



City of Keller City Council Agenda

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

Tuesday, November 7, 2017

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.

a. Natural Grocers.

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 1a, 2a, and 2b if necessary.

D. WORK SESSION

1. [Discuss cancelation of the Tuesday, January 2, 2018 Regular City Council Meeting.](#)

2. [Receive an Economic Update from Retail Coach.](#)
3. [Discuss Flag Lots.](#)

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

1. [Presentation - Keller FFA Student Presentation.](#)

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, October 10, 2017 Joint City Council and Parks and Recreation Board Work Session.](#)

Attachments: [101017 Minutes Joint Work Session](#)

2. [Consider approval of the Minutes of the Tuesday, October 17, 2017 Regular City Council Meeting.](#)

3. [Consider a resolution appointing a member to fill a vacancy on the Public Arts Board.](#)

Attachments: [2017 Public Arts Board Resolution](#)

4. [Consider a resolution appointing a member to fill a vacancy on the Keller Parks and Recreation Board.](#)

Attachments: [2017 Parks and Recreation Board Resolution](#)

5. [Consider a resolution approving the Keller Development Corporation Matching Funds Program Application with Ms. Eva Stack, for the purchase and installation of athletic court lights for the Pickleball Courts at Bear Creek Park, and authorizing the City Manager to execute all purchase documents thereto on behalf of the City of Keller.](#)

Attachments: [110717_KDC Matching Funds_Proposed Res](#)
 [110717_KDC Matching Funds Policy_Staff Attachment](#)
 [110717_KDC Matching Funds-Bid_Staff Attachment](#)

6. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of two School Resource Officers, for the Keller Police Department.](#)

Attachments: [110717_KISD Interlocal Resolution](#)
 [110717_kisd int agr-school officer](#)

7. [Consider a resolution authorizing the submittal of a grant application to the Office of the Governor Criminal Justice Division for funding under the Rifle-Resistant Body Armor Grant Program; and authorizing the City Manager to execute all required documents.](#)

Attachments: [110717_Body Armor Grant Resolution](#)

8. [Consider a resolution approving the agreement for City Towing and Recovery Service with AA Wrecker Service of Haltom City, Texas, relating to non-consent police tows; and further authorizes the City Manager to execute said contract on behalf of the City of Keller.](#)

Attachments: [110717_City towing Resolution](#)
 [110717_2017 wrecker contract](#)
 [110717_Towin Contract Attachments](#)

9. [Consider a resolution approving the purchase of the Fiscal Year 2018 Miscellaneous Concrete Improvements from Apex Concrete Construction of Keller, Texas, through the Interlocal Agreement with the City of North Richland Hills, dated July 19, 2005, for the Public Works Department, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.](#)

Attachments: [110717_Apex Concrete_Proposed Res](#)
 [110717_Apex Concrete Interlocal_Staff Attachment](#)
 [110717_Apex Concrete Bid_Staff Attachment](#)
 [110717_Apex Concrete Renewal - NRH_Staff Attachment](#)

10. [Consider a resolution authorizing the use of the Competitive Sealed Bid method for the Wall Price Keller Road Reconstruction Project as the best value delivery method, other than competitive bidding and delegating authority to the City Manager or his designee and establishing the limits of that authority as allowed by the Texas Government Code Chapter 2269, Subchapter F, to implement the Competitive Sealed Bid method, for the City of Keller.](#)

Attachments: [110717_Wall Price Keller Road Reconstruction_Resolution](#)

11. [Consider a resolution approving the purchase of one \(1\) Dodge Ram 4500 Heavy-Duty chassis and for the refurbishment and remounting of an existing ambulance module, for the Fire Department, through the Houston-Galveston \(H-GAC\) Cooperative Purchasing Program, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.](#)

Attachments: [110717 Medic Remount RES](#)
 [110717 Medic Remount Quote Staff Attachment](#)

12. [Consider a resolution approving the purchase of one \(1\) replacement Compact Track Loader and one \(1\) new Compact Excavator through the BuyBoard Cooperative Purchasing Program, for the Public Works Department, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [110717 Bobcat Purchase Proposed Res](#)
 [110717 Bobcat Purchase-Excavator Staff Attachment](#)
 [110717 Bobcat Purchase-Track Loader Staff Attachment](#)

13. [Consider a resolution approving the purchase of four \(4\) Stryker Power Load Devices for the Emergency Medical Services Division of the Fire Department, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.](#)

