



# City of Keller City Council Agenda

Keller Town Hall  
1100 Bear Creek Parkway  
Keller, TX 76248  
817-743-4000  
[www.cityofkeller.com](http://www.cityofkeller.com)

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Tuesday, September 19, 2017

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

### **A. CALL TO ORDER - Mayor Pat McGrail**

### **B. DISCUSS AND REVIEW AGENDA ITEMS**

### **C. EXECUTIVE SESSION**

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.  
  
3. Adjourn into Open Meeting.  
  
4. Action on Executive Session Items 1, 2a, and 2b if necessary.

### **D. WORK SESSION**

### **E. ADJOURN**

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

### **A. CALL TO ORDER – Mayor Pat McGrail**

### **B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

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****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.

**F. CONSENT**

1. [Consider approval of the Minutes of the Tuesday, August 29, 2017 City Council Work Session.](#)

**Attachments:**     [072917 Budget Work Session minutes](#)

2. [Consider approval of the Minutes of the Tuesday, September 5, 2017 Regular City Council Meeting.](#)
3. [Consider approval of the Minutes of the Tuesday, September 12, 2017 Special City Council Meeting.](#)

**Attachments:**     [091217 Minutes](#)

4. [Consider a resolution approving the bid from Ferguson Waterworks of Tyler, Texas, for the purchase of water and sewer line parts, for the Water and Wastewater Division of the Public Works Department, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.](#)

**Attachments:**     [091917 Resolution Water & Sewer Parts](#)  
                              [091917 Invitation to Bid Water & Sewer Parts](#)  
                              [091717 Bid Taulation Water & Sewer Parts](#)

5. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement between the Cities of Keller, Southlake, Grapevine and Colleyville, Texas, for participation in the Metroport Teen Court Program, effective October 1, 2017.](#)

**Attachments:**     [091917 TeenCourt ProposedRes](#)  
                              [091917 TeenCourt Exhibit A-Interlocal](#)

6. [Consider a resolution adopting and amending the City of Keller Fund Balance Policy as approved and recommended by the City of Keller Finance Committee.](#)

**Attachments:**     [090917 Fund Balance Policy 2017 RL and Prop](#)  
                              [091917 Fund Balance Policy ProposedRes](#)

7. [Consider a resolution approving an agreement with Hardin & Associates Consulting, LLC \(HAC\), for the purpose of completing State-Mandated Customer Service Inspections of private water systems, and authorizing the City Manager to execute all contract documents on behalf of the City of Keller.](#)

**Attachments:**    [091917\\_Backflow Program Management\\_ProposedRes](#)  
                              [091917\\_Backflow Program Management Exhibit A](#)

8. [Consider a resolution approving an agreement for professional services with Peloton Land Solutions, of Fort Worth, Texas, for the purpose of providing engineering services, relating to sanitary sewer improvements along US Highway 377, and authorizing the City Manager to execute all contract documents.](#)

**Attachments:**    [091917 Peloton Exhibit A-Agreement](#)  
                              [091917 Peloton Proposed Resolution](#)

## **G. OLD BUSINESS**

1. [Consider an ordinance approving a zoning change from SF-36 \(Single Family-36,000 square-foot minimum\) to PD-SF-36 \(Planned Development-Single Family-36,000 square foot minimum\) for a proposed two \(2\) lot subdivision, located on an approximately 1.99-acre tract of land, being Lot 16R, Keller Heights North Addition, located on the east side of Bourland Road, approximately 110 feet south of La Vena Street, at 1117 Bourland Road. Ron Holifield, owner. Karen Mitchell, Karen Mitchell Planning Group, applicant. Texas Surveying, Inc., surveyor. \(Z-17-0011\)](#)

**Attachments:**    [091917\\_HolifieldRequesttoTable Email 9-8-17](#)  
                              [091917\\_Holifield\\_PZMinutes08142017](#)  
                              [091917\\_Holifield\\_DraftOrdinance](#)  
                              [091917\\_Holifield\\_ExhibitA\(1of4\)](#)  
                              [091917\\_Holifield\\_ExhibitA\(2of4\)](#)  
                              [091917\\_Holifield\\_ExhibitA\(3of4\)](#)  
                              [091917\\_Holifield\\_ExhibitA\(4of4\)](#)  
                              [091917\\_Holifield\\_StaffAttachment\\_PublicResponse](#)  
                              [091917\\_Holifield\\_StaffAttachment\\_GoogleImage](#)  
                              [091917\\_Holifield\\_StaffAttachment\\_KellerHeightsNorthPlat](#)  
                              [091917\\_Holifield\\_StaffAttachment\\_Lot16RReplat](#)  
                              [091917\\_Holifield\\_StaffAttachment\\_SF-36UseChart](#)  
                              [091917\\_Holifield\\_Maps](#)

## **H. NEW BUSINESS**

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Andy's Frozen Custard, a single story 2,909 square-foot drive-thru restaurant, located on a 1.14-acre lot, on the north side of Keller Parkway \(FM1709\), approximately two hundred sixty feet \(260'\) east of the Pate-Orr Road and Keller Parkway \(FM1709\) intersection, being Lot 3R-1R5, Block 8, Bluebonnet Trails Addition, at 951 Keller Parkway \(FM1709\).](#)

and zoned TC (Town Center). Keller Square, LLC, owner. Aaron King, Andy's Frozen Custard, applicant. (SUP-17-0015)

**Attachments:**    [091917 Andys FrozenCustard SUP Draft Ordinance](#)  
[091917 Andys FrozenCustard SUP 082817 Planning & Zoning Meeting M](#)  
[091917 Andys FrozenCustard SUP ExhibitA Narrative Letter](#)  
[091917 Andys FrozenCustard SUP ExhibitA Site Layout & Building Elevat](#)  
[091917 Andys FrozenCustard SUP StaffAttachment City Nextdoor Poll](#)  
[091917 Andys FrozenCustard SUP StaffAttachment Stonebridge/Castlemen](#)  
[091917 Andys FrozenCustard SUP StaffAttachment Support Letter](#)  
[091917 Andys FrozenCustard SUP StaffAttachment Traffic Generation & T](#)  
[091917 Andys FrozenCustard SUP Maps](#)

2. [PUBLIC HEARING: Consider an ordinance approving certain amendments to the Fiscal Year 2016-17 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter.](#)

**Attachments:**    [091917 FY 17 Budget Amend #2 ProposedOrd](#)

3. [PUBLIC HEARING: Consider an ordinance adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018, including the 2017-18 Capital Improvements Program, adopting the 2017-18 Utility Billing Rate schedule, and adopting the Fiscal Year 2017-18 Fee Schedule for the City of Keller, Texas.](#)

**Attachments:**    [091917 FY 18 Fee Schedule rv](#)  
[091917 Budget Adopt Ord](#)

4. [Consider a resolution ratifying the tax revenue for the Tax Year 2017 \(Fiscal Year 2017-18\) for the City of Keller, Texas.](#)

**Attachments:**    [091917 Tax Ratification Res](#)

5. [Consider an ordinance levying taxes to be assessed on all taxable properties within the city limits of the City of Keller, Texas for the Tax Year 2017 \(Fiscal Year 2017-18\).](#)

**Attachments:**    [091917 Tax Rate Adopt Ord](#)

## **I. DISCUSSION – None**

## **J. EXECUTIVE SESSION**

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## K. ADJOURN

### **CITY OF KELLER MISSION STATEMENT**

*Our mission is to support a vibrant community of high quality neighborhoods, thriving businesses and natural beauty by setting the standard for excellence in municipal efficiency, service and innovation.*

### **CERTIFICATE**

*I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, September 14, 2017 at 5:00 P.M.*

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Kelly Ballard, City Secretary

***Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.***