



City of Keller

City Council

Meeting Minutes

Keller Town Hall
1100 Bear Creek Parkway
Keller, TX 76248
817-743-4000
www.cityofkeller.com

Tuesday, November 20, 2018

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

Mayor Pat McGrail called the meeting to order at 5:02 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Ed Speakmon

Council Member Mitch Holmes

Council Member Sean Hicks

Council Member Eric Schmidt

Council Member Tag Green

Council Member Chris Whatley was absent.

Administrative personnel present were City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Community Services Cody Maberry, Director of Public Services Trina Zais, Director of Public Works Alonzo Liñán, Director of Administrative services Aaron Rector, Police Chief Mike Wilson, and Fire Chief David Jones.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. EXECUTIVE SESSION

Mayor Pat McGrail adjourned the meeting to Executive Session during the Pre-Council Meeting for the following purposes allowed in Chapter 551 of the Texas Government Code:

1. **Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

2. **Adjourn into Open Meeting.**

3. **Action on Executive Session Item 1 if necessary.**

No action was taken.

D. WORK SESSION

1. [Receive an update on public arts projects.](#)

Administrative Services Manager Sarah Hensley and Public Arts Boards Chairperson Brenda Wyatt gave a presentation relating to an update on public arts projects.

2. [Johnson Road Reconstruction: Concrete or Asphalt?](#)

Public Works Director Alonzo Liñán gave a presentation relating to concrete vs. asphalt. Discussion was held by the City Council.

3. [Discuss cancellation of the Tuesday, January 1, 2019 Regular City Council Meeting.](#)

The City Council cancelled the Regular City Council Meeting on Tuesday, January 1, 2019.

E. ADJOURN

Mayor Pat McGrail recessed the Pre-Council Meeting at 6:44 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the Regular Meeting to order at 7:04 P.M.

B. INVOCATION

Mr. Robert Treadwell, Keller Latter-Day Saints and Mr. Sterling Smith, White Chapel United Methodist Church gave the invocations.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail led the pledges to the United States Flag and the Texas Flag.

1. Pledge to the United States Flag
2. Pledge to the Texas Flag - "Honor the Texas Flag: I pledge allegiance to Thee, Texas, one State under God, one and indivisible."

D. PROCLAMATIONS & PRESENTATIONS - None

E. PERSONS TO BE HEARD

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to City Staff for research and possible future action.

Mr. Ed Yrisarri, 1445 Melody Lane, addressed the City Council regarding his positive experiences with the Keller Citizens Academy.

F. CONSENT

The next order of business was for the City Council to consider the consent agenda items, which were deemed to need little or no discussion, and were acted upon as one business item.

A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes, to approve Items 1-7 of the consent agenda and to consider Item 8 separately. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, November 6, 2018 Regular City Council Meeting.](#)

Approved

2. [Consider a resolution approving the Matching Funds Program Application with the Keller Youth Association, for the installation of additional batting cages at the Keller Sports Park, utilizing KMI Sports Construction, for the Parks and Recreation Department; and authorizing the City Manager to execute all agreement documents relating thereto on behalf of the City of Keller.](#)

Resolution No. 4060

3. [Consider a resolution approving the purchase of replacement strength equipment, for The Keller Pointe Recreation and Aquatic Center, from TechnoGym of Fairfield, New Jersey, through the National Cooperative Purchasing Alliance Program; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4061

4. [Consider a resolution approving the purchase of replacement indoor pool Heating, Ventilation and Air Conditioning \(HVAC\) system, from McMillan James Equipment Company of Grapevine, Texas, through the TIPS/TAPS Cooperative Purchasing Program, for The Keller Pointe Recreation and Aquatic Center; and authorizing the City Manager to](#)

execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

Resolution No. 4062

5. Consider a resolution approving a proposal for design development and engineering services from Dunkin Sims Stoffels, Inc., of Garland, Texas, relating to the renovation of Overton Ridge Park, for the Parks and Recreation Department, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