Attachments: [2017 Power Load Devices Resolution](#)
 [110717 Stryker Quote Staff Attachment](#)
 [110717 Sole Source Letter](#)

14. [Consider a resolution creating a Future Land Use Plan Task Force, appointing members to said Future Land Use Plan Task Force, and providing an effective date.](#)

Attachments: [110717 FLUPTaskForce 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: [10172017_Holifield_PZMinutes08142017](#)
 [10172017_Holifield_DraftOrdinance](#)
 [10172017_Holifield_ExhibitA_UpdatedLetter](#)
 [10172017_Holifield_ExhibitA_OriginalLetter](#)
 [10172017_Holifield_ExhibitA_LettertoNeighbors](#)
 [10172017_Holifield_ExhibitA_ConceptPlan](#)
 [10172017_Holifield_ExhibitA_ProposedLotLayout](#)
 [10172017_Holifield_StaffAttachment_PublicResponse](#)
 [10172017_Holifield_StaffAttachment_GoogleImage](#)
 [10172017_Holifield_StaffAttachment_KellerHeightsNorthPlat](#)
 [10172017_Holifield_StaffAttachment_Lot16RRReplat](#)
 [10172017_Holifield_StaffAttachment_SF-36UseChart](#)
 [10172017_Holifield_Maps](#)

2. [Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning/Development Standards, Tree Preservation, Section 8.07, Off-Street Parking and Loading Requirements, to allow front facing garage doors, approximately two hundred fifty-two \(252 square feet\) in total, exceeding the maximum allowed seventy-two \(72\) square feet of front facing garage door exposure to the street, located on an approximately 0.81-acre tract of land on the north side of Meadowview Drive approximately 900 feet east of the intersection of Meadowview Drive and North Pearson Lane, being Lot 6, Block 1, Timberknoll Southshore Addition, at 2051 Meadowview Lane, and zoned SF-20 \(Single-Family - 20,000 square foot minimum\). Deborah Ramsay, owner/applicant. \(UDC-17-0019\)](#)

Attachments: [101717_Meadowview_UDC_Variance_Draft_Resolution](#)
 [101717_Meadowview_UDC_Variance_P&Z_Minutes](#)
 [101717_Meadowview_UDC_Variance_Building_Elevations](#)
 [101717_Meadowview_UDC_Variance_Maps](#)
 [101717_Meadowview_UDC_Variance_StaffAttachment_Final_Plat_and_Plot_P](#)
 [110717_Meadowview_UDC_Variance_StaffAttachment_Meadowview_Dr_Lette](#)
 [110717_Meadowview_UDC_Variance_StaffAttachment_Meadowview_Dr_Gara](#)

H. NEW BUSINESS

1. [Consider a resolution approving a Special Exception to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 - Attached Wall Signs, for Morris Auto Service, located on approximately 1-acre of land on the west side of North Main Street, approximately 300 feet north of Keller Hicks Road, being Tracts 1E out of the Samuel Needham Survey, Abstract No. 1171, at 421 North Main Street, zoned OTK \(Old Town Keller\). Donald Morris, Morris Auto Service, owner/applicant. \(UDC-17-0018\)](#)

Attachments: [110717 MorrisSign DraftResolution](#)
[110717 MorrisSign PZMinutes10092017](#)
[110717 MorrisSign Exhibit A](#)
[110717 MorrisSign StaffAttachment GoogleStreetView Images \(1\)](#)
[110717 MorrisSign StaffAttachment SitePhotos](#)
[110717 MorrisSign Maps](#)

2. [PUBLIC HEARING: Consider an ordinance approving Specific Use Permit \(SUP\) for an approximately 814 square-foot accessory structure, as the square footage of all accessory buildings would exceed fifty percent \(50%\) of the total square footage of the primary structure, located on approximately 6.94-acres, on the south side of Johnson Road, approximately 1,000 feet west of North Pearson Lane, at 1876 Johnson Road, being Lot 1R1, Block A, Clark Estates Addition, and zoned SF-36 \(Single Family Residential - 36,000 square foot minimum\). John Barry Clark, owner/applicant. \(SUP-17-0021\)](#)

