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 1, 2020

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

Mayor Pat McGrail called the Pre-Council Meeting to order at 5:08 P.M.

The following City Council Members were present:
Mayor Pat McGrail
Council Member Mitch Holmes
Mayor Pro Tem Sean Hicks (attended by video conference at 5:20 P.M.)
Council Member Sheri Almond
Council Member Beckie Paquin (arrived at 6:09 P.M.)
Council Member Tag Green (attended by video conference)
Council Member Chris Whatley

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Public Services Trina Zais, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Administrative Services Manager Sarah Hensley, Police Chief Bradley G. Fortune 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 recessed the Pre-Council Meeting at 6:37 P.M. so that the City Council could conduct an Executive Session in accordance with State Law.

1. **Section 551.072, Texas Government Code - Deliberation Regarding Real Property. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

   a. 785 Chisolm Trail.

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2. **Adjourn into Open Meeting.**

Mayor Pat McGrail resumed and adjourned the Pre-Council Meeting at 7:08 P.M.

3. **Action on Executive Session Item 1 if necessary.**

No action was taken.

D. WORK SESSION

1. Old Town Keller Phase II Update

Administrative Services Manager Sarah Hensley introduced Ms. Sam Delmotte, Kimley Horn, who gave a presentation relating to the Old Town Keller Phase II project. Ms. Delmotte discussed the project status and timeline and introduced the addition of a median on Main Street that is proposed to be installed between Olive and Vine Street. She also introduced Ms. Kaley Wilson, Kimley Horn, who is part of the consultant team working on the project.

Discussion was held by the City Council regarding local businesses impacted by the project, the pedestrian hybrid beacon proposed for just south of the Bates Street and Main Street intersection, traffic, proposed improvements for the Main Street and Vine Street intersection, and project costs. Mayor McGrail expressed his disappointment that a full traffic signal will not be installed on Main Street.

The City Council directed City staff to continue forward with the project design to include the Main Street median.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 7:08 P.M.

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REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

Mayor Pat McGrail called the Regular City Council Meeting to order at 7:08 P.M.

B. INVOCATION

Pastor Jason Valendy, Keller United Methodist Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail led the pledge to the United States Flag and the pledge to 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 - 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. Each speaker will be allowed three (3) minutes to speak.

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 to no discussion, and were acted upon as one business item.

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

1. Consider approval of the Minutes of the Tuesday, August 18, 2020 Regular City Council Meeting.

   Approved

2. Consider approval of the Minutes of the Wednesday, August 26, 2020 City Council Budget Work Session.

   Approved

3. Consider a resolution approving the bid from Peachtree Construction of Fort Worth, Texas, for the Full Depth Reclamation of Parking Lot "C" at the Keller Sports Park, for the Parks and Recreation Department; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

   Resolution No. 4284

4. Consider a resolution approving the bid from C Green Scaping, LP, of Fort Worth, Texas, for the construction of the "Playful Puppy" sculpture plaza; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.

   Resolution No. 4285

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5. Consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp.,Mid-Tex Division regarding the company's 2020 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

   Resolution No. 4286

6. Consider a resolution approving Amendment No. 1 to the Interlocal Agreement for Combined Public Safety Dispatching and Jail Services for the Cities of Keller, Southlake, and Colleyville, Texas, to include combined Jail Services for the City of Roanoke, Texas, at the City of Keller Police Facility, and authorizing the City Manager to execute said agreement on behalf of the City of Keller.

   Resolution No. 4287

7. Consider a resolution approving Amendment No. 1 to the Interlocal Agreement for Combined Animal Control and Animal Shelter Services at the Keller Police Facility, with the Cities of Keller, Southlake, Colleyville, to include the City of Roanoke, Texas, and authorizing the City Manager to execute said Agreement on behalf of the City of Keller, Texas.

   Resolution No. 4288

G. OLD BUSINESS - None

H. NEW BUSINESS

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1. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for The Rabbit Hole to operate a used goods retail business located in an approximately 1,600 square-foot building, on an approximately .11 -acre tract, on the east side of South Main Street, approximately 425 feet southeast of the intersection of South Main Street and East Vine Street, being Block 9, Lot 14, KELLER CITY ADDITION, located at 130 East Vine Street, Suite B, and zoned (OTK) Old Town Keller), in the City of Keller, Texas, Tarrant County, Texas; providing a penalty; and authorizing publication. Geneva Cox, owner. Maria Halley, applicant. (SUP-20-0013)

   Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit for The Rabbit Hole to operate a used goods retail business at 130 East Vine Street, Suite B.

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

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

   A motion was made by Council Member Mitch Holmes, seconded by Council Member Chris Whatley, to approve Ordinance No. 1981 approving a Specific Use Permit (SUP) for The Rabbit Hole to operate a used goods retail business located in an approximately 1,600 square-foot building, on an approximately .11 -acre tract, on the east side of South Main Street, approximately 425 feet southeast of the intersection of South Main Street and East Vine Street, being Block 9, Lot 14, KELLER CITY ADDITION, located at 130 East Vine Street, Suite B, and zoned (OTK) Old Town Keller), in the City of Keller, Texas, Tarrant County, Texas; providing a penalty; and authorizing publication. Geneva Cox, owner. Maria Halley, applicant. (SUP-20-0013) The motion carried unanimously.

2. PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions to permit a “Surgical Outpatient Facility” use in the Town Center-Medical Overlay district by a Specific Use Permit, Article Eight -Zoning Districts, Development Standards, Tree Preservation; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; authorizing publication; and establishing an effective date. (UDC-20-0005)

   Community Development Director Julie Smith gave a presentation relating to the request for amendments to the Unified Development Code (UDC), by providing provisions to permit a "Surgical Outpatient Facility" use in the Town Center-Medical Overlay district by a Specific Use Permit.

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

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

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Discussion was held by the City Council.

A motion was made by Council Member Mitch Holmes, seconded by Mayor Pro Tem Sean Hicks, to approve Ordinance No. 1982. The motion carried by the following vote:

AYE: 5 - Mayor Pat McGrail, Council Member Mitch Holmes, Mayor Pro Tem Sean Hicks, Council Member Sheri Almond, and Council Member Beckie Paquin

NAY: 2 - Council Member Chris Whatley, and Council Member Tag Green

I. DISCUSSION – None

J. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

1. **Section 551.072, Texas Government Code - Deliberation Regarding Real Property. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

   a. 785 Chisolm Trail.

2. **Adjourn into Open Meeting.**

3. **Action on Executive Session Item 1 if necessary.**

K. ADJOURN

A motion was made by Council Member Mitch Holmes, seconded by Council Member Chris Whatley, to adjourn the Regular City Council Meeting at 7:36 P.M. The motion carried unanimously.

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Mayor

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City Secretary

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