



# City of Keller

## City Council

### Meeting Minutes

Tuesday, February 21, 2017

#### **PRE-COUNCIL MEETING 5:00 P.M.**

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

**Mayor Mark Mathews introduced Mr. Trey Reyes as “Mayor for the Day”.**

**A. CALL TO ORDER - Mayor Mark Mathews and Mayor Trey Reyes called the Pre-Council Meeting to order at 5:01 P.M.**

**PRESENT:** Mayor Mark Mathews, Council Member Armin Mizani, Council Member Debbie Bryan, Council Member Ed Speakmon, Council Member Eric Schmidt, Council Member Bill Hodnett, and Mayor Pro Tem Rick Barnes.

**STAFF**

**PRESENT:** City Manager Mark Hafner, City Secretary Kelly Ballard, Assistant City Attorney Cathy Cunningham, Director of Human Resources/Interim Director of Administrative Services Carolyn Nivens, Director of Community Services Cody Maberry, Director of Public Services/Economic Development Trina Zais, Director of Public Works Alonzo Liñán, Director of Finance Aaron Rector, 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 Mark Mathews 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 551.074, Texas Government Code – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. - City Secretary.
3. Adjourn into Open Meeting.

**The Pre-Council Meeting was called back to order by Mayor Mark Mathews.**

4. Action on Executive Session Items 1 and 2 if necessary.
  1. **No action taken.**
  2. **Action taken during the Regular Meeting.**

#### **D. WORK SESSION**

1. Discuss the City Secretary position.

**This item was not discussed in the work session.**

2. Discuss the International Council of Shopping Centers (ICSC).

**The City Council discussed attendance at the International Council of Shopping Centers (ICSC).**

3. Discuss Yard Waste Drop Off Program.

**Director of Community Services Cody Maberry and Management Assistant Sarah Hensley gave a presentation relating to the Yard Waste Drop-Off Program.**

**E. ADJOURN – The Pre-Council Meeting was adjourned by Mayor Mark Mathews and Mayor Trey Reyes at 6:38 P.M.**

#### **REGULAR MEETING 7:00 P.M.**

**A. CALL TO ORDER – Mayor Mark Mathews and Mayor Trey Reyes called the Regular Meeting to order at 7:01 P.M.**

**B. INVOCATION - Bishop James Binnon gave the invocation.**

#### **C. PLEDGE OF ALLEGIANCE**

1. Pledge to the United States Flag. - **Mayor Mark Mathews and Mayor Trey Reyes led the 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." - **Mayor Mark Mathews and Mayor Trey Reyes led the pledge to the Texas Flag.**

#### **D. PROCLAMATIONS & PRESENTATIONS**

1. Love Keller ISD Day Proclamation.

**Mayor Mark Mathews presented a proclamation to Keller ISD PTA members.**

2. Community Waste Disposal Annual Report.

**Mr. Greg Roemer, Community Waste Disposal President, gave the Community Waste Disposal Annual Report.**

## **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**

1. Consider approval of the minutes of the Regular City Council Meeting on Tuesday, February 7, 2017.

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Eric Schmidt, to approve the minutes of the Regular City Council Meeting on Tuesday, February 7, 2017 as proposed. The motion carried unanimously.**

2. Consider a resolution approving a contract agreement for professional services with Brinkley Sargent Wiginton Architects, Inc. of Dallas, Texas, for the purpose of a needs assessment, relating to the Senior Activities Center, for the Parks and Recreation Department; and further authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Eric Schmidt, to approve Resolution No. 3852 approving a contract agreement for professional services with Brinkley Sargent Wiginton Architects, Inc. of Dallas, Texas, for the purpose of a needs assessment, relating to the Senior Activities Center, for the Parks and Recreation Department; and further authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas as proposed. The motion unanimously.**

3. Consider a resolution approving an Interlocal Agreement between the City of Fort Worth and the City of Keller, for the installation of a 48-inch diameter casing for the future Alta Vista Transmission Main, for the Public Works Department; and further authorizing the City Manager to execute said agreement on behalf of the City of Keller.

