

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, August 10, 2021, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

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| Roll Call: | 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 |

Mayoral Proclamations and Presentations:

1. Mayor Smith presented a proclamation to Darrien Nicholas declaring him a "Bright Star of Central Texas".

Consent Items:

1. Council discussed and considered approving the minutes of the meeting held on July 27, 2021.

Blomquist made the motion to approve the minutes of the meeting held on July 27, 2021. Seconded by McCann. All in favor. Motion approved 5-0.

Mayor Smith moved to Item IX. New Business, Number 4.

New Business:

4. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the creation of the Central Texas Regional 9-1-1 Emergency Communications District. David Mitchell, City Manager, and Jim Reed, Central Texas Council of Governments Executive Director, made the presentation.

Fountain made the motion to approve a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the creation of the Central Texas Regional 9-1-1 Emergency Communications District. Seconded by Halabi. All in favor. Motion approved 5-0.

Mayor Smith moved back to Item VII. Public Hearings.

Public Hearing:

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-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Raymond Hamden, representative, was present to represent the request.

McCann made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Fountain. All in favor. Motion approved 5-0.

2. Council did not conduct the 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), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas.

The applicant withdrew the request on August 10, 2021, prior to the Council Meeting. No action taken.

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-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Jerome Gomer, representative, was present to represent the request.

McCann made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr., Harker Heights, Bell County, Texas. Seconded by Halabi. All in favor. Motion approved 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-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Seven (7), generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Jerome Gomer, representative, was present to represent the request.

Blomquist made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Seven (7), generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

5. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to amend Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for a 1,850 square foot accessory dwelling unit to be occupied by a relative, on property described as Leisure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Ace Reneau, Mitchell & Associates, Inc., representative, was present to represent the request.

Blomquist made the motion to approve an amendment to Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for a 3,737 square foot accessory dwelling unit to be occupied by a relative, on property described as Leisure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas, based on staff's recommendation and findings and subject to the following conditions:

1. The accessory dwelling unit shall have a maximum gross foundation footprint of 3,737 square feet; and
2. One Accessory Dwelling Unit driveway connection to the section of Ponca Trace constructed in Sapiah Plains Phase 3 shall be allowed; and
3. No interior cross fencing of the lot shall be allowed to extend from the eastern property line to the western property line or be placed such that there is an appearance of two independent lots.

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

6. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Matthew Jones, applicant, was present to represent the request.

Fountain made the motion to approve an ordinance to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business in accordance with the June 18, 2021, application as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

At 6:32 p.m. Mayor Smith called for a ten (10) minute break.

Mayor Smith reconvened the meeting at 6:42 p.m.

New Business:

1. Council discussed and considered approving a request for a Minor Plat with conditions, for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), generally located at 3910 Hilltop Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Ace Reneau, Mitchell & Associates, Inc., representative, was present to represent the request.

Fountain made the motion to approve with conditions a request for Minor Plat for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.P.B.C.T.), generally located at 3910 Hilltop Drive, Harker Heights, Bell County, Texas, subject to the following condition: all outstanding comments from Bell County Public Health shall be resolved prior to issuance of any building permits or replacement of a manufactured home on this parcel. Seconded by McCann. All in favor. Motion approved 5-0.

2. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse the ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Company and the ACSCs legal counsel. Ayesha Lealiiee, Finance Director, made the presentation.

Nash made the motion to approve a Resolution of the City Council of the City of Harker Heights, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse the ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Company and the ACSCs legal counsel. Seconded by Halabi. All in favor. Motion approved 5-0.

3. Council discuss and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City Manager to negotiate a contract with Pattillo, Brown & Hill, LLP to audit the City of Harker Heights for Fiscal Year 2020-2021 with the option to audit for four subsequent years. Ayesha Lealiiie, Finance Director, made the presentation.

McCann made the motion to approve a Resolution authorizing the City Manager to negotiate a contract with Pattillo, Brown & Hill, LLP to audit the City of Harker Heights for Fiscal Year 2020-2021 with the option to audit for four subsequent years. Seconded by Blomquist. All in favor. Motion approved 5-0.

Staff Reports:

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

Items from Council:

1. Council member closing statements.

Councilmember Blomquist stated that he attended the following events:

- July 27th – Meet with numerous citizens to discuss zoning, permitting and street repairs.
- July 31st – Harker Heights Farmer's Market.
- August 2nd – Met with City Manager David Mitchell to discuss Economic Development opportunities for the City of Harker Heights.
- August 5th – Met with Fire Chief Paul Sims to discuss a Fire Wise Community for the City of Harker Heights.
- August 7th – Harker Heights Farmer's Market.
- August 10th – Harker Heights Chamber of Commerce Coffee Connection Meeting with Edward Jones and Central Texas Athletic Club.

Councilmember Fountain stated that she attended the following events:

- July 28th – AUSA Meeting
- July 31st – Kern Park Splash Bash

Mayor Pro-tem McCann stated that she attended the following event:

July 28th – Stewart C. Meyer Harker Heights Public Library "The Creature Teacher" event.

Announcements:

1. Updates and comments from the Mayor.

Mayor Smith stated that he attended the following events:

- July 28th – Harker Heights Street Dedication Ceremony in recognition of Freddie Nichols, Sr.
- July 30th – III Corps and Fort Hood Phantom Honors Ceremony for Fort Hood Retirees.
- July 31st – Harker Heights Farmer's Market.
- August 3rd – Harker Heights City Council and City Staff Wastewater Treatment Plant Tour.
- August 5th – Harker Heights City Hall participation in Harker Heights Chamber of Commerce Vision XXI Local Government Day.
- August 7th – Harker Heights Farmer's Market.
- August 10th – III Corps Commanding General and Mayors Engagement Luncheon at Fort Hood.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:15 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary