



City of Keller

City Council

Meeting Minutes

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

Tuesday, September 4, 2018

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Ed Speakmon

Council Member Mitch Holmes

Council Member Sean Hicks

Council Member Eric Schmidt

Council Member Chris Whatley (arrived at 7:53 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, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Services Trina Zais, Director of Public Works Alonzo Linan, Director of Human Resources Kandace Tappen, Director of Information Technology Sean Vreeland, 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.

3. Adjourn into Open Meeting.

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

No Action was taken.

D. WORK SESSION - None

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 7:15 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail called the Regular Meeting to order at 7:18 P.M.

B. INVOCATION

Ms. Paige Hines, United Methodist Church; and Mr. Lance Pierce, Keller Latter-Day Saints, gave the invocations.

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

1. **Proclamation - Constitution Week**

Mayor Pat McGrail presented a proclamation for Constitution Week to Ms. Jennifer Woodward, Recording Secretary for the Captain Nathaniel Mills Chapter, National Daughters of the American Revolution.

2. **Proclamation - Hunger Action Month**

Mayor Pat McGrail presented a proclamation for Hunger Action Month to Ms. Barbara Ewen, Senior Director of Food Programs, Tarrant Area Food Bank.

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.

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Sean Hicks, to approve the Consent Agenda. The motion carried unanimously.

1. Consider approval of the Minutes of the Tuesday, August 21, 2018 Regular City Council Meeting.

Approved

2. Consider approval of the Minutes of the Tuesday, August 28, 2018 City Council Budget Work Session.

Approved

3. Consider a resolution approving a professional services contract with Dannenbaum Engineering Company for the 2018 Sanitary Sewer Replacement Project.

Resolution No. 4029

4. **Consider a resolution approving an Agreement with Hardin & Associates Consulting, LLC for Keller's Cross Connection Control Program, and authorizing the City Manager to execute all contract documents related thereto on behalf of the City of Keller, Texas.**

Resolution No. 4030

5. Consider a resolution approving the bid from Cole Construction, Inc., of Fort Worth, Texas, for improvements to Milestone Park, for the Parks and Recreation Department, and authorizing the City Manager to execute all documents relating thereto, on behalf of the City of Keller.

Resolution No. 4031

6. Consider a resolution approving a Site Plan Amendment for Braum's, a proposed 6,094 square foot square-foot restaurant with drive-thru on an approximately 1.45-acre tract of land, located on the north side of Keller Parkway (F.M. 1709), approximately 1,000 feet east of Town Center Lane, being Lot 1, Block A, Braum's Addition, at 1221 Keller Parkway, and zoned TC (Town Center). Retail Buildings Inc., owner. Braum's Ice Cream, applicant/developer. (SP-18-0018)

Resolution No. 4032

G. OLD BUSINESS - None

H. NEW BUSINESS

1. PUBLIC HEARING: Consider an ordinance approving a Planned Development Amendment from PD-SF-8.4 (Planned Development - Single Family Residential - 8,400 square-foot minimum) to PD-SF-8.4 (Planned Development - Single Family Residential - 8,400 square-foot minimum), amending the Concordia Planned Development (Ordinance No. 1888), to amend their development standards, on an approximately 23.067-acre property, being a portion of Lot 1, Block 1, A Church for the Communities, located on the north side of North Tarrant Parkway, approximately 1,000 feet from Rufe Snow Drive and North Tarrant Parkway intersection, addressed as 1870 Rufe Snow Drive. Jim Tchoukaleff, Contour Real Estate & Development, applicant/developer. Mark Kimmel, Northwood Baptist Church, owner. Jerry Sylo, JBI Partners, surveyor/engineer. (Z-18-0003).

Ms. Katasha Smithers, Planner I, gave a presentation relating to a request for a a Planned Development Amendment for the Concordia Planned Development (Ordinance No. 1888), to amend their development standards.

Mr. Jack Murray, Contour Real Estate & Development and Mr. Larry Jackson, David Weekly Homes, addressed the City Council regarding the proposal.

Mayor Pat McGrail opened the public hearing.

Mr. Bob Roberts, 1870 Rufe Snow Drive, expressed his support for the proposal.

A motion was made by Council Member Sean Hicks, seconded by Council Member Tag Green, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Tag Green, seconded by Council Member Sean Hicks, to approve Ordinance No. 1899 approving a Planned Development Amendment from PD-SF-8.4 (Planned Development - Single Family Residential - 8,400 square-foot minimum) to PD-SF-8.4 (Planned Development - Single Family Residential - 8,400 square-foot minimum), amending the Concordia Planned Development (Ordinance No. 1888), to amend their development standards, on an approximately 23.067-acre property, being a portion of Lot 1, Block 1, A Church for the Communities, located on the north side of North Tarrant Parkway, approximately 1,000 feet from Rufe Snow Drive and North Tarrant Parkway intersection, addressed as 1870 Rufe Snow Drive with the following condition and variance:

1. The proposed maximum house pad width shall be fifty feet (50').
2. A variance is requested to allow forty-five percent (45%) for the main building and fifty-five percent (55%) including accessory buildings, driveways, and parking areas.

The motion carried with the following vote:

YEA: Mayor McGrail, Council Member Mitch Holmes, Council Member Sean Hicks, Council Member Chris Whatley, and Council Member Tag Green.

NAY: Mayor Pro Tem Ed Speakmon and Council Member Eric Schmidt.

2. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an accessory building, proposed to be a 1,200 square-foot, one (1) story agricultural accessory building, with a variance for an additional accessory building, on approximately 1.003-acre tract of land, located on the north side of Florence Road, and approximately 1,025 feet (1025') west of Pearson Lane North, Lot 1, Block A, Isaac Addition, at 1907 Florence Road, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Billy Isaac, owner/applicant. (SUP-18-0019).

Mr. Scott Bradburn, Planner I, gave a presentation relating to a request for a Specific Use Permit (SUP) for an accessory building, at 1907 Florence Road.

Mayor Pat McGrail opened the public hearing. No public comments were received.

A motion was made by Council Member Eric Schmidt, seconded by Council Member Tag Green, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Eric Schmidt, seconded by Mayor Pro Tem Ed Speakmon, to approve Ordinance No. 1900 approving a Specific Use Permit (SUP) for an accessory building, proposed to be a 1,200 square-foot, one

(1) story agricultural accessory building, with a variance for an additional accessory building, on approximately 1.003-acre tract of land, located on the north side of Florence Road, and approximately 1,025 feet (1025') west of Pearson Lane North, Lot 1, Block A, Isaac Addition, at 1907 Florence Road, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). 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.

(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

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

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 Eric Schmidt, seconded by Mayor Pro Tem Ed Speakmon, to adjourn the meeting at 8:14 P.M. The motion carried unanimously.

Mayor

City Secretary

DRAFT