8.07 of the Harker Heights City Charter to discuss and consider taking action on the proposed initiative ordinance relating to and restricting low-level marijuana enforcement in the City of Harker Heights, Texas, and take the appropriate action."

Statement of Donald A Krieger, Harker Heights Resident.

I vehemently disagree with any movement in support of or any action to "*restricting low-level marijuana enforcement*" or *decriminalization* of the possession of marijuana in the City of Harker Heights, Texas. Regardless of what our "learned" neighbors may do in Killeen and other surrounding cities or what may be espoused by those "organizers" who do not live within our community (e.g., representatives of Ground Game Texas or other such organizations), Harker Heights must not be swayed by the "if Tommy jumps off a bridge, then I should jump off a bridge too" mentality.

Marijuana is an illegal and/or a controlled substance in the United States and Texas. If one is breaking applicable laws, they should be subject to penalties under those laws. Failure to enforce the law is not an option. The discussion about not enforcing the law by ignoring misdemeanors is simply "turning a blind eye" to the standards and norms within a community – while encouraging persons to break the law by our inaction.

If we agree to restricting low-level marijuana (a Class B misdemeanor, I believe) enforcement in our city, what is next? Should we also not enforce laws concerning driving while intoxicated (1st offense); terroristic threat; criminal trespass; prostitution, or reckless driving? The essence of the matter is that some select members of our community (and those agitators from outside our community who are furthering their agendas) want to alter the current community standards and circumvent the law of the land for personal or recreational reasons.

I am steadfastly against any such change to law enforcement in our community – in particular – to moving to restricting low-level marijuana enforcement within the City of Harker Heights. We need to remain a law abiding and law enforcing community. That is a primary driver for people to live in our community.

Respectfully,

/s/ Donald A. Krieger

Donald A. Krieger
2218 Fuller Lane
Harker Heights, Texas 76548