



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 19, 2019

COUNCIL MEMBER DINNER 4:30 P.M.

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

Mayor Pat McGrail called the meeting to order at 5:04 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Sean Hicks

Council Member Mitch Holmes

Council Member Sheri Almond

Council Member Beckie Paquin

Council Member Chris Whatley (arrived at 5:06 P.M.)

Council Member Tag Green

The following City staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, City Secretary Kelly Ballard, Assistant City Secretary, Andrea McDonald, Director of Administrative Services Aaron Rector, Director of Community Services Cody Maberry, Director of Public Works Alonzo Linan, Director of Community Development Julie Smith, Human Resources Director Kandace Tappen, Interim Police Chief Tracy Talkington, 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 recessed the Pre-Council Meeting at 5:31 P.M. to allow the City Council to meet in Executive Session in accordance with State Law.

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. 541 Keller Parkway.

2. Section 551.074, Texas Government Code - Personnel Matters.

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

a. Police Chief selection process update.

3. Adjourn into Open Meeting.

Mayor Pat McGrail adjourned back into the Open Meeting at 6:06 P.M.

4. Action on Executive Session Items 1 and 2 if necessary.

No action was taken.

D. WORK SESSION

1. [Discuss cancelling the January 7, 2020 Regular City Council Meeting.](#)

City Secretary Kelly Ballard addressed the Council regarding cancelling the Regular City Council Meeting on January 7, 2020 due to conflicting agenda deadlines and holiday schedules.

City Council directed staff to cancel the January 7, 2020 Regular City Council Meeting.

2. [Receive an update from the Citywide Solid Waste and Recycling Services Committee and discuss next steps for the 2020 agreement.](#)

Administrative Services Manager Sarah Hensley gave an update regarding the Citywide Solid Waste and Recycling Services Committee and next steps for the 2020 agreement.

The City Council discussed the Committee's research and recommendations; and directed staff to go out for RFP per the recommendation of the Committee.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:38 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

Mayor Pat McGrail called the Regular Meeting to order at 7:03 P.M.

B. INVOCATION

Ms. Brenda DeVore, Compass Church, gave the invocation.

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

1. [Masonic Lodge Battle of the Badges Blood Drive](#)

Mr. Ted Theis with the Masonic Lodge presented a plaque to the Keller Fire Department for winning the "Battle of the Badges" Blood Drive 2019. Fire Chief David Jones spoke on behalf of the fire department regarding the recognition.

2. [Recognition of 2019 Keller Citizens Academy participants.](#)

Public Information Officer Rachel Reynolds addressed the City Council regarding the Keller Citizens Academy.

The City Council recognized the 2019 Keller Citizens Academy participants.

3. [Recognition of 2019 Keller High School Citizens Academy participants.](#)

The City Council recognized the 2019 Keller High School Citizens Academy participants.

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.

There were no comments from the public.

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 Mayor Pro Tem Sean Hicks, seconded by Council Member Mitch Holmes, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, November 5, 2019 Regular City Council Meeting.](#)

Approved

2. [Consider a resolution adopting the 2019 City of Keller Financial Management, Investment, Purchasing, and Fund Balance Policies as approved and recommended by the City of Keller Finance Committee.](#)

Resolution No. 4188

3. [Consider a resolution receiving the Keller Quarterly Investment Report for period ending September 30, 2019, and providing an effective date.](#)

Resolution No. 4189

4. [Consider a resolution receiving the Keller Quarterly Financial Report for period ending September 30, 2019 \(unaudited\), and providing an effective date.](#)

Resolution No. 4190

5. [Consider an ordinance amending the City of Keller Code of Ordinances by adopting The 2018 International Code Council \(ICC\) Codes and The 2017 National Electric Code by consolidating and deleting Chapter 4 - Buildings, Article I - Building Code, Article II - Swimming Pools, and Article IV - Substandard Buildings, Chapter 5 - Electric Code, and Chapter 14 - Plumbing and Mechanical Codes, in their entirety; and by adopting a new Chapter 4 - Buildings, Article I - Technical Codes, Article II - Reserved, Article IV - Reserved, Chapter 5 - Reserved, Chapter 14 - Reserved; and by amending Chapter 6 Fire Prevention, Article I Fire Prevention Code; and prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials, and explosion providing for the adoption of local amendments thereto; providing a penalty; providing a cumulative clause; providing a severability clause; providing a savings clause; authorizing publication; and establishing an effective date.](#)

Ordinance No. 1956

G. ELECTIONS

1. [Consider a resolution canvassing the Special Election duly held in the City of Keller, Texas, on the 5th day of November 2019, for the legal sale of all alcoholic beverages including mixed beverages and the reauthorization of a local sales and use tax for street maintenance at the rate of one-fourth of one percent.](#)

Assistant City Secretary Andrea McDonald presented the following results from the Special Election held in the City of Keller on November 5, 2019:

City of Keller Proposition A

The legal sale of all alcoholic beverages including mixed beverages

4,826 For 2,085 Against

City of Keller Proposition B

The reauthorization of the local sales and use tax in the City of Keller, Texas at the rate of one fourth of one percent to continue providing the revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.

5,512 For 1,308 Against

A motion was made by Council Member Sheri Almond, seconded by Council Member Mitch Holmes, to approve Resolution No. 4191 canvassing the Special Election duly held in the City of Keller, Texas, on the 5th day of November 2019, for the legal sale of all alcoholic beverages including mixed beverages and the reauthorization of a local sales and use tax for street maintenance at the rate of one-fourth of one percent. The motion carried unanimously.

H. NEW BUSINESS

1. [Consider a resolution appointing members and a chairperson to the Planning and Zoning Commission.](#)

The following members shall be appointed to serve on the Planning and Zoning Commission for a two-year term ending November 30, 2021:

Place 1: Bob Apke
Place 2: Gary Ponder
Place 3: Tom Thompson
Place 4: Paul Alvarado
Alternate 1: James Dawson

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

Alternate 2: Phillip Maxwell

Gary Ponder shall be appointed to serve as chairperson for a term of one (1) year.

A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, to approve Resolution No. 4192 as amended by appointing members and a chairperson to the Planning and Zoning Commission. The motion carried by the following vote:

AYE: Council Member Mitch Holmes, Mayor Pro Tem Sean Hicks, Council Member Shari Almond, and Council Member Beckie Paquin.

NAY: Mayor Pat McGrail, Council Member Chris Whatley, and Council Member Tag Green.

2. [Consider a resolution appointing members and a chairperson to the Zoning Board of Adjustment.](#)

The following members shall be appointed to serve on the Zoning Board of Adjustment for a two-year term ending November 30, 2021:

Place 1: Bonnie Bueter
Place 3: Robin Burrill
Place 5: Matthew Gilpin
Alternate 1: Greg Will

Matthew Gilpin shall be appointed to serve as chairperson for a term of one (1) year.

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4193 appointing members and a chairperson to the Zoning Board of Adjustment. The motion carried unanimously.

3. [Consider a resolution appointing members and a chairperson to the Parks and Recreation Board.](#)

The following members shall be appointed to serve on the Parks and Recreation Board for a two-year term ending November 30, 2021:

Place 1: Felix Mira
Place 2: Tom Hixson
Place 3: Bryan Weaver
Place 4: Jay Blakey
Place 6: Jenilee Harwell
Alternate 1: Nick Anderson

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

Alternate 2: Adam Dougherty

Erin Pfarner shall be appointed to serve as chairperson of the Parks and Recreation Board for a term of one (1) year.

A motion was made by Council Member Tag Green, seconded by Council Member Sheri Almond, to approve Resolution No. 4194 appointing members and a chairperson to the Parks and Recreation Board. The motion carried unanimously.

4. [Consider a resolution appointing members to the Keller Economic Development Board.](#)

The following members shall be appointed to serve on the Keller Economic Development Board for a two-year term ending November 30, 2021:

Place 3: Greg Kocian
Place 4: Jeffrey Plant
Advisory Member 1: Matt Matthews
Alternate Member 1: Bassel Korkor

The following member shall be appointed to serve on the Keller Economic Development Board for an unexpired term ending November 30, 2020:

Alternate Member 2: Jackie Black

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 4195 appointing members to the Keller Economic Development Board. The motion carried unanimously.

