

Minutes of the City of Harker Heights Special Council Meeting that was called to order on Tuesday, July 19, 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 Lynda Nash  
  
City Manager David Mitchell  
City Secretary Julie Helsham

**EXCUSED:** Councilmember Sam Halabi

**CONSENT ITEMS:**

1. Council discussed and considered approving the minutes of the meeting held on June 28, 2022.

Councilmember Blomquist made a motion to approve the minutes of the meeting held on June 28, 2022. Councilmember Nash seconded the motion. Carried unanimously.

**PRESENTATION BY OUTSIDE AGENCIES:**

1. Council received and discussed a presentation from Heights Resource Center regarding its Outside Agency Funding request for Fiscal Year 2022-2023. Jerry Bark, Assistant City Manager, made the presentation. Reverend Leslie Tomlinson, Harker Heights United Methodist Church, made the presentation. No action taken.

**PUBLIC HEARINGS:**

1. 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 R-3 (multi-family 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 J. Bass, 106 Concho Ct., Harker Heights, Texas 76548, applicant, was present to represent the request.

The following citizens spoke regarding the request:

- Linda Jackson, 114 E. Ruby Road, Harker Heights, Texas 76548
- Melvina L. Hart, 121 E. Ruby Road, Harker Heights, Texas 76548
- Burl Lewis Jr., 115 E. Ruby Road, Harker Heights, Texas 76548

Councilmember Blomquist made a motion to disapprove with explanation, an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-3 (Multi-Family 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 with the explanation being that this case was recommended for denial based on the proposed zoning not being compatible with existing uses and zoning in the neighborhood. 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 change in land use designation from low density residential to high 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 an ordinance to change land use designation from Low Density Residential to High 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 with the explanation being that this case was recommended for denial based on the proposed zoning not being compatible with existing uses and zoning in the neighborhood. Councilmember 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 land use designation from Low Density Residential to Medium Density Residential on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember Blomquist made a motion to approve an ordinance to change land use designation from Low Density Residential to Medium Density Residential on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Councilmember Nash 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 Conditional Use Permit (CUP) to allow for an Accessory Dwelling Unit (ADU) on property described as Lakeside Hills Section One, Lot Tract 15, Acres 5.3 generally located at 4001 High Oak Drive, Harker Heights, Bell County, Texas and locally known as 4001 High Oak Drive, Belton, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Amy Mason, 4001 High Oak Drive, Harker Heights, Texas, 76548, applicant, was present to represent the request.

Councilmember Nash made a motion to approve with conditions an ordinance for a Conditional Use Permit (CUP) to allow for an Accessory Dwelling Unit (ADU) on property described as Lakeside Hills Section One, Lot Tract 15, Acres 5.3 generally located at 4001 High Oak Drive, Harker Heights, Bell County, Texas and locally known as 4001 High Oak Drive, Belton, Bell County, Texas, with the four conditions as presented by staff and based on staff's recommendation and findings, with the conditions being as follows:

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 a maximum dwelling area footprint of 1,700 square feet. Mayor Pro Tem McCann 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 Land Use Designation from Medium Density Residential and Residential Estate to Residential Estate on property described as Lakeside Hills Section One, Lot Tract 15, Acres 5.3 generally located at 4001 High Oak Drive, Harker Heights, Bell County, Texas and locally known as 4001 High Oak Drive, Belton, Bell County, Texas and take the appropriate action. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember Blomquist made a motion to approve an ordinance to change land use designation from Medium Density Residential and Residential Estate to Residential Estate on property described as Lakeside Hills Section One, Lot Tract 15, Acres 5.3 generally located at 4001 High Oak Drive, Harker Heights, Bell County, Texas and locally known as 4001 High Oak Drive, Belton, Bell County, Texas, based on staff's recommendation and findings. Councilmember Nash seconded the motion. Carried unanimously.

6. 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 R1-M (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family 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. Andrea Thompson, Killeen, Texas, representative, was present to represent the request.

Mayor Pro Tem McCann made a motion to approve an ordinance to change zoning designation from R1-M (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family 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. Councilmember Nash seconded the motion. Carried unanimously.

7. 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 Regional Center to Medium Density Residential 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.

Mayor Pro Tem McCann made a motion to approve an ordinance to change land use designation from Regional Center to Medium Density Residential 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 Blomquist seconded the motion. Carried unanimously.

8. 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-4 (Secondary and Highway Business District), R-1 (one family dwelling district), and R1-M (One-Family Manufactured Home Dwelling District) to R-3 (Multi-Family Dwelling District) on properties described as All Land Located within Mobile Manor Estates Section One, generally located at the Northeast Corner of the intersection of Indian Oaks Drive and S. Amy Lane, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Prudhvi Chekuri, representative, was present to represent the request.

