

# City of Keller

## City Council

### Meeting Minutes

Tuesday, February 20, 2018

#### PRE-COUNCIL MEETING 5:00 P.M.

Keller Town Hall

1100 Bear Creek Parkway  
Keller, TX 76248

817-743-4000

www.cityofkeller.com

#### A. CALL TO ORDER

Mayor Pat McGrail called the meeting to order at 5:09 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Debbie Bryan

Council Member Ed Speakmon

Council Member Chris Whatley

Council Member Tag Green

Council Member Armin Mizani and Council Member Eric Schmidt were absent.

Administrative personnel present were City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Cathy Cunningham, Director of Administrative Services/Human Resources Carolyn Nivens, Director of Public Services and Economic Development Trina Zais, Director of Community Services Cody Maberry, Director of Public Works Alonzo Liñán, Director of Finance 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. Section 551.071, Texas Government Code - Consultation with attorney to seek advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
  - a. Johnson Road Coalition, LLC vs. David Hawkins, Planning Manager and City of Keller.
  - b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.
  - c. Deborah Thompson vs. City of Keller.
3. Adjourn into Open Meeting.
4. Action on Executive Session Items 1, 2a, 2b, and 2c if necessary.

**No Action was taken.**

#### **D. WORK SESSION**

1. Discuss the City Council Procedures and Decorum Policy.

**Council Member Tag Green led a discussion relating to the City Council Procedures and Decorum Policy.**

2. Discuss flag lots.

**Mayor Pro Tem Debbie Bryan and Council Member Ed Speakmon led a discussion relating to flag lots. The City Council directed Staff to move forward with amending the Unified Development Code to prohibit flag lots within the City.**

#### **E. ADJOURN**

**Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:26 P.M.**

#### **REGULAR MEETING 7:00 P.M.**

#### **A. CALL TO ORDER**

**Mayor Pat McGrail called the Regular Meeting to order at 7:01 P.M.**

#### **B. INVOCATION**

**Keller Police Chaplain Brian Hamlin gave the invocation.**

### **C. PLEDGE OF ALLEGIANCE**

**Mayor Pat McGrail led the pledges to the U.S. and Texas Flags.**

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. PRESENTATIONS**

1. Masonic Lodge Battle of the Badges Blood Drive

**Mr. Ted Theis, Keller Masonic Lodge presented the plaque for the Battle of the Badge blood drive to the Keller Fire Department.**

### **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.

**No public comments were received.**

### **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.**

1. Consider approval of the Minutes of the Tuesday, January 30, 2018 Joint Work Session of the Keller City Council and the Parks and Recreation Board.

**A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve the Minutes of the Tuesday, January 30, 2018 Joint Work Session of the Keller City Council and the Parks and Recreation Board. The motion carried unanimously.**

2. Consider approval of the Minutes of the Tuesday, February 6, 2018 Regular City Council Meeting.

**A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve the Minutes of the Tuesday, February 6, 2018 Regular City Council Meeting. The motion carried unanimously.**

3. Consider a resolution approving the bid from North Texas Contracting for the construction of the Mt. Gilead Road Shared Use Path Project, for the Parks and

Recreation Department; and authorizing the City Manager to execute all documents relating thereto, on behalf of the City of Keller.

**A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 3979 approving the bid from North Texas Contracting for the construction of the Mt. Gilead Road Shared Use Path Project, for the Parks and Recreation Department; and authorizing the City Manager to execute all documents relating thereto, on behalf of the City of Keller. The motion carried unanimously.**

4. Consider a resolution rejecting the proposals for the construction of the Wall Price Keller Road Reconstruction Project and authorizing the City Manager to re advertise the project on behalf of the City of Keller, Texas.

**A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 3980 rejecting the proposals for the construction of the Wall Price Keller Road Reconstruction Project and authorizing the City Manager to re advertise the project on behalf of the City of Keller, Texas. The motion carried unanimously.**

5. Consider a resolution approving a License Agreement with Keller Farmers Market, to conduct a recurring farmers market, located on city owned property in Bear Creek Park; and authorizing the City Manager to execute said Agreement relating thereto on behalf of the City of Keller, Texas.

**A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 3981 approving a License Agreement with Keller Farmers Market, to conduct a recurring farmers market, located on city owned property in Bear Creek Park; and authorizing the City Manager to execute said Agreement relating thereto on behalf of the City of Keller, Texas. The motion carried unanimously.**

## **G. OLD BUSINESS**

1. Consider an ordinance approving a Specific Use Permit (SUP) to allow Ying Wang Spa & Body Work, a proposed “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX”, located in the existing Shops at Cindy, a 9,995 square-foot multitenant retail building, on a 0.84-acre lot on the southwest corner of the intersection of Keller Parkway (FM 1709) and Cindy Street, at 460 Keller Parkway (FM 1709), being Lot 1R, Block A, The Shops at Cindy Addition, and zoned R (Retail). Ying Shu Yu, applicant. Bass Commercial Investments, LLC, owner. (SUP-17-0026)

**Mrs. Trina Zais, Director of Economic Development, and Council Member Tag Green addressed the City Council regarding the proposal.**

**A motion was made by Council Member Tag Green, seconded by Mayor Pro Tem Debbie Bryan, to approve Ordinance No. 1873 approving a Specific Use Permit (SUP) to allow Ying Wang Spa & Body Work, a proposed “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX”, located**

in the existing Shops at Cindy, a 9,995 square-foot multitenant retail building, on a 0.84-acre lot on the southwest corner of the intersection of Keller Parkway (FM 1709) and Cindy Street, at 460 Keller Parkway (FM 1709), being Lot 1R, Block A, The Shops at Cindy Addition, and zoned R (Retail) with the following condition:

1. A Specific Use Permit for Ying Wang Spa & Body Work, a proposed “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX”, located in an existing 9,995 square-foot multi-tenant retail building at 460 Keller Parkway (FM1709) shall be allowed. This specific use permit is specific to Ying Wang Spa & Body Work. Any other “Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX” will require a separate specific use permit.

The motion carried unanimously.

## **H. NEW BUSINESS - None**

## **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.

a. Property located at 712, 720, 800, 818, and 820 North Main Street.

b. Property located at 2321 Florence Road.

2. Section 551.071, Texas Government Code - Consultation with attorney to seek advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

a. Johnson Road Coalition, LLC vs. David Hawkins, Planning Manager and City of Keller.

b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.

c. Deborah Thompson vs. City of Keller.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1, 2a, 2b, and 2c if necessary.

## K. ADJOURN

**A motion was made by Mayor Pro Tem Debbie Bryan, seconded by Council Member Chris Whatley, to adjourn the meeting at 7:16 P.M. The motion carried unanimously.**

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Mayor

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City Secretary

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