

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, August 23, 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 Tony Canterino  
Councilmember Lynda Nash  
Councilmember Sam Halabi  
  
City Manager David Mitchell  
City Secretary Julie Helsham

**EXCUSED:** Councilmember Michael Blomquist

**MAYORAL PROCLAMATIONS AND PRESENTATIONS:**

1. Mayor Smith presented a Proclamation to Amelia Rabroker and Tap Tap Art Studios, declaring them to be "Bright Stars of Central Texas".

**CONSENT ITEMS:**

1. Council discussed and considered approving the minutes of the meeting held on August 9, 2022.

Mayor Pro Tem McCann made a motion to approve the minutes of the meeting held on August 9, 2022, as presented. Councilmember Halabi seconded the motion. Carried unanimously.

**PRESENTATIONS BY CITIZENS:**

The following citizens made a presentation to Council:

- Mathew Jones, 1206 Stonewall Ridge, Harker Heights, Texas 76548
- Stan Golaboff, 2404 Catawba Loop, Harker Heights, Texas 76548
- Howard Arey, 2027 Sandy Point, Harker Heights, Texas 76548

**PUBLIC HEARINGS:**

1. Council conducted a public hearing to discuss and consider establishing a public hearing date to discuss and consider approving the adoption of an ordinance amending Title V of the City's Code of Ordinances; establishing Chapter 55 "Impact Fees"; Adopting, imposing, and establishing wastewater impact fees on new developments in the impact fee service area to the extent allowable by law; Adopting assessment and collection rates for wastewater impact fees; providing a cumulative clause, providing a severability clause; Establishing a penalty and specifically negating a requirement of a culpable mental state; Establishing a penalty for violations; Providing and establishing an effective date. Kristina Ramirez, Planning and Development Director, made the presentation.

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

- John T. Haun, 4392 Betty Place, Salado, Texas
- Lauren Reider-Hallmark, 919-A Ramblewood Street, Harker Heights, Texas
- Raymond Hamden, P. O. Box 2008, Harker Heights, Texas
- Brandi Stokes, P. O. Box 787, Killeen, Texas
- Howard Arey, 2027 Sandy, Point, Harker Heights, Texas

Mayor Pro Tem McCann made a motion to establish the September 27, 2022, City Council meeting as the public hearing date to discuss and consider approving the adoption of an ordinance amending Title V of the City's code of ordinances; establishing Chapter 55 "Impact Fees"; adopting, imposing, and establishing wastewater impact fees on new developments in the impact fee service area to the extent allowable by law; adopting assessment and collection rates for wastewater impact fees; providing a cumulative clause, providing a severability clause; establishing a penalty and specifically negating a requirement of a culpable mental state; establishing a penalty for violations; and providing and establishing an effective date. Councilmember Halabi seconded the motion. Carried unanimously.

2. Council conducted a public hearing to discuss and consider approving an ordinance of the City Council of the City of Harker Heights, Texas, adopting the budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023. Ayesha Lealiiee, Finance Director, made the presentation.

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

- Alysha Pacheco, 621 S. Roy Reynolds Drive, Harker Heights, Texas
- Howard Arey, 2027 Sandy Point, Harker Heights, Texas
- Lisa Williams, 405 Cattail Circle, Harker Heights, Texas

Councilmember Canterino made a motion to approve an Ordinance of the City Council of the City of Harker Heights, Texas adopting the Budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023. Mayor Pro Tem McCann seconded the motion. Mayor Smith conducted a record vote. The results are as follows: McCann voted aye, Blomquist had an excused absence, Canterino voted aye, Nash voted aye, and Halabi voted aye. All in favor. Motion approved 4-0. Carried unanimously.

3. Council conducted a public hearing to discuss and consider approving an ordinance of the City Council of the City of Harker Heights, Texas, prescribing and setting the Fiscal Year 2022-2023 Rates and Charges; Penalties for non-payment; Providing for an effective date. Ayesha Lealiiee, Finance Director, made the presentation.

Mayor Pro Tem McCann made a motion to approve an Ordinance of the City Council of the City of Harker Heights, Texas, prescribing and setting the Fiscal Year 2022-2023 rates and charges; penalties for non-payment; and providing for an effective date. Councilmember Halabi seconded the motion. Mayor Smith conducted a record vote. The results are as follows: McCann voted aye, Blomquist had an excused absence, Canterino voted aye, Nash voted aye, and Halabi voted aye. All in favor. Motion approved 4-0. Carried unanimously.

*At 6:12 p.m. Mayor Smith called for a short break.*

*Mayor Smith reconvened the meeting at 6:30 p.m.*

#### **REGULAR BUSINESS:**

1. Council discussed and considered ratifying the property tax increase reflected in the Fiscal Year 2022-2023 Budget. Ayesha Lealiiee, Finance Director, made the presentation.

Councilmember Halabi made a motion to ratify the property tax increase reflected in the Fiscal Year 2022-2023 Budget. Councilmember Canterino seconded the motion. Mayor Smith conducted a record vote. The results are as follows: McCann voted aye, Blomquist had an excused absence, Canterino voted aye, Nash voted aye, and Halabi voted aye. All in favor. Motion approved 4-0. Carried unanimously.