The applicant withdrew the request during the Public Hearing. No action taken.

*At 6:20 p.m. Mayor Smith called for a short break.*

*Mayor Smith reconvened the meeting at 6:34 p.m.*

**REGULAR BUSINESS:**

1. Council discussed and considered approving a Final Plat referred to as the Enclave at Indian Trail, on property described as being all that certain 16.55 Acre Tract of Land situated in the W.E. Hall Survey, Abstract No. 1086, and the J. M. Roberts Survey, Abstract No. 723, and being all of the called 2.980 Acre Tract of Land Described in a Deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048431, Deed Records of Bell County, Texas, all of the called 7.971 Acre Tract of Land described in a Deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048422, Deed Records of Bell County, Texas, all of the "Parcel 1" called 3.003 Acre Tract of Land Described in a Deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048429, Deed Records of Bell County, Texas, all of the "Parcel 2" called 2.649 Acre Tract of Land described in a Deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048429, Deed records of Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember Blomquist made a motion to approve with conditions a request for a request for a Final Plat referred to as The Enclave at Indian Trail, on property described as being all that certain 16.55 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, and the J. M. Roberts Survey, Abstract No. 723, and being all of the called 2.980 acre tract of land described in a deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048431, Deed Records of Bell County, Texas, all of the called 7.971 acre tract of land described in a deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048422, Deed Records of Bell County, Texas, all of the "Parcel 1" called 3.003 acre tract of land described in a deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048429, Deed Records of Bell County, Texas, all of the "Parcel 2" called 2.649 acre tract of land described in a deed to Terra Azul Developments, LLC, recorded in Instrument No. 201300048429, Deed Records of Bell County, Texas, with the three conditions as presented by staff and based on staff's recommendations and findings, with the conditions being as follows:

1. The applicant will provide a performance bond in an amount equal to the estimated costs of completion of required improvements verified by the City Engineer, prior to the plat being filed for record with Bell County.
2. The applicant will provide a maintenance bond for all public infrastructure improvements within the subdivision, with the exception of Enclave Blvd, prior to the plat being filed for record with Bell County.
3. Address outstanding comments regarding linework of drainage easement and required signature blocks on face of plat prior to the plat being filed for record with Bell County. Councilmember Nash seconded the motion. Carried unanimously.

2. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, adopting the Investment Policy of the City of Harker Heights, Texas; authorizing the City's Investment Broker/Dealer List; and approving a list of investment training sponsors. Ayesha Lealiiee, Finance Director, made the presentation.

Mayor Pro Tem McCann made a motion to approve a Resolution adopting the Investment Policy of the City of Harker Heights, Texas; authorizing the City's Investment Broker/Dealer List; and approving a list of investment training sponsors. Councilmember 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:

- July 2nd – Harker Heights Farmer’s Market at City Hall.
- July 4th – Belton 4th of July Parade.
- July 7th – Harker Heights Parks and Recreation Fest at Carl Levin Park.
- July 9th - Harker Heights Farmer’s Market at City Hall.
- July 15th – Harker Heights Police Chief Phil Gadd Retirement Ceremony.
- July 16th - Harker Heights Farmer’s Market at City Hall.
- July 18th – Harker Heights Music Advisory Council Meeting at Harker Heights Chamber of Commerce.

Councilmember Blomquist reminded all citizens that they are welcome to attend the Harker Heights Chamber of Commerce Music Friendly Celebration at Carl Levin Park on Friday, July 22, 2022 at 6:00 p.m. Harker Heights will be certified by the Office of the Governor of Texas as a Certified Music Friendly Community. There will be Food, drinks, vendors and plenty of music during the event from 6:00 p.m. to 8:00 p.m.

### 2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- June 30th – Change of Command Operational Test Command at West Fort Hood.
- July 4th – Belton Independence Day Courthouse Ceremony and Parade.
- July 5th – Bell County Commissioners Court Meeting in Belton.
- July 8th – Harker Heights Police Department Promotion Ceremony.
- July 12th – III Corps Award Ceremony at Fort Hood.
- July 12th – Promotion Ceremony for Brigadier General Brown at Fort Hood.
- July 15th – Farewell Ceremony for Harker Heights Police Chief Phil Gadd at Saint Paul Chong Husang Fellowship Hall.
- July 16th – Harker Heights Farmers’ Market.
- July 18th – Meeting at City Hall with a concerned citizen and City Staff.

## **ADJOURNMENT:**

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:54 p.m.

**CITY OF HARKER HEIGHTS, TEXAS:**

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Spencer H. Smith, Mayor

**ATTEST:**

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Julie Helsham, City Secretary

City Council  
July 19, 2022