



City of Keller

City Council

Meeting Minutes

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

Tuesday, January 16, 2018

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the meeting to order at 5:04 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Debbie Bryan

Council Member Armin Mizani (arrived at 5:20 P.M.)

Council Member Ed Speakmon

Council Member Eric Schmidt

Council Member Chris Whatley (arrived at 5:07 P.M.)

Council Member Tag Green

Administrative personnel present were City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Cathy Cunningham, Director of Administrative Services/Human Resources Carolyn Nivens, Director of Public Services and Community Development Trina Zais, Director of Public Works Alonzo Liñán, Director of Finance Aaron Rector, 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.

a. Property located at 233 Rufe Snow Drive.

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

1. Receive and discuss a presentation regarding a proposal from Simple Recycling for a curbside textile recycling program.

Mr. Keith Kahn, Representative - Simple Recycling, gave a presentation relating to the Simple Recycling program.

Mr. Brandon Board, Director of Sales - Community Storehouse; Ms. Gwen Barnett, Donation Specialist - Community Storehouse; Ms. Shay Dial, Vice President of Community Engagement - Goodwill Industries of Fort Worth, Inc.; and Mr. Dwight Robarts, Executive Director - Christ's Haven for Children, all expressed their concerns with the program.

The City Council declined to move ahead with Simple Recycling.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 7:03 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the Regular Meeting to order at 7:12 P.M.

B. INVOCATION

Mr. Mike Banas, Milestone Church gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail 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

Receive the Keller Pointe Year End Report.

Mr. Michael Mashburn, Keller Pointe Manager, presented the Keller Pointe Year End 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.

Mr. Casey Shires, Owner of the vacant Old Town Keller Capital One Bank Building, expressed his concerns with Old Town Keller zoning uses.

Mr. Joe Pelly, 1605 Falcon Drive, expressed his concerns with the Meadows at Bear Creek HOA lawsuit process.

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, December 19, 2017 Regular City Council Meeting.

No action was taken on this item.

2. Consider a resolution approving the Matching Funds Program Application with the Keller Youth Association for the modification of outfield fencing at the Keller Sports Park.

A motion was made by Mayor Pro Tem Debbie Bryan, seconded by Council Member Tag Green, to approve Resolution No. 3969 the Matching Funds Program Application with Keller Youth Association, for the purchase and installation of five hundred and twenty (520) linear feet of fifteen foot (15') tall chain link fence, also replacing all posts and rails, from Latham Fence of Agreement with the City of Hurst, dated June 21, 2005, for the Parks and Recreation Department, in the total amount of \$27,000.00, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller. The motion carried unanimously.

3. Consider a resolution approving the bid from Cooper General Contractors of Plano, Texas, for the Fire Station 2 & 3 Alteration and Remote Building Project; and 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 Debbie Bryan, seconded by Council Member Tag Green, to approve Resolution No. 3970 approving the bid from Cooper General Contractors, of Plano, Texas, for the Fire Station 2 & 3 Alteration and Remote Building Project in an amount not to exceed \$2,589,678.00; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller. The motion carried unanimously.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. Consider a resolution calling the General Election for City Council Place 1 and City Council Place 2 for the City of Keller, to be held on May 5, 2018, as set forth by the City Charter and Texas Election Code.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 3971 calling the General Election for City Council Place 1 and City Council Place 2 for the City of Keller, as set forth by the Charter and by the Texas Election Code, to be held on May 5, 2018. The motion carried unanimously.

2. PUBLIC HEARING: Consider an ordinance approving a Planned Development Amendment for an undeveloped portion of Highland Oaks Crossing, a non-residential development, located on a 1.48-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H1B, on the north side of North Tarrant Parkway, approximately 675 feet east of Rufe Snow Drive. The purpose of this planned development amendment is to allow subdivision of one (1) lot into two (2) lots, zoned PD-R (Planned Development-Retail). Richard L. Cohen, property owner. William T. Ellis, applicant/developer. (Z-17-0008)

Mrs. Trina Zais, Director of Economic Development, gave a presentation relating to a request for an ordinance approving a Planned Development Amendment for an undeveloped portion of Highland Oaks Crossing, a non-residential development, located on a 1.48-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H1B, on the north side of North Tarrant Parkway, approximately 675 feet east of Rufe Snow Drive.

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 Chris Whatley, seconded by Council Member Tag Green, to approve Ordinance No. 1872 approving a Planned Development Amendment for an undeveloped portion of Highland Oaks Crossing, a non-residential development, located on a 1.48-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H1B, on the north side of North Tarrant Parkway, approximately 675 feet east of Rufe Snow Drive. The purpose of this planned development amendment is to allow subdivision of one (1) lot into two (2) lots, zoned PD-R (Planned Development-Retail) with the following variances:

- 1. Dumpsters and detention/drainage facilities will be shared between the two (2) lots. This shall be clearly defined on the plat and established through a property owners association filed with Tarrant County.**
- 2. Parking will be shared between the two (2) lots. A shared parking agreement shall be required and filed with Tarrant County prior to approval of the plat.**
- 3. The proposed 6,600 square-foot retail building shall have a design that is substantially similar to and consistent with the retail building immediately adjacent to the west.**
- 4. The proposed 4,000 square-foot medical office building shall have a residential character with masonry exterior and pitched roof with composition shingles.**
- 5. A variance is requested for one lot to be less than the minimum 33,000 square-feet, not to be smaller than 26,515 square-feet.**
- 6. A variance is requested to omit foundation plantings along the 6,600 square-foot proposed retail building. Planter boxes with permanent irrigation systems shall be installed along the front of the building.**
- 7. Large evergreen shrubs shall be planted to screen the parking and service areas from view of The Lakes of Highland Oaks.**
- 8. The driveway should remain in the original location, aligned with the median break on North Tarrant Parkway.**

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.

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

No Action was taken.

K. ADJOURN

A motion was made by Council Member Tag Green, seconded by Mayor Pro Tem Debbie Bryan, to adjourn the meeting at 7:45 P.M. The motion carried unanimously.

Mayor

City Secretary