5. [Consider a resolution appointing members to the Board of Directors for the Keller Crime Control and Prevention District Board, as provided for in Section 363.101 of the Texas Local Government Code.](#)

The following persons are hereby appointed as members of the Board of Directors for the Keller Crime Control and Prevention District Board for a two-year term ending September 1, 2021:

Citizens-at-large:

Mark Jones

Tyra Jordan

Matthew Donaldson

Norm Folger

A motion was made by Council Member Mitch Holmes, seconded by Mayor Pro Tem Sean Hicks, to approve Resolution No. 4196 appointing members to the Board of Directors for the Keller Crime Control and Prevention District Board, as provided for in Section 363.101 of the Texas Local Government Code. The motion carried unanimously.

6. [Consider a resolution appointing members and a chairperson to the Public Arts Board.](#)

The following members shall be appointed to serve on the Keller Public Arts Board for a two-year term ending November 30, 2021:

Place 4: Leslie Horn

Place 5: Debbie Wolfe

Place 6: Grant Benatar

Place 7: Jo-Ann Stankus

Alternate 1: Rebecca Glasser

The following member shall be appointed to serve on the Public Arts Board for an unexpired one-year term ending November 30, 2020:

Alternate 2: Paul Dippolito

Brenda Wyatt shall be appointed to serve as chairperson for a term of one (1) year.

A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, to approve Consider Resolution No. 4197 appointing members and a chairperson to the Public Arts Board. The motion carried unanimously.

7. [Consider a resolution appointing members and a chairperson to the Library Board.](#)

The following members shall be appointed to serve on the Library Board for a two-year term ending November 30, 2021:

Place 4: Mary Vermette
Place 5: Rick Peters
Place 7: Michelle Hur
Alternate 1: Jennifer White

The following member shall be appointed to serve on the Library Board for an unexpired one-year term ending November 30, 2020:

Alternate 2: Nancy Stone

Mona Ford shall be appointed to serve as chairperson for a term of one (1) year.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 4198 appointing members and a chairperson to the Library Board. The motion carried unanimously.

8. [Consider a resolution appointing members to the Metroport Teen Court Advisory Board.](#)

The following members shall be appointed to serve on the Metroport Teen Court Advisory Board, for a two year term ending November 30, 2021:

Citizen: Crystal Shafer
Citizen: Sandra Heaslet

A motion was made by Council Member Tag Green, seconded by Mayor Pro Tem Sean Hicks, to approve Resolution No. 4199 appointing members to the Metroport Teen Court Advisory Board. The motion carried unanimously.

9. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Greenway Keller Addition, a single story 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway \(F.M. 1709\) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC \(Town Center\). Greenway-Keller, LP, owner/applicant. \(SUP-19-0001\)](#)

Planner I JP Ducay gave a presentation relating to a request for a Specific Use Permit (SUP) for a single story 12,76 square-foot multi-tenant building located at 100 Chandler Road. Mr. Gary Devleer, applicant, addressed the City Council regarding the request.

Mayor Pat McGrail opened the Public Hearing. No comments were received from the public.

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

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Sean Hicks, to approve Ordinance No. 1957 approving a Specific Use Permit (SUP) for Greenway Keller Addition, a single story 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway (F.M. 1709) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC (Town Center).

The motion carried unanimously.

10. [Consider a resolution approving a site plan for Greenway Keller Addition, a 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway \(F.M. 1709\) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC \(Town Center\). Greenway-Keller, LP, owner/applicant. \(SP-18-0027\)](#)

A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes, to approve as amended, Resolution No. 4200 approving a site plan for Greenway Keller Addition, a 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway (F.M. 1709) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC (Town Center) with the following variances:

1. To allow no windows on the north (rear façade).
2. Allow a flat roof in lieu of a pitched roof.
3. Eliminate the foundation planting requirement on the front and sides of building. Developer will work with staff and provide planter pots along the front façade sufficient to provide the appropriate same amount of foliage as foundation planting would.
4. Allow texture coated concrete for a portion of the rear and side facades in lieu of masonry.
5. Allow end tenants to have a second wall sign on the side of the building in addition to the front sign.
6. Allow 71 parking spaces in lieu of the 73 required parking spaces. The 3 handicapped parking spaces will be provided but are not included in the total parking count.

The motion carried unanimously.

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.

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

a. 541 Keller Parkway.

2. Section 551.074, Texas Government Code - Personnel Matters.

(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;.

a. Police Chief selection process update.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1 and 2 if necessary.

K. ADJOURN

A motion was made by Council Member Mitch Holmes, seconded by Mayor Pro Tem Sean Hicks, to adjourn the meeting at 8:26 P.M. The motion carried unanimously.

Mayor

City Secretary