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Eric Schmidt, to approve Resolution No. 3853 approving an Interlocal Agreement between the City of Fort Worth and the City of Keller, for the installation of a 48-inch diameter casing for the future Alta Vista Transmission Main, for the Public Works Department; and further authorizing the City Manager to execute said agreement on behalf of the City of Keller as proposed. The motion carried unanimously.**

## **G. OLD BUSINESS - None**

## **H. NEW BUSINESS**

1. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Massage Express, a proposed Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist, in an existing lease space of 1,196 square feet, within a 15,032 square-foot building on 1.87-acres, located on the north side of North Tarrant Parkway, approximately 200 feet east of Rufe Snow Drive, at 841 North Tarrant Parkway, being Lot 2, Block A, Highland Oaks Crossing Addition, and zoned PD-R (Planned Development-Retail). Keller Retail Partners, LLC, owner/applicant. (SUP-16-0028)

**Mr. David Hawkins, Planning Manager, gave a presentation relating to a request for a Specific Use Permit (SUP) to allow Massage Express, a proposed Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist, in an existing lease space of 1,196 square feet, within a 15,032 square-foot building on 1.87-acres, located on the north side of North Tarrant Parkway, approximately 200 feet east of Rufe Snow Drive, at 841 North Tarrant Parkway.**

**Mayor Mark Mathews opened the public hearing. No public comments were received.**

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Bill Hodnett, to close the public hearing. The motion carried unanimously.**

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Debbie Bryan, to approve Ordinance No. 1829 approving a Specific Use Permit (SUP) to allow Massage Express, a proposed Spa to Include Cosmetologists (Hair, Nails, Face) & Massage Therapist, in an existing lease space of 1,196 square feet, within a 15,032 square-foot building on 1.87-acres, located on the north side of North Tarrant Parkway, approximately 200 feet east of Rufe Snow Drive, at 841 North Tarrant Parkway, being Lot 2, Block A, Highland Oaks Crossing Addition, and zoned PD-R (Planned Development-Retail) with the following condition:**

1. **A Specific Use Permit for Massage Express to operate a 'Spa to Include Cosmetologists (Hair, Nails Face) & Massage Therapist' use in a 1,196 square feet lease space, at 841 North Tarrant Parkway, within the PD-R (Planned Development – Retail) zoning district shall be allowed.**

**The motion carried unanimously.**

2. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a single-story, 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709), being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, and zoned TC (Town Center). KWLee Properties, LP, owner/applicant. Ballard & Braughton Engineering, engineer. (SUP-17-0002)

**Mr. David Hawkins, Planning Manager, gave a presentation relating to a request for a Specific Use Permit (SUP) and a Site Plan for a single-story, 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller**

**Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709).**

**Mr. Mike Mellinger, applicant, addressed the City Council regarding the proposal.**

**Mayor Mark Mathews opened the public hearing. No public comments were received.**

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

**A motion was made by Council Member Armin Mizani, seconded by Council Member Ed Speakmon, to approve Ordinance No. 1830 approving a Specific Use Permit (SUP) for a single-story, 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709), being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, and zoned TC (Town Center) with the following condition:**

- 1. A Specific Use Permit for a single-story 9,870 square-foot multitenant retail building at 967 Keller Parkway (FM1709) in the Town Center Zoning District provided the minimum building height is twenty feet (20') shall be allowed.**

**The motion carried unanimously.**

- 3. Consider a resolution approving a Site Plan of a single-story 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709), being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, and zoned TC (Town Center). KWLee Properties, LP, owner/applicant. Ballard & Braughton Engineering, engineer. (SP-16-0025)**

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Armin Mizani, to approve Resolution No. 3854 a Site Plan of a single-story 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709), being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, and zoned TC (Town Center) with the following conditions:**

- 1. The variance for the east landscape buffer to be a minimum of eight feet (8') as shown in Exhibit "A" shall be allowed.**
- 2. A flat roof to shall be allowed.**
- 3. The variance to utilize metal cornice elements instead of brick or cast stone shall be allowed.**
- 4. The variance for reduction in the minimum exterior wall surface from one hundred percent (100%) masonry to fifty-five percent (55%) brick and stone veneer, thirty-eight percent (38%) stucco and fibrous cement panels and trim, and seven percent (7%) metal accents shall be allowed.**

5. **The variance to use thermoplastic polyolefin (TPO) roof material in lieu of standing-seam metal, stone, clay, or concrete roofing tile shall be allowed.**

**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
  - (2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.
2. Section 551.074, Texas Government Code – Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. - City Secretary.
3. Adjourn into Open Meeting.
4. Action on Executive Session Items 1 and 2 if necessary.

### **1. No action taken**

2. **A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Ed Speakmon, to approve Resolution No. 3855 appointing Kelly Ballard as City Secretary. The motion carried unanimously.**

## **K. ADJOURN**

**A motion was made by Mayor Pro Tem Rick Barnes, seconded by Council Member Bill Hodnett, to adjourn the meeting at 7:47 P.M. The motion carried unanimously.**

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Mark Mathews, Mayor

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Kelly Ballard, City Secretary