



City of Keller City Council Agenda

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

Tuesday, May 7, 2019

COUNCIL MEMBER DINNER 5:00 P.M.

PRE-COUNCIL MEETING 5:30 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. Davis Tyson vs. The City of Keller Zoning Board of Adjustment.

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

D. WORK SESSION

1. [Discuss the Future Land Use Plan update](#)
2. [Budget Strategic Planning - Economic Development Update](#)

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 - 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.

F. CONSENT

1. [Consider approval of the Minutes of the Tuesday, April 16, 2019 Regular City Council Meeting.](#)

Attachments: [041619 Minutes.pdf](#)

2. [Consider a resolution approving an Agreement for Professional Services with Peloton Land Solutions of Fort Worth, Texas, for the purpose of providing engineering design, relating to the US 377 Sanitary Sewer Extension Phase II for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [050719_US 377 Sanitary Sewer Extension_Resolution](#)
 [050719_Sanitary Sewer Extension_Peloton Land Solutions Amendment #1](#)

3. [Consider a resolution approving an Agreement for Professional Services with Kleinfelder of Irving, Texas, for the purpose of providing engineering design, relating to the maintenance and rehabilitation of the Pearson Ground Storage Tank #1 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.](#)

Attachments: [050719_Pearson Ground Storage_Resolution](#)
 [050719_Pearson Ground Storage_Exhibit A](#)

4. [Consider a resolution of the City of Keller, Texas finding that Oncor Electric Delivery Company LLC's \("Oncor" or "Company"\) application for approval to amend its Distribution Cost Recovery Factor pursuant to 16 Tex. Admin. Code § 25.243 to increase distribution rates within the City of Keller should be denied; finding that the City's reasonable rate](#)

case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.

Attachments: [050219 Oncor Resolution](#)

5. Consideration and action regarding a resolution directing publication of notice of the City's intention to issue combination tax and revenue certificates of obligation to provide funds for water and sewer system improvements and related issuance costs.

Attachments: [050719 COs NOI Resolution](#)

G. OLD BUSINESS - None

H. NEW BUSINESS

1. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for K and L Arms, for 'sales of used goods and merchandise' occupying a 384 square-foot lease space within a 2,004 square-foot multi-tenant building, located on a 0.4855-acre tract of land, located on the east side of North Main Street (U.S. HWY 377), at the intersection of Pearl Street and North Main Street (US HWY 377), being Lot 1, 2 & 3, Block 1, Johnson Addition - Keller, at 120 North Main Street (US HWY 377), Suite 206 (Account #: 01464973), and zoned OTK (Old Town Keller). Ken Pender, applicant. Betty Williamson estate care of Zachary Williamson. (SUP-19-0002)

Attachments: [050719 KandLArms ProposedOrdinance](#)
[050719 KandLArms Maps](#)
[050719 KandLArms ExhibitA SupportPetition](#)
[050719 KandLArms StaffAttachment Plat](#)

2. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an Accessory Dwelling Unit, proposed to be a 1,886 square-foot guest house, with variances for size and location on an approximately 2.2-acre tract of land located on the west side of Willis Lane and approximately 2,800 feet northwest of the intersection of North Tarrant Parkway and Willis Lane, being Lot 1, Block A, Sandra Smith Addition, at 1660 Willis Lane (Account# 41563832), and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Janine and Nicholas Stevens, Owner/Applicant. (SUP-19-0005)

Attachments: [050719 WillisDwellingUnitSUP-19-0005ProposedOrdinance](#)
[050719 WillisDwellingUnitSUP-19-0005 ExhibitA-App and Narrative](#)
[050719 WillisDwellingUnitSUP-19-0005 ExhibitA-Proposed Plans](#)
[050719 WillisDwellingUnitSUP-19-0005 StaffAttachment-Final Plat](#)
[050719 WillisDwellingUnitSUP-19-0005 Maps](#)
[050719 WillisDwellingUnitSUP-19-0005 Support](#)
[050719 WillisDwellingUnitSUP-19-0005 Opposition](#)

3. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) of a proposed 1,872 square-foot accessory structure on a 1.94-acre-lot on the east side of Castleman Court, approximately 466 feet northeast from the intersection of Johnson Road

and Castleman Court, being Moreland Manor Addition, Block 1, Tract 3, Volume 371-388, Pages 679-680, at 608 Castleman Court (Account # 01812688) zoned (SF-36) Single-Family Residential - 36,000 square-foot lot minimum, Peter and Jennifer Phoenix, owner/applicant. (SUP-19-0006)

Attachments: [04082019_608CastlemanCtSUP_Ordinance](#)
 [04082019_608CastlemanCtSUP_AttachmentA_Elevations](#)
 [04082019_608CastlemanCtSUP_AttachmentB_AerialView](#)
 [04082019_608CastlemanCtSUP_AttachmentC_PetitionofSupport](#)
 [04082019_608CastlemanCtSUP_Maps](#)
 [04082019_608CastlemanCtSUP_Survey](#)

4. Consider a resolution for a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts, to allow a six-foot (6') privacy fence to reduce the build line on the side of the property from 50 feet to 34 feet located on 0.99-acres, on the east side of Roanoke Road, approximately 51 feet from the intersection of Roanoke Road and Melissa Drive, being Lot 1, Block 3, Melody Hills Estates, at 1104 Melissa Drive and zoned (SF-36) Single-Family Residential - 36,000 square-foot lot size minimum. Wesley Dede, Owner. (UDC-19-00006)

Attachments: [05072019_1104MelissaFenceVariance_Resolution](#)
 [05072019_1104MelissaFenceVariance_AttachmentA](#)
 [05072019_1104MelissaFenceVariance_AttachmentB](#)
 [05072019_1104MelissaFenceVariance_AttachmentC](#)
 [05072019_1104MelissaFenceVariance_AttachmentC1](#)
 [05072019_1104MelissaFenceVariance_ApplicantLetter](#)
 [05072019_1104MelissaFenceVariance_LocationofFence](#)
 [05072019_1104MelissaFenceVariance_Survey](#)
 [05072019_1104MelissaFenceVariance_ThoroughfareFencing](#)

I. DISCUSSION – None

J. 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. Davis Tyson vs. The City of Keller Zoning Board of Adjustment.

3. **Adjourn into Open Meeting.**

4. **Action on Executive Session Items 1 and 2 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, May 2, 2019 at 5:00 P.M.

Kelly Ballard, TRMC
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.