



# City of Keller

## City Council

### Meeting Minutes

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, May 21, 2019**

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#### **COUNCIL MEMBER DINNER 5:00 P.M.**

#### **PRE-COUNCIL MEETING 5:30 P.M.**

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

Mayor Pat McGrail called the meeting to order at 5:33 P.M.

The following City Council Members were present:

Mayor Pat McGrail  
Council Member Mitch Holmes  
Mayor Pro Tem Sean Hicks  
Council Member Beckie Paquin  
Council Member Sheri Almond  
Council Member Tag Green  
Council Member Chris Whatley

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/Economic Development Trina Zais, Director of Community Development Julie Smith, Director of Public Works Alonzo Linan, 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**

Executive Session was not held during the Pre-Council 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

(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. [Receive a presentation on Electric Vehicle Charging Stations.](#)**

Keller Center for Advanced Learning Intern Fernando Avalos-Oviedo gave a presentation relating to Electric Vehicle Charging Stations.

**2. [Discuss the Future Land Use Plan update](#)**

Council Member Tag Green discussed the Future Land Use Plan Update and suggested to table the discussion to a later date. The City Council agreed to discuss the Future Land Use Plan Update at a date to be determined.

**3. [Budget Strategic Planning - Permit Revenue and Activity](#)**

Director of Administrative Services Aaron Rector gave a presentation relating to permits and permit activity.

**E. ADJOURN**

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:50 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**

Mr. Keith Sanders, First Baptist Church of Keller, gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

Local Scouts from Troop 32 and Troop 1410 led the pledges the 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. [Proclamation - National Foster Care Month](#)

Mayor Pat McGrail presented a proclamation recognizing May as National Foster Care Month to Ms. Vickie Akins.

2. [Check presentation to the Muscular Dystrophy Association](#)

Fire Captain Alan Jacobs presented a check in the amount of \$25,610.03, raised by the Fill the Boot Campaign to Ms. Gina Lansing, Muscular Dystrophy Association Local Representative.

**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.

Ms. Leann Bell, 808 Pendleton Court, and Ms. Charlene LiPlane, 204 Canyon Court, both addressed the City Council regarding Notices of Violations issued to residents of the West Park Subdivision whose lots back Whitley Road requiring them to maintain the right-of-way on the other side of the brick perimeter fence. The speakers also provided supporting documents.

Mr. Brian Campbell, 1201 Johnson Road, addressed the City Council regarding his issues with the Future Land Use Plan Update.

**F. ELECTIONS**

1. [Administer the Oath of Office to City Council Place 3.](#)

Mayor Pat McGrail administered the Oath of Office to Council Member Sheri Almond, City Council Place 3.

2. [Administer the Oath of Office to City Council Place 4.](#)

Mayor Pat McGrail administered the Oat of Office to Council Member Beckie Paquin, City

Council Place 4.

## G. CONSENT

A motion was made by Council Member Chris Whatley, seconded by Council Member Tag Green to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, May 7, 2019 Regular City Council Meeting.](#)

Approved.

2. [Consider approval of the Minutes of the Tuesday, May 14, 2019 Special City Council Meeting.](#)

Approved.

3. [Consider a resolution approving the purchase of seven \(7\) rectangular rapid flashing beacons \(RRFBs\) from Consolidated Traffic Controls, Inc., of Arlington, Texas through the HGACBuy Cooperative Purchasing Program; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4121

4. [Consider a resolution approving the bid from Peachtree Construction of Fort Worth, Texas, for the 2019 Annual Street Maintenance Project 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.](#)

Resolution No. 4122

5. [Consider a resolution ratifying staff action in response to an emergency repair of a thirty \(30\) inch jointly-owned water line with the City of Southlake and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4123

## H. OLD BUSINESS - None

## I. NEW BUSINESS

1. [Elect a Mayor Pro Tem.](#)

A motion was made by Council Member Chris Whatley, seconded by Mayor Pat McGrail, to elect Council Member Tag Green as Mayor Pro Tem. The motion failed by the following vote:

**AYE:** 3 - Mayor Pat McGrail, Council Member Chris Whatley, and Council Member Tag Green

**NAY:** 4 - Council Member Mitch Holmes, Mayor Pro Tem Sean Hicks, Council Member Sheri Almond, and Council Member Beckie Paquin

A motion was made by Council Member Mitch Holmes, seconded by Sheri Almond, to elect Council Member Sean Hicks as Mayor Pro Tem. The motion

**carried by the following vote:**

**AYE:** 6 - Mayor Pat McGrail, Council Member Tag Green, Council Member Mitch Holmes, Mayor Pro Tem Sean Hicks, Council Member Sheri Almond, and Council Member Beckie Paquin

**NAY:** 1 - Council Member Chris Whatley

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Empire Toys, for 'Sales of used goods and merchandise' to occupy an 800 square-foot lease space on the second floor, within a 7,318 square-foot commercial building, located on a 0.20-acre tract of land, located on the west side of South Main Street \(U.S. HWY 377\), at the intersection of West Hill Street and South Main Street \(U.S. HWY 377\), being Lot 3A and 3B, Block 2, City Addition - Keller, at 136 South Main Street \(U.S. HWY 377\), and zoned OTK \(Old Town Keller\). \(SUP-19-0008\).](#)

A motion was made by Council Member Chris Whatley, seconded by Council Member Mitch Holmes, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Chris Whatley, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1932 approving a Specific Use Permit (SUP) for Empire Toys. The motion carried unanimously.

3. [Consider a resolution approving a variance to the Unified Development Code, Section 8.11 \(C\), Fencing Requirements in Residential Zoning Districts, to allow an existing fence to remain both iron and cedar material for privacy purposes, located on a 0.882-acre lot, on the east side of Betty Lane, being Lot 7, Block A, Timberview Estates Addition, at 1109 Betty Lane \(Account# 03153479\), and zoned Single Family Residential - 36,000 square-foot lot size minimum \(SF-36\). Polaris LLC, applicant/developer. Don and Lisa Tice, Owners. \(UDC-19-0005\)](#)

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4124 approving a variance to the Unified Development Code, Section 8.11 (C), Fencing Requirements in Residential Zoning Districts, at 1109 Betty Lane. The motion carried unanimously.

## **J. DISCUSSION – None**

## **K. EXECUTIVE SESSION**

Mayor Pat McGrail recessed the Regular Meeting at 7:52 P.M. to allow the City Council to resume the Work Session and to allow the City Council to meet in Executive Session, in accordance with State Law.

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**1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**

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**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.**

No action was taken.

**L. ADJOURN**

Mayor Pat McGrail adjourned the meeting at 8:50 P.M.

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Mayor

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City Secretary