Resolution No. 4063

6. Consider a resolution approving the bid for Water Well Abandonment and Associated Demolition for 785 Chisolm Trail, from Midwest Wrecking Company, Inc., of Hurst, Texas, for the Public Works Department; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

Resolution No. 4064

7. Consider a resolution approving a professional services agreement with Teague Nall and Perkins, of Fort Worth, Texas, to provide engineering services relating to the reconstruction of Johnson Road from Hallelujah Trail to Rhonda Road; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

Resolution No. 4065

8. Consider a resolution approving a mural for Artful Mayhem, located at 128 Keller Parkway, and zoned OTK (Old Town Keller). Susan Clark, owner; Artful Mayhem Studio LLC, applicant.

Administrative Services Manager Sarah Hensley gave a presentation relating to a request for placement of a mural at Artful Mayhem Studio, 128 Keller Parkway. Ms. Sarah Zamora, Artful Mayhem Studio, addressed the City council regarding the proposal. Discussion was held by the City Council.

A motion was made by Council Member Tag Green, seconded by Mayor Pro Tem Ed Speakmon, to table the request to the December 18, 2018 Regular City Council Meeting. The motion carried by the following vote:

YEA: Mayor Pat McGrail, Mayor Pro Tem Ed Speakmon, Council Member Eric Schmidt, and Council Member Tag Green.

NAY: Council Member Mitch Holmes and Council Member Sean Hicks.

G. ELECTIONS

1. Consider and take action on an ordinance canvassing results of November 6, 2018 bond election.

City Secretary Kelly Ballard reported that the results of the November 6, 2018 election show that the Senior Center Bond passed by a vote of 12,288 to 5,825.

A motion was made by Mayor Pat McGrail, seconded by Council Member Tag

Green, to approve Ordinance No. 1914 canvassing the results of the November 6, 2018 bond election. The motion carried unanimously.

H. NEW BUSINESS

1. [Consider a resolution appointing members to the Keller Economic Development Board, and administer the oath of office.](#)

A motion was made by Council Member Tag Green, seconded by Council Member Sean Hicks, to approve Resolution No. 4066 appointing members to the Keller Economic Development Board, and administer the oath of office:

The following members shall be appointed to serve on the Keller Economic Development Board for a two year term ending November 30, 2020:

- Place 5 Michael Mitchell
- Place 6 Bob Stephenson
- Place 7 Becky Haskin
- Advisory Member 2 Steve Shrum
- Alternate Member 2 Jeffrey Plant

The following members shall be appointed to serve on the Keller Economic Development Board for an unexpired term ending November 30, 2019:

- Place 4 Derek Anthony
- Alternate Member 1 Sandra Heaslet

The motion carried unanimously.

2. [Consider a resolution appointing members and a chairperson to the Parks and Recreation Board, and administer the oath of office.](#)

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4067 appointing members and a chairperson to the Parks and Recreation Board, and administer the oath of office.

The following members shall be appointed to serve on the Parks and Recreation Board for a two year term ending November 30, 2020:

- Place 5 Judy Sether
- Place 6 Marcus Morris
- Place 7 Erin Pfarner
- Alternate 2 Jason Sandlin

Chairperson Erin Pfarner

The motion carried unanimously.

3. [Consider a resolution appointing members to the Keller Development Corporation, and administer the oath of office.](#)

A motion was made by Council Member Tag Green, seconded by Mayor Pro Tem Ed Speakmon, to approve Resolution No. 4068 appointing members to the Keller Development Corporation, and administer the oath of office.

The following members shall be appointed to serve on the Board of Directors of the Keller Development Corporation for a two year term ending November 30, 2020:

Place 5 Karen Lucis

Place 6 Erin Pfarner

Place 7 Richard Sanchez

The motion carried unanimously.

4. [Consider a resolution appointing members and a chairperson to the Planning and Zoning Commission, and administer the oath of office.](#)

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4069 appointing members and a chairperson to the Planning and Zoning Commission, and administer the oath of office.

The following members shall be appointed to serve on the Planning and Zoning Commission for a two year term ending November 30, 2020:

Place 5 Leslie Sagar

Place 6 Ralph Osgood

Place 7 Robert Stevens

Alternate 1 Robert Apke

The following member shall be appointed to serve on the Planning and Zoning Commission for a one year term ending November 30, 2019:

Alternate 2 Paul Alvarado

Chairperson Gary Ponder

The motion carried unanimously.

5. [Consider a resolution appointing members and a chairperson to the Zoning Board of Adjustment, and administer the oath of office.](#)

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4070 appointing members and

a chairperson to the Zoning Board of Adjustment, and administer the oath of office.

The following members shall be appointed to serve on the Zoning Board of Adjustment for a two year term ending November 30, 2020:

Place 2 Michael McClement
Place 4 Rodger Ehrlich
Alternate 2 Bill Schlegel

Chairperson Matthew Gilpin

The motion carried unanimously.

6. [Consider a resolution appointing members and a chairperson to the Public Arts Board, and administer the oath of office.](#)

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Sean Hicks, to approve Resolution No. 4071 appointing members and a chairperson to the Public Arts Board, and administer the oath of office.

The following members shall be appointed to serve on the Keller Public Arts Board for a two year term ending November 30, 2020:

Place 1 Franklin Peterson
Place 2 Dorene Badalamenti
Place 3 Brenda Wyatt
Alternate 1 Valerie Simpson

The following member shall be appointed to serve on the Public Arts Board for a one year term ending November 30, 2019:

Alternate 2 Leslie Horn

Chairperson: Brenda Wyatt

The motion carried unanimously.

7. [Consider a resolution appointing members and a chairperson to the Library Board, and administer the oath of office.](#)

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Tag Green, to approve Resolution No. 4072 appointing members and a chairperson to the Library Board, and administer the oath of office.

The following members shall be appointed to serve on the Library Board for a two year term ending November 30, 2020:

Place 1 Karen Hibbs
Place 2 Amy Morgan
Place 3 Mona Ford
Place 6 Patricia Alexander
Alternate 2 Michelle Hur

Chairperson Mona Ford

The motion carried unanimously.

8. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for an approximately 2,334 square-foot temporary accessory dwelling unit while the existing main structure undergoes renovations on a 1.01-acre lot on the north side of Nightingale Circle, approximately 450 west of the intersection of Greenbriar Drive and Nightingale Circle, being Lot 9, Block 1, Florence Place Addition, zoned SF-36 \(Single Family Residential - 36,000 square foot minimum. David Johnson, owner/applicant. \(SUP-18-0031\).](#)

Mr. JP Ducay, Planner I, gave a presentation relating to a request for a Specific Use Permit (SUP) for an approximately 2,334 square-foot temporary accessory dwelling unit while the existing main structure undergoes renovations, being Lot 9, Block 1, Florence Place Addition.

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1915 approving a Specific Use Permit (SUP) for an approximately 2,334 square-foot temporary accessory dwelling unit while the existing main structure undergoes renovations on a 1.01-acre lot on the north side of Nightingale Circle, approximately 450 west of the intersection of Greenbriar Drive and Nightingale Circle, being Lot 9, Block 1, Florence Place Addition, zoned SF-36 (Single Family Residential - 36,000 square foot minimum with the following conditions:

- 1) The accessory building shall not exceed 2,334 square-feet
- 2) The accessory building shall not exceed (116.47%) of the maximum size ratio of the main structure initially and not more than 34.72% in 24 months;
- 3) The accessory building shall not exceed 22' height;
- 4) Exterior stucco construction material shall be utilized specifically as depicted in Exhibit "A".
- 5) The garage door shall not exceed 264 square-feet of exposure to the street.

6) There shall not be more than (5) accessory structures on the subject property and all accessory structures except the 2,334 square-foot subject accessory structure shall be removed upon the completion of the remodel.

The motion carried unanimously.

9. [Consider a resolution approving a Site Plan \(SP\) Amendment for Jason's Deli, a 4,992 square-foot restaurant with drive-thru, in a single story 9,000 square-foot strip retail building, located on a 1.58-acre lot, on the south side of Keller Parkway \(FM1709\), to relocate a required fire hydrant and fire department connector, from the north side of Keller Parkway \(FM 1709\), bearing direction of east to west, to a landscape island on the south side of the parking lot, located approximately ninety feet \(90'\) west of the southeast property line, being Lot 3. Block E, Keller Town Center Addition, at 1400 Keller Parkway \(FM 1709\), and zoned TC \(Town Center\). Pinpoint Bear Creek Land Holdings, LLC, Owner. Bomac Partners, Ltd or assigns \(Trinity Partners\), applicant, Thomas Site Development Engineering Inc., engineer. \(SP-18-0024\)](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to a request for a Site Plan (SP) Amendment for Jason's Deli.

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Sean Hicks, to approve Resolution No. 4073 approving a Site Plan (SP) Amendment for Jason's Deli, a 4,992 square-foot restaurant with drive-thru, in a single story 9,000 square-foot strip retail building, located on a 1.58-acre lot, on the south side of Keller Parkway (FM1709), to relocate a required fire hydrant and fire department connector, from the north side of Keller Parkway (FM 1709), bearing direction of east to west, to a landscape island on the south side of the parking lot, located approximately ninety feet (90') west of the southeast property line, being Lot 3. Block E, Keller Town Center Addition, at 1400 Keller Parkway (FM 1709), and zoned TC (Town Center).

The motion carried unanimously.

10. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) allowing a 2,080 square-foot metal dwelling unit to have a combined area greater than 50% of the main structure, and an average height of approximately nineteen feet-three quarter inches, on a 1.9-acre lot on the northeast side of Melissa Drive, approximately 937 feet north of the Melody Lane and Melissa Drive intersection, located at 1221 Melissa Drive, Lot 6R, Block 2, Melody Hills Estates Addition, and zoned SF-36 \(Single Family Residential - 36,000 square foot minimum\). Russell and Tiffany O'Neal, owner/applicant; Christy Hill, designer. \(SUP-18-0033\).](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to a request for a Specific Use Permit (SUP) allowing a 2,080 square-foot metal dwelling unit to have a combined area greater than 50% of the main structure, at 1221 Melissa Drive.

Mr. Michael Gallagher, 1217 Melissa Drive, expressed his support of the Specific Use Permit.

A motion was made by Council Member Sean Hicks, seconded by Mayor Pro Tem Ed Speakmon, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1916 approving a Specific Use Permit (SUP) allowing a 2,080 square-foot metal dwelling unit to have a combined area greater than 50% of the main structure, and an average height of approximately nineteen feet-three quarter inches, on a 1.9-acre lot on the northeast side of Melissa Drive, approximately 937 feet north of the Melody Lane and Melissa Drive intersection, located at 1221 Melissa Drive, Lot 6R, Block 2, Melody Hills Estates Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum) with the following conditions:

1. The Specific Use Permit request for the 2,080 square-foot accessory dwelling unit exceeding fifty percent (50%) of the main structure shall be allowed.
2. The Specific Use Permit request to exceed the 1,200 square-foot maximum allowed in a SF-36 zoning district for an accessory building shall be allowed.
3. The Specific Use Permit request to allow the accessory dwelling unit not to exceed the maximum height of twenty feet (20') shall be allowed.
4. The variance to allow the exterior of the accessory dwelling unit to be 100% metal shall be allowed.

The motion carried by the following vote:

YEA: Mayor Pat McGrail, Council Member Mitch Holmes, Council Member Sean Hicks, Mayor Pro Tem Ed Speakmon, and Council Member Eric Schmidt.

NAY: Council Member Tag Green.

I. DISCUSSION – None

J. EXECUTIVE SESSION

Executive Session was not held during the regular meeting.

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

2. Adjourn into Open Meeting.

3. Action on Executive Session Item 1 if necessary.

K. ADJOURN

Mayor Pat McGrail adjourned the Regular Meeting at 8:35 P.M. and reconvened into Work Session.

Mayor

City Secretary