



City of Keller

City Council

Meeting Minutes

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

Tuesday, December 5, 2017

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the meeting to order at 5:06 P.M.

The following City Council Members were present:

Mayor Pat McGrail
Council Member Armin Mizani
Council Member Ed Speakmon
Council Member Eric Schmidt
Council Member Chris Whatley
Council Member Tag Green

Mayor Pro Tem Debbie Bryan was absent.

Administrative personnel present were City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Administrative Services/Human Resources Carolyn Nivens, Director of Community Services Cody Maberry, Director of Public Services and Community 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 Battalion Chief Shane Gainer.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

Mayor Pat McGrail recessed the Pre-Council Meeting at 5:42 P.M. and reconvened the Pre-Council Meeting at 6:10 P.M.

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.
 - b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.
 - c. Deborah Thompson vs. City of Keller.
 3. Adjourn into Open Meeting.
 4. Action on Executive Session Items 1, 2a, 2b, and 2c if necessary.

No Action was taken.

D. WORK SESSION

No work session was held.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:45 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the Regular City Council Meeting to order at 7:06 P.M.

B. INVOCATION

Mr. Chris Hayes, Keller United Methodist Church, and Ms. Brenda DeVore, Compass Church gave the invocations.

C. PLEDGE OF ALLEGIANCE

Boy Scout Troop 32, Golden Phoenix Patrol, sponsored by the Lion's Club, led the pledges to the U.S. and Texas Flags.



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. PRESENTATIONS



2017 Keller High School Citizens Academy and Keller Citizens Academy participants

1. Recognition of 2017 Keller Citizens Academy participants.
The City Council recognized the following 2017 Keller Citizens Academy participants:

Mr. Gary Banko, Mr. Randel Bird, Ms. Debbie Boudreau, Ms. Kerri Dorsett, Ms. Rebecca Glasser, Mr. Doug Malone, Mr. Michael McClement, Ms. Carol Meyer, Ms. Rose Moltenbrey, Ms. Joan Prinjinski, Mr. Frank Roszell, Mr. Richard Sanchez, Mr. Jason Sandlin, and Ms. Ebony Stevenson.

2. Recognition of 2017 Keller High School Citizens Academy participants, student project presentations, and comments by the City Council.

The City Council recognized the following 2017 Keller High School Citizens Academy participants, and received their student presentations:

“Keller Fire Explorers”, by Makayla Brown, Nicole Calhoun, and Ethan Corso.

“Recycling Awareness Program & Booth at City Sponsored Events”, by Emily Daigle, Marissa Peters, and Payne Chapa.

“KISD Emergency Procedure Program”, by Hannah Webb, Grace Farley, Aubrie Yarbrough, and Julia Mathew.

“Amenities for Young Adults”, by Vincent DeCurtis and Michael Labarca.

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.

1. Consider approval of the Minutes of the Tuesday, November 21, 2017 Regular City Council Meeting.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley to approve the Minutes of the Tuesday, November 21, 2017 Regular City Council Meeting. The motion carried unanimously.

2. Consider a resolution approving the purchase of two (2) replacement pickup trucks and two (2) new pickup trucks through the Texas Procurement and Support Services Cooperative Purchasing Program (TxSmartBuy) and authorizing the City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley to approve Resolution No. 3962 approving the purchase of two (2) replacement pickup trucks and two (2) new pickup trucks through the Texas Procurement and Support Services Cooperative Purchasing Program (TxSmartBuy) and authorizing the City Manager to execute all related purchase

documents on behalf of the City of Keller, Texas.. The motion carried unanimously.

3. Consider approving an ordinance of the City of Keller Code of Ordinances by amending Chapter 18, Article II, Speed Limits, Section 18-200, various speed limits on public streets; establishing a prima facie speed limit for vehicles on North Tarrant Parkway from the 800 to 1100 blocks, under provisions of section 545.356(b-1) of the Texas Transportation Code; providing a severability clause; a penalty; authorizing publication; and establishing an effective date.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley to approve Ordinance No. 1871 of the City of Keller Code of Ordinances by amending Chapter 18, Article II, Speed Limits, Section 18-200, various speed limits on public streets; establishing a prima facie speed limit for vehicles on North Tarrant Parkway from the 800 to 1100 blocks, under provisions of section 545.356(b-1) of the Texas Transportation Code; providing a severability clause; a penalty; authorizing publication; and establishing an effective date. The motion carried unanimously.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a 4,272 square foot detached accessory dwelling unit before constructing a new home, located on approximately 3.57-acres, on the north side of Simmons Drive, one thousand four hundred feet (1,400') east of the Simmons Drive and Rufe Snow Drive intersection, at 1021 Simmons Drive, being Lot 13R, Block 1, Rolling Oaks Estates, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum). Trent and Mary Petty, owners. Greg Wright, Providential Land Development, LP, applicant. (SUP-17-0020)

Mrs. Trina Zais, Director of Public Services and Community Development, gave a presentation relating to a request for an ordinance approving a Specific Use Permit (SUP) for a 4,272 square foot detached accessory dwelling unit before constructing a new home, located on approximately 3.57-acres, at 1021 Simmons Drive.

Mayor Pat McGrail opened the public hearing. No public comments were received. A motion was made by Council Member Armin Mizani, seconded by Council Member Ed Speakmon, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Ed Speakmon, seconded by Council Member Tag Green, to approve Ordinance No. 1872 approving a Specific Use Permit (SUP) for a 4,272 square foot detached accessory dwelling unit before constructing a new home, located on approximately 3.57-acres, on the north side of Simmons Drive, one thousand four hundred feet (1,400') east of the Simmons Drive and Rufe Snow Drive intersection, at 1021 Simmons Drive, being Lot 13R, Block 1, Rolling Oaks Estates, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum) with the following conditions and variances:

1. **A condition for a 4,272 square-foot accessory dwelling unit to be constructed prior to the construction of the primary dwelling unit to be considered.**

2. A condition for the combined square footage of all accessory buildings to exceed fifty percent (50%) of the square footage of the primary structure to be considered.
3. A variance for the accessory dwelling unit to exceed fifteen feet (15') in height shall be allowed.
4. A variance to waive the eight percent (80%) masonry requirement on the exterior of the accessory dwelling unit as shown in "Exhibit A" shall be allowed.
5. A variance for the accessory dwelling unit to have a metal roof shall be allowed.
6. A variance for the front-facing garage door exposure to exceed one hundred forty-four (144) square feet, up to two hundred sixteen (216) square feet shall be allowed.
7. The building permit for the main structure and the accessory dwelling structure shall be submitted at the same time.
8. The construction on the main structure shall begin within one (1) year of issuing the building permit, or the SUP will be expired.

The motion carried unanimously.

2. PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code, adopted by Ordinance No. 1746, dated July 7, 2015; to amend the process for residential building permits by amending Article 4, Development Procedures and Requirements for Application Submittals, Section 4.13 - Single-Family Residential Construction Process; and by amending Article 5, Subdivision Design and Improvement Requirements, Section 5.10 -Residential Subdivisions Thoroughfare Screening and Landscaping; and to amend requirements for private street developments, by amending Article 5, Subdivision Design and Improvement Requirements, Section 5.04 Private Street Developments; providing a conflicting ordinance clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC-17-0031)

Mrs. Trina Zais, Director of Public Services and Community Development, gave a presentation relating to a request for an ordinance approving amendments to the City of Keller Unified Development Code.

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 Council Member Ed Speakmon, to approve Ordinance No. 1873 approving amendments to the City of Keller Unified Development Code, adopted by Ordinance No. 1746, dated July 7, 2015; to amend the process for residential building permits by amending Article 4, Development Procedures and Requirements for Application Submittals, Section 4.13 - Single-Family Residential Construction Process; and

by amending Article 5, Subdivision Design and Improvement Requirements, Section 5.10 -Residential Subdivisions Thoroughfare Screening and Landscaping; and to amend requirements for private street developments, by amending Article 5, Subdivision Design and Improvement Requirements, Section 5.04 Private Street Developments; providing a conflicting ordinance clause; authorizing publication; and establishing an effective date. 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 551.071, 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.

b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.

d. Deborah Thompson vs. City of Keller.

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

K. ADJOURN

A motion was made by Council Member Tag Green, seconded by Council Member Eric Schmidt, to adjourn the meeting at 8:41 P.M. The motion carried unanimously.

Mayor

City Secretary