Attachments: [110717 1876JohnsonSUP DraftOrdinance](#)
[110717 1876JohnsonSUP P&ZMinutes](#)
[110717 1876JohnsonSUP Exhibit A](#)
[110717 1876JohnsonSUP StaffAttachment ClarkEstatesPlat](#)
[110717 1876JohnsonSUP StaffAttachment ClarkEstatesReplat](#)
[110717 1876JohnsonSUP StaffAttachment OrdNo.1657](#)
[110717 1876JohnsonSUP StaffAttachment OrdNo.1696](#)
[110717 1876JohnsonSUP Maps](#)

3. [PUBLIC HEARING: Consider an ordinance approving a Planned Development Amendment from PD-O \(Planned Development - Office\) to PD-O \(Planned Development - Office\), amending the Adalina at Bloomfield Planned Development \(Ordinance No. 1353\), to allow a reconfiguration of the building layout and to subdivide one \(1\) lot into six \(6\) lots, on an approximately 3.31-acre property, being Lot 1, Block C, Adalina at Bloomfield Addition, located on the south side of the Keller Parkway \(FM1709\), approximately one hundred sixty feet \(160'\) west of the intersection of Keller Parkway \(FM1709\) and Bloomfield Drive, addressed as 1750 Keller Parkway \(FM1709\). Ambercrombie Holdings, LLC, owner. Castle Development, applicant. Matt Moore, Claymoore Engineering, engineer. \(Z-17-0014\).](#)
4. [Consider an ordinance approving a Specific Use Permit \(SUP\) for a 4,272 square foot detached accessory dwelling unit before constructing a new home, located on approximately 3.57-acres, on the north side of Simmons Drive, one thousand four hundred feet \(1,400'\) east of the Simmons Drive and Rufe Snow Drive intersection, at 1021 Simmons Drive, being Lot 13R, Block 1, Rolling Oaks Estates, and zoned SF-36 \(Single Family Residential - 36,000 square foot minimum\). Trent and Mary Petty, owners. Greg Wright, Providential Land Development, LP, applicant. \(SUP-17-0020\)](#)

Attachments: [110717 Simmons Road Accessory Dwelling Unit Draft Ordinance](#)
[110717 Simmons Road Accessory Dwelling Unit 100917 Planning and Zo](#)
[110717 Simmons Road Accessory Dwelling Unit ExhibitA Accessory Dwe](#)
[110717 Simmons Road Accessory Dwelling Unit ExhibitA Narrative Letter](#)
[110717 Simmons Road Accessory Dwelling Unit Maps](#)
[110717 Simmons Road Accessory Dwelling Unit Staff Attachment Final Pl](#)
[110717 Simmons Road Accessory Dwelling Unit Staff Attachment House |](#)

5. [Consider a resolution approving an appeal to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, and Tree Preservation, Section 8.18, Tree and Natural Feature Preservation and Amend Resolution No. 3769 to allow advanced tree removal and lot grading for residential, Lots 1-4 and Lots 8-18, Block D, Lots 1-3 and Lots 20-18, Block E, and Lots 11-13 and Lots 18-20, Block F, Marshall Ridge Phase 3D, a portion of residential development consisting of forty-eight \(48\) residential lots, and one \(1\) open space lot, located on approximately 19.636-acres of land, located on the west side of Marshall Ridge Parkway and, approximately 1,000 feet north of Mount Gilead Road, and zoned as PD-SF-12 \(Planned Development-Single Family Residential-12,000 square foot minimum\) and PD-SF-15 \(Planned Development-Single Family Residential-15,000 square foot minimum\). Meritage Homes of Texas, LLC, owner/applicant. \(TB-17-0002\)](#)

Attachments: [110717 Marshall Ridge 3D Tree Preservation Amendment Draft Resolutio](#)
[110717 Marshall Ridge 3D Tree Preservation Amendment 100917 Plannin](#)
[110717 Marshall Ridge 3D Tree Preservation Amendment ExhibitA Narrati](#)
[110717 Marshall Ridge 3D Tree Preservation Amendment Maps](#)
[110717 Marshall Ridge 3D Tree Preservation Amendment StaffAttachment](#)
[110717 Marshall Ridge 3D Tree Preservation Amendment StaffAttachment](#)
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[110717 Marshall Ridge 3D Tree Preservation Amendment StaffAttachment](#)

I. DISCUSSION – None

J. EXECUTIVE SESSION

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a. Natural Grocers.

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 1a, 2a, and 2b if necessary.

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, November 2, 2017 at 5:00 P.M.

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.