



City of Keller

City Council

Meeting Minutes

Tuesday, April 3, 2018

PRE-COUNCIL MEETING 5:00 P.M.

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

A. CALL TO ORDER

Mayor Pat McGrail called the Pre-Council Meeting to order at 5:07 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Mayor Pro Tem Debbie Bryan

Council Member Armin Mizani

Council Member Ed Speakmon

Council Member Eric Schmidt

Council Member Chris Whatley

Council Member Tag Green

Administrative personnel present were City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Public Services and Economic Development Trina Zais, Director of Community Services Cody Maberry, Director of Public Works Alonzo Liñán, Director of Finance Aaron Rector, Director of Community Development Susan Kenney, Police Chief Mike Wilson, and Fire Chief David Jones.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

During the review of Consent Item No. 3, Council Member Eric Schmidt expressed his concerns with the voter registration number used to verify the referendum petition relating to the Birch Tennis Club economic development incentives. He also expressed concerns with the validity of the verification.

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

No action was taken.

D. WORK SESSION

1. Budget Strategic Planning – Sales Tax Update
Mr. Aaron Rector, Director of Finance, gave a presentation relating to sales tax.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:59 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Mayor Pat McGrail called the Regular Meeting to order at 7:07 P.M.

B. INVOCATION

Mr. Cory Collins – Keller Church of Christ, and Mr. Phillip Courtney– Alliance Community Fellowship gave the invocations.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail welcomed the Boy Scouts to the meeting, and asked them to lead 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. PROCLAMATION

1. Presentation of a proclamation for Child Abuse Prevention Month.
Mayor Pat McGrail presented a proclamation to Ms. Julia Braun, Alliance for Children, recognizing April 2018 as Child Abuse Prevention Month.

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. Ed Yrisarri, 1445 Melody Lane, expressed his thoughts relating to gun control.

Mr. Mitch Holmes, 1104 Oak Bend Lane, expressed his thoughts relating to street repair discussions by City Council for Manor Way.

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, March 12, 2018 Joint Meeting of the Keller City Council and Planning and Zoning Commission.
A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve the Minutes of the Tuesday, March 12, 2018 Joint Meeting of the Keller City Council and Planning and Zoning Commission. The motion carried unanimously.
2. Consider approval of the Minutes of the Tuesday, March 20, 2018 Regular City Council Meeting.
A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve the Minutes of the Tuesday, March 20, 2018 Regular City Council Meeting. The motion carried unanimously.
3. Consider a resolution amending Resolution No. 3920 dated September 5, 2017, calling the Special Election for the approval or disapproval of the passage of Resolution No. 3909 which approved a Chapter 380 Economic Development Program Agreement with The Birch Racquet and Lawn Club, to be held on May 5, 2018, as set forth by the Charter and the Texas Election Code.
A motion was made by Council Member Tag Green, seconded by Council Member

Armin Mizani, to approve Resolution No. 3989 amending Resolution No. 3920 dated September 5, 2017, calling the Special Election for the approval or disapproval of the passage of Resolution No. 3909 approving a Chapter 380 Economic Development Program Agreement with The Birch Racquet and Lawn Club, to be held on May 5, 2018, as set forth by the Charter and the Texas Election Code. The motion carried unanimously.

4. Consider a resolution amending Resolution No. 3971 dated January 16, 2018, 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 Charter and the Texas Election Code.

A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve Resolution No. 3990 amending Resolution No. 3971 dated January 16, 2018, 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 Charter and the Texas Election Code. The motion carried unanimously.

5. Consider a resolution authorizing the Mayor to execute a Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller General and Special Election, to be held on Saturday, May 5, 2018.

A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve Resolution No. 3991 authorizing the Mayor to execute a Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller General and Special Election, to be held on Saturday, May 5, 2018. The motion carried unanimously.

6. Consider a resolution authorizing the City Manager to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT), for the Transportation Alternatives Set Aside Program (TASA), relating to the Whitley Road Safe Route to School Project.

A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve Resolution No. 3992 authorizing the City Manager to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT), for the Transportation Alternatives Set-Aside Program (TASA), relating to the Whitley Road Safe Route to School Project. The motion carried unanimously.

7. Consider a resolution of the City Council of the City of Keller, Texas, approving a proposal for Third Party Inspection Services with Countywide Inspection Services, of Graham, Texas, relating to third party permit inspections and upon approval, crafting the appropriate agreement documentation; and authorizing the city manager to execute said agreement on behalf of the City of Keller, Texas.

A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve Resolution No. 3993 approving a proposal for Third-Party Inspection Services with Countywide Inspection Services, of Graham, Texas, relating to third-party permit inspections and upon approval, crafting the appropriate agreement documentation; and authorizing the city manager to execute said agreement on behalf of the City of Keller, Texas. The motion carried unanimously.

8. Consider a resolution rejecting the proposals for Third Party Plan Review Services for annual commercial plan reviews, and authorizing the City Manager to re-advertise the services on behalf of the City of Keller, Texas.

A motion was made by Council Member Tag Green, seconded by Council Member Armin Mizani, to approve Resolution No. 3994 rejecting the proposals for Third-Party Plan Review Services for annual commercial plan reviews, and authorizing the City Manager to re-advertise the services on behalf of the City of Keller, Texas. The motion carried unanimously.

G. OLD BUSINESS - NONE

H. NEW BUSINESS

1. 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 prohibit flag lots and amend the definition for lot width, building setback line, and flag lot and a definition for building line by amending Article 3 Definitions, and Article 5, Subdivision Design and Improvement Requirements, Section 5.13 Lots, providing a conflicting ordinance clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC 18 0005)

Mayor Pat McGrail announced that at the March 26, 2018 Planning and Zoning Commission Meeting, this item was tabled. The public hearing was advertised for the April 3rd City Council Meeting; therefore, the public hearing will be opened and continued to the April 17, 2018 Regular City Council Meeting. No action can be taken on this item.

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 Eric Schmidt, to continue the public hearing and table the agenda item to the April 17, 2018 Regular City Council Meeting.

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. Deborah Thompson vs. City of Keller.

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

K. ADJOURN

Mayor Pat McGrail adjourned the meeting at 7:30 P.M.

Mayor

City Secretary