2. Council discussed and considered approving an appeal of the False Robbery Alarm service charge for Matthew Miller at 2532 Boxwood Drive, Harker Heights, Texas. David Mitchell, City Manager, made the presentation. Matthew Miller, requestor, was present to represent the appeal.

Councilmember Canterino made a motion to approve the Appeal to dismiss the False Robbery Alarm Service Charge for Matthew Miller at 2532 Boxwood Drive, Harker Heights, Texas. Mayor Pro Tem McCann seconded the motion. Carried unanimously.

3. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the Stillhouse Lake Road (FM 3481) pedestrian improvements project in the amount of \$275,078.00 to TTG Utilities, LP; Authorize the City Manager to act and sign on behalf of the City. Mark Hyde, Public Works Director, made the presentation.

Councilmember Halabi made a motion to approve a Resolution awarding a contract for the Stillhouse Lake Road (FM 3481) Pedestrian Improvements Project in the amount of \$275,078.00 to TTG Utilities, LP. Councilmember Canterino seconded the motion. Carried unanimously.

4. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the 2022 Street Improvement Projects in the amount of \$814,137.90 to TTG Utilities, LP; Authorize the City Manager to act and sign on behalf of the City. Mark Hyde, Public Works Director, made the presentation.

Mayor Pro Tem McCann made a motion to approve a Resolution awarding a contract for the 2022 Street Improvement Projects, Parts "A" through "E" in the amount of \$814,137.90 to TTG Utilities, LP. Councilmember Canterino seconded the motion. Carried unanimously.

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

**RECESS INTO EXECUTIVE SESSION:**

At 6:56 p.m. the Mayor announced a closed meeting for the following purposes:

1. Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551, the Council may convene into executive session to discuss the following:
  - A) Section §551.074 of the Texas Government Code to discuss and deliberate the reappointment of the Alternate Municipal Judge.

**RECONVENE INTO OPEN SESSION:**

Mayor Smith reconvened the Regular Meeting at 7:13 p.m.

1. Council took the following action on matters discussed in Executive Session.

Councilmember Canterino made a motion to approve a two (2) year contract extension with a twenty percent (20%) increase in salary for Alternate Municipal Judge Garland Potvin. Mayor Pro Tem McCann seconded the motion. Carried unanimously.

## ITEMS FROM COUNCIL AND ANNOUNCEMENTS:

### 1. Councilmember closing statements.

Councilmember Blomquist provided the following list of events he read due to his absence. City Manager David Mitchell read Councilmember Blomquist's comments as follows:

- Attended the Harker Heights Chamber of Commerce Business After Hours Social at Harker Heights SouthStar Bank on August 11th 2022.
- Attended the Harker Heights Farmers Market at City Hall on August 13th. Lots of great local vendors and fun events for all.
- On August 15th, Chaired the Bell County Health District Meeting that Harker Heights hosted at City Hall at 6:00 p.m. Notable take-aways:
  - Budget for FY 22-23 approved; member contributions remained the same.
  - COVID still at "high" transmission levels within Bell County.
  - 2nd confirmed case of Monkeypox in Bell County.
- On August 16th, attended the Harker Heights Council Workshop at City Hall.
- On August 20th, started the day at the Harker Heights Farmers Market. Later that evening on the 20th, attended the 1st IBCC Banquet in Temple.
- Sadly will miss the Harker Heights Farmers Market on August 27th but will return for the September 3rd Farmers Market.

Councilmember Canterino stated that about 9-10 months ago, he toured the Fire Station and noticed a busted-up boat with a blown motor. He was able to facilitate finding a brand new Yamaha 90 horse power outboard engine and getting it installed. It was really difficult with the supply chain issues right now. That boat can be utilized along the shoreline of Stillhouse Hollow Lake. There is also a diesel powered pump that can be looked at fixing up to add a second pump to where you can pump water directly out of the lake and shoot it about 100 to 200 yards into the woods to help take care of the fires. That is almost always where fires start, along the lake shore. People out there camping or they are fishing and light a fire to keep warm or just to burn stuff and it spreads.

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

Mayor Smith stated that he attended the following events:

- August 13th – Harker Heights Farmer's Market.
- August 16th – Harker Heights City Council Workshop.
- August 16th – Master Gardeners Garden Education Series Monarchs and Plants at the Harker Heights Activities Center.
- August 17th – Killeen Temple Metropolitan Planning Organization (KTMPO) Transportation Policy Planning Board in Belton. Chairman
- August 17th – Harker Heights Chamber of Commerce Board Meeting.
- August 17th – Meeting with the Director of the Harker Heights Community Resource Center.
- August 22nd – Phantom Honors Ceremony at III Corps Headquarters Christopher Beck Promotion to Major General.
- August 23rd – Central Texas College Luncheon and Board Meeting. Presentation with President and CEO Harker Heights Chamber of Commerce.

**ADJOURNMENT:**

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:18 p.m.

**CITY OF HARKER HEIGHTS, TEXAS:**

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Spencer H. Smith, Mayor

**ATTEST:**

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Julie Helsham, City Secretary