



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 19, 2019

COUNCIL MEMBER DINNER 5:00 P.M.

PRE-COUNCIL MEETING 5:30 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

Mayor Pat McGrail called the meeting to order at 5:30 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 Chris Whatley
Council Member Tag Green

The following City staff members were present: City Manager Mark Hafner, City Attorney Mike Martin, 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

Executive Session was not 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 and discuss the Keller Farmers Market Annual Report.](#)

Attachments: [Contract No. 18-22](#)

[KFM 2018 City EOY report](#)

Ms. Shari Almond, Executive Director, Keller Farmers Market, presented the Keller Farmers Market Report.

2. [Discuss the Future Land Use Plan update](#)

Council Member/Future Land Use Plan Update Task Force Chairperson Tag Green, updated the City Council on the next steps for the committee. Chairperson Tag Green also informed the City Council that Committee Member Dave Reid resigned from the committee. Discussion was held by the City Council. The City Council directed the committee to continue with the three remaining members, not fill the vacancy, and to continue to conduct the Task Force meetings without being video recorded.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:58 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

Mayor Pat McGrail called the Regular City Council Meeting to order at 7:14 P.M.

B. INVOCATION

Mr. Gwynmar Fraser, Calvary Life Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pat McGrail led the pledge to the United States Flag and pledge 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. [2018 Economic Development Year in Review](#)

Attachments: [2018 ED Year in Review](#)

Director of Public Services/Economic Development Trina Zais gave a presentation relating to Economic Development for the year of 2018.

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 Mayor Pat McGrail, to approve Consent Agenda Items No. 1 and 2. The motion carried by the following vote:

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

NAY: Council Member Sean Hicks and Council Member Tag Green.

1. [Consider approval of the Minutes of the Tuesday, February 5, 2019 Regular City Council Meeting.](#)

Attachments: [020519 Minutes](#)

Approved

2. [Consider a resolution authorizing the City Manager to execute an agreement with Insight Public Sector for the purchase, configuration, and installation of networking equipment, through the State of Texas Department of Information Resources \(DIR\) Cooperative Purchasing Program, for the Information Technology Department.](#)

Attachments: [Resolution.doc](#)

[Exhibit A.pdf](#)

Resolution No. 4094

3. [Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 18, Article III, Parking Zones, Section 18-300, No parking zones, by adding a new paragraph \(1\) v. and a new paragraph \(1\) w.; providing a severability clause; providing a penalty; authorizing publication; and establishing an effective date.](#)

Attachments: [021919 Code of Ordinance Amend Ordinance](#)

[021919 Code of Ordinance Amend Exhibit A - Lyndhurst Way](#)

[021919 Code of Ordinance Amend Exhibit B - Bear Creek Parkway](#)

[Letter From: The Homeowners in the Estates of Lyndhurst](#)

[F-3 Presentation](#)

A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes to approve Consent Item No. 3, Ordinance No. 1924, amending the City of Keller Code of Ordinances by amending Chapter 18, Article III, Parking Zones, Section 18-300, No parking zones, by adding a new paragraph (1) v. and a new paragraph (1) w.; providing a severability clause; providing a penalty; authorizing publication; and establishing an effective date. The motion carried unanimously.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [Consider a resolution for two \(2\) variances to the Unified Development Code, the first being Section 8.11, Fencing Requirements in Residential Zoning Districts, to allow a six-foot \(6'\) and eight-foot \(8'\) privacy fence, approximately one hundred forty-five linear feet \(145'\) total, on the north and south property lines, in front of the primary structure; and the second variance being UDC, Section 5.07, Driveways, Residential Driveway Approaches, to allow one \(1\) additional residential driveway to be constructed onto Preston Road, in addition to the current driveway that accesses Buckner Lane, located on 3.0-acres, on the west side of Buckner Lane, being Lot 1, Block 1, Mabel Matthews Addition, at 8705 Buckner Lane, and zoned SF-36 \(Single Family Residential - 36,000 square-foot lot size minimum\). Davis Tyson, owner. \(UDC-19-0003\). City of Keller Unified Development Code.](#)

Attachments: [021919_8705Buckner_ProposedResolution](#)
[021919_8705Buckner_Maps](#)
[021919_8705Buckner_ExhibitA](#)
[021919_8705Buckner_DrivewayVarianceLetter](#)
[021919_8705Buckner_FenceVarianceLetter](#)
[021919_8705Buckner_ApplicantPhotos](#)
[021919_8705Buckner_ApplicantPhotos\(2\)](#)
[021919_8705Buckner_ApplicantPhotos\(3\)](#)
[021919_8705Buckner_StaffAttachment_DrivewayPhoto](#)
[021919_8705Buckner_StaffAttachment_DrivewayPhotos\(2\)](#)
[021919_8705Buckner_StaffAttachment_FencePhotos](#)
[021919_8705Buckner_StaffAttachment_FencesWithoutPermits\(A\)](#)
[021919_8705Buckner_StaffAttachment_FenceWithoutPermits\(B\)](#)
[H-1 Presentation](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to the request for variances to the Unified Development Code for 8705 Buckner Lane.

A motion was made by Council Member Chris Whatley, seconded by Council Member Mitch Holmes, to approve Resolution No. 4095 for two (2) variances to the Unified Development Code, the first being Section 8.11, Fencing Requirements in Residential Zoning Districts, to allow a six-foot (6') and eight-foot (8') privacy fence, approximately one hundred forty-five linear feet (145') total, on the north and south property lines, in front of the primary structure; and the second variance being UDC, Section 5.07, Driveways, Residential Driveway Approaches, to allow one (1) additional residential driveway to be constructed onto Preston Road, in addition to the current driveway that accesses Buckner Lane, located on 3.0-acres, on the west side of Buckner Lane, being Lot 1, Block 1, Mabel Matthews Addition, at 8705 Buckner Lane, and zoned SF-36 (Single Family Residential - 36,000 square-foot lot size minimum) with the following conditions:

1. A variance for a six-foot (6') and eight-foot (8') privacy fence, approximately one hundred forty-five linear feet (145') total, on the north and south property lines, in front of the primary structure shall be allowed.
2. A variance for one (1) additional residential driveway to be constructed onto Preston Road, in addition to the current driveway that accesses Buckner Lane shall be allowed.

The motion carried by the following vote: 6-1

YEA: Mayor Pat McGrail, Council Member Mitch Holmes, Council Member Sean

Hicks, Mayor Pro Tem Ed Speakmon, Council Member Eric Schmidt, and Council Member Chris Whatley.

NAY: Council Member Tag Green.

2. [Consider a resolution approving a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts to allow a six-foot \(6'\) privacy fence, and ornamental iron fence and gate, to exceed the maximum height of five feet \(5'\) to be located on the property line, located on 1.16-acres, on the west side of Buckner Lane, being Lot 1, Spann Addition, at 8747 Buckner Lane, and zoned SF-36 \(Single Family Residential - 36,000 square-foot lot size minimum\). Superior Exteriors, Fence Contractor; Maksym & Sharon Kohanyuk, owner. \(UDC-19-0003\)](#)

Attachments: [03052019 FenceVariance8747Buckner ProposedResolution](#)
[03052019 FenceVariance8747Buckner Memo](#)
[03052019 Fence](#)
[Variance8747Buckner ExhibitA EvidenceVarianceLetter](#)
[03052019 FenceVariance8747Buckner ExhibitA SupportLetters](#)
[03052019 FenceVariance8747Buckner ExhibitA UpdatedApplication](#)
[Survey Photos](#)
[03052019 FenceVariance8747Buckner ExhibitA OriginalApplication](#)
[03052019 FenceVariance8747Buckner StaffAttachment FenceWitho](#)
[utPermits](#)
[03052019 FenceVariance8747Buckner StaffