



City of Keller
City Council
Meeting Minutes

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

Tuesday, February 5, 2019

CITY COUNCIL DINNER 5:00 P.M.

PRE-COUNCIL MEETING 5:30 P.M.

A. CALL TO ORDER 5:30 P.M. - Mayor Pat McGrail

Mayor Pat McGrail called the Pre-Council Meeting to order at 5:31 P.M.

The following City Council Members were present:

Mayor Pat McGrail
Mayor Pro Tem Ed Speakmon
Council Member Mitch Holmes
Council Member Sean Hicks
Council Member Eric Schmidt
Council Member Tag Green

Council Member Chris Whatley was absent.

The following City staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, City Secretary Kelly Ballard, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Services/Economic Development Trina Zais, Director of Public Works Alonzo Linan, 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

No Executive Session was held during the Pre-Council 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. **Adjourn into Open Meeting.**

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

D. WORK SESSION

1. [Receive a report on Traffic Signal Warrant Analysis and recommendations for Bear Creek Parkway and Keller Smithfield Road.](#)

Attachments: [Bear Creek Pkwy & Keller Smithfield Intersection Aerial](#)
[Town Center Aerial](#)
[Bear Creek Parkway & Keller Smithfield Traffic Signal Warrant Study Update](#)

Director of Public Works Alonzo Liñán gave a presentation and his recommendation relating to a Traffic Signal Warrant Analysis for Bear Creek Parkway and Keller Smithfield Road.

Discussion was held by the City Council. The City Council directed staff to proceed with this project.

E. ADJOURN

A motion was made by Council Member Eric Schmidt, seconded by Council Member Sean Hicks, to adjourn the Pre-Council Meeting at 6:53 P.M. The motion carried unanimously.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

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

B. INVOCATION

Mr. Dennis Serratt (First Baptist Watauga) and Mr. Tim Springfield (Milestone Church) gave the invocations.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail led the pledges to the United States Flag and 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

1. [Proclamation - Career and Technical Education \(CTE\) Month](#)

Mayor Pat McGrail presented a proclamation to Ms. Leslee Shepherd, Career and Technical Education Director for Keller ISD in recognition of Career and Technical Education (CTE) Month.

Mayor Pat McGrail also recognized City Secretary Kelly Ballard for her accomplishment of completing the Texas Municipal Clerks Certification Program.

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.

A motion was made by Council Member Eric Schmidt, seconded by Council Member Sean Hicks, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, January 15, 2019 Regular City Council Meeting.](#)

Attachments: [011519 Minutes](#)

Approved

2. [Consider a resolution approving the bid from GI-Mow, of North Richland Hills, Texas for contractual services relating to Keller Sports Park Annual Grounds Maintenance Services, for the Parks and Recreation Department, for a three-year term; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [020519 Resolution Keller Sports Park Mowing](#)
[020519 Keller Sports Park Mowing Bid Tab](#)
[F-2 Presentation](#)

Resolution No. 4089

3. [Consider a resolution authorizing the use of the Competitive Sealed Proposal method for the Water System Capital Improvements - Phase 1 project \(Project No. 601704\) as the best value project delivery method for the City of Keller, and delegating authority to the City Manager or his designee, and establishing the limits of that authority as allowed by Texas Government Code Chapter 2269, Subchapter D, to implement the Competitive Sealed Proposal Method for the City of Keller, Texas.](#)

Attachments: [020519 Competitive Sealed Proposal Resolution](#)

Resolution No. 4090

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) allowing the use of a Private School, located in multiple buildings totaling approximately 10,630 square feet, consisting of approximately 0.912-acres of property, located on the north side of Pecan Street, approximately 250 feet north east of the intersection of South Main Street \(US 377\) and Pecan Street, being Lot 7R and Lot 9, Block 7, Keller, City Addition, zoned OTK \(Old Town Keller\), located at 133 and 121 Pecan Street. Zadok International Ministries Church, Inc., owner. Trinity Preparatory Academy, applicant. \(SUP-18-0040\)](#)

Attachments: [020519 TrinityPrepSUP-18-0040 Ordinance](#)
[020519 TrinityPrepSUP-18-0040 Maps](#)
[020519 TrinityPrepSUP-18-0040 ExhibitA\(1of5\)](#)
[020519 TrinityPrepSUP-18-0040 ExhibitA\(2of5\)](#)
[020519 TrinityPrepSUP-18-0040 ExhibitA\(3of5\)](#)
[020519 TrinityPrepSUP-18-0040 ExhibitA\(4of5\)](#)
[020519 TrinityPrepSUP-18-0040 ExhibitA\(5of5\)](#)
[020519 TrinityPrepSUP-18-0040 StaffAttachment\(1of4\)](#)
[020519 TrinityPrepSUP-18-0040 StaffAttachment\(2of4\)](#)
[020519 TrinityPrepSUP-18-0040 StaffAttachment\(3of4\)](#)
[020519 TrinityPrepSUP-18-0040 StaffAttachment\(4of4\)](#)
[H-1 Presentation CC](#)

Mr. JP Ducay, gave a presentation relating to a request for a SUP for Trinity Preparatory Academy, at 133 and 121 Pecan Street.

Mr. Kevin Freeman, Board Member, Trinity Preparatory Academy, requested to table the

agenda item to the March 5, 2019 Regular City Council Meeting.

Mayor Pat McGrail opened the public hearing.

Ms. Sue, Harbert, 221 Longford Court; JD McDonald, 17501 Navigation Lane, Jonestown, TX 78645; and Ms. Elaine McDonald, 136 and 138 Olive Street expressed their concerns with the school use at the proposed location.

A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes, to table the agenda item to the March 5, 2019 Regular City Council Meeting. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for That Dang Salon, a proposed 'spa' use to include facial, nail, eyelash, and hair services, to occupy a 1,100 square-foot lease space within a 19,120 square-foot retail building, located on a 2.17-acre lot on the south side of Keller Parkway \(FM1709\), approximately 680 feet south east of the Keller Parkway \(FM1709\), and Keller Smithfield South intersection, being Lot 7R-1, Block A, Keller Crossing Addition, at 1540 Keller Parkway \(FM1709\), Suite 102, and zoned R \(Retail\). Jahco Keller Crossing, LLC, owner; \(David\) Vu Dang, applicant. \(SUP-18-0039\).](#)

Attachments: [02052019_ThatDangSalon_Ordinance](#)
[02052019_ThatDangSalon_ExhibitA](#)
[02052019_ThatDangSalon_ExhibitA\(2\)](#)
[02052019_ThatDangSalon_Maps](#)
[02052019_ThatDangSalon_StaffAttachment](#)
[02052019_ThatDangSalon_Staff Attachment\(2\)](#)
[H-2 Presentation](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to a request for a SUP for That Dang Salon, at 1540 Keller Parkway, Suite 102.

Mr. David Dang, addressed the City Council regarding the proposal.

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

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

A motion was made by Council Member Mitch Holmes, seconded by Council Member Sean Hicks, to approve Ordinance No. 1921 approving a Specific Use Permit (SUP) for That Dang Salon, a proposed 'spa' use to include facial, nail, eyelash, and hair services, to occupy a 1,100 square-foot lease space within a 19,120 square-foot retail building, located on a 2.17-acre lot on the south side of

Keller Parkway (FM1709), approximately 680 feet south east of the Keller Parkway (FM1709), and Keller Smithfield South intersection, being Lot 7R-1, Block A, Keller Crossing Addition, at 1540 Keller Parkway (FM1709), Suite 102, and zoned R (Retail) with the following conditions:

1. The Specific Use Permit request to allow That Dang Salon to operate a 1,100 square-foot salon with 'spa' use to include facial, nail, eyelash, and hair services located at 1540 Keller Parkway shall be allowed.
2. The condition for this Specific Use Permit is specific for this business. Any new similar type business would require a new SUP application.

The motion carried unanimously.

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for 'medical offices' to be located in a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street \(U.S. HWY 377\), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street \(U.S. HWY 377\), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street \(U.S. HWY 377\), and zoned OTK \(Old Town Keller\). \(SUP-18-0037\)](#)

[Attachments:](#) [02052019_601SMain_ProposedOrdinance](#)
[02052019_601SMain_Exhibit A - Owner Letter](#)
[02052019_601SMain_Maps](#)
[02052019_601SMain_StaffAttachment-Approved Site Plan](#)
[H-3 Presentation](#)

Ms. Katasha Smithers, Planner I, gave a presentation relating to the request for a SUP for Medical Offices at 601 South Main Street.

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

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

A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1922 approving a Specific Use Permit (SUP) for 'medical offices' to be located in a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street (U.S. HWY 377), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street (U.S. HWY 377), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street (U.S. HWY 377), and zoned OTK (Old Town Keller) with the following condition:

1. The Specific Use Permit for the use of 'medical offices' to be located at 601 South Main Street shall be allowed.

The motion carried unanimously.

4. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for RapidCare, a proposed 'Minor medical emergency clinic' to occupy a 3,278 square-foot lease space within a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street \(U.S. HWY 377\), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street \(U.S. HWY 377\), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street \(U.S. HWY 377\), suite 110, and zoned OTK \(Old Town Keller\). \(SUP-18-0038\)](#)

Attachments: [02052019 RapidCare ProposedOrdinance](#)
[02052019 RapidCare ExhibitA-NarrativeLetter](#)
[02052019 RapidCare ExhibitA-SupportPetition](#)
[02052019 RapidCare Maps](#)
[02052019 RapidCare Staff Attachment-SaturationMap](#)
[02052019 RapidCare StaffAttachment Medsmith Approved SUP](#)
[02052019 RapidCare StaffAttachment ApprovedSitePlan](#)
[H-4 Presentation](#)

Ms. Katasha Smithers, Planner I, gave a presentation relating to the request for the SUP for RapidCare, at 601 South Main Street.

Dr. Mike Smith, RapidCare, addressed the City Council regarding the proposal.

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 Eric Schmidt, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Mitch Holmes, seconded by Council Member Tag Green, to approve Ordinance No. 1923 approving a Specific Use Permit (SUP) for RapidCare, a proposed 'Minor medical emergency clinic' to occupy a 3,278 square-foot lease space within a 38,975 square-foot multi-tenant building, located on a 3.595-acre tract of land, located on the east side of South Main Street (U.S. HWY 377), approximately 525 feet north from the intersection of Bear Creek Parkway and South Main Street (U.S. HWY 377), being Lot 1, Block A, Baylor Medical Plaza Addition, at 601 South Main Street (U.S. HWY 377), suite 110, and zoned OTK (Old Town Keller) with the following condition:

- 1. The Specific Use Permit for RapidCare to occupy 3,278 square-foot lease space for the use of a 'Minor medical emergency clinic' shall be allowed.**

The motion carried unanimously.

5. [Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 - Attached Wall Signs, for one \(1\) additional attached wall sign for Café Sicilia located on the north elevation, situated on approximately 1.876-acres of land on the west side of Bear Creek Parkway, approximately 450 feet southwest of Bear Creek Parkway and Davis Boulevard intersection, being Lot 5, Block A, Hidden Lakes Center, at 8849 Davis Boulevard, Suite 100, zoned C \(Commercial\). Café Sicilia, applicant; Paul Moss, TAK Enterprises, owner. \(UDC-19-0001\)](#)

Attachments: [02052019 CafeSicilia ProposedResolution](#)
[02052019 CafeSicilia ExhibitA-Application & Letter](#)
[02052019 CafeSicilia ExhibitA Proposedsign](#)
[02052019 CafeSicilia Maps](#)
[02052019 CafeSicilia StaffAttachment-ApprovedSitePlan](#)
[02052019 CafeSicilia StaffAttachment-Hidden Lakes Center, Lots 1R1-5, Block A - Final Plat](#)
[02052019 CafeSicilia StaffAttachment-Photo \(1of3\)](#)
[02052019 CafeSicilia StaffAttachment-Photo \(2of3\)](#)
[02052019 CafeSicilia StaffAttachment-Photo \(3of3\)](#)
[H-5 Presentation](#)

Ms. Katasha Smithers, Planner I, gave a presentation relating to the request for one (1) additional attached wall sign for Café Sicilia located on the north elevation, at 8849 Davis Boulevard, Suite 100.

A motion was made by Council Member Eric Schmidt, seconded by Council Member Sean Hicks, to approve Resolution No. 4091 approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 - Attached Wall Signs, for one (1) additional attached wall sign for Café Sicilia located on the north elevation, situated on approximately 1.876-acres of land on the west side of Bear Creek Parkway, approximately 450 feet southwest of Bear Creek Parkway and Davis Boulevard intersection, being Lot 5, Block A, Hidden Lakes Center, at 8849 Davis Boulevard, Suite 100, zoned C (Commercial) with the following variance:

1. **To allow one (1) additional sign located on the north side elevation, facing Bear Creek Parkway.**

The motion carried by the following vote:

YEA: Council Member Mitch Holmes, Council Member Sean Hicks, Mayor Pro Tem Ed Speakmon, Council Member Eric Schmidt, and Council Member Tag Green.

NAY: Mayor Pat McGrail.

6. [Consider a resolution approving an agreement for Artist Services and Original Artwork with Brad Oldham Sculpture of Dallas, Texas, for the purpose of providing the design and installation of an animal-themed sculpture at the City of Keller Police/Jail/ Regional Animal Services Facility; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [020519 Animal Svcs Sculpture Resolution](#)
[020519 Animal Svcs Sculpture Exhibit A](#)
[020519 Animal Svcs Sculpture Location Map](#)
[020519 Animal Svcs Sculpture Artist Sketches](#)
[020519 Animal Svcs Sculpture Artist Portfolio](#)
[H-6 Presentation](#)

Mrs. Sarah Hensley, Manager of Administrative Services, gave a presentation relating to approval of an agreement for Artist Services and Original Artwork with Brad Oldham Sculpture.

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4092 approving an agreement for Artist Services and Original Artwork with Brad Oldham Sculpture of Dallas, Texas, for the purpose of providing the design and installation of an animal-themed sculpture at the City of Keller Police/Jail/ Regional Animal Services Facility; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas. The motion carried unanimously.

7. [Consider a resolution approving a Professional Services Agreement with Brinkley Sargent Wiginton \(BSW\) Architects of Dallas, Texas for the purpose of providing the design and construction documentation of a Senior Center for the Parks and Recreation Department; and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [020519 BSW Agreement Resolution](#)
[Exhibit A - BSW Agreement for Senior Center](#)
[H-7 Senior Center Architect Selection Presentation](#)

Mr. Cody Maberry, Director of Community Services, gave a presentation relating to a request for a Professional Services Agreement with Brinkley Sargent Wiginton (BSW) Architects for a Senior Center.

A motion was made by Mayor Pat McGrail, seconded by Council Member Eric Schmidt, to approve Resolution No. 4093 approving a Professional Services Agreement with Brinkley Sargent Wiginton (BSW) Architects of Dallas, Texas for the purpose of providing the design and construction documentation of a Senior

Center for the Parks and Recreation Department; and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas. The motion carried by the following vote:

YEA: Mayor Pat McGrail, Mayor Pro Tem Ed Speakmon, Council Member Mitch Holmes, Council Member Eric Schmidt, and Council Member Tag Green.

NAY: Council Member Sean Hicks.

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. Adjourn into Open Meeting.

3. Action on Executive Session Item 1 if necessary.

K. ADJOURN

A motion was made by Council Member Eric Schmidt, seconded by Council Member Sean Hicks, to adjourn the Regular Meeting at 8:51 P.M. The motion carried unanimously.

Mayor

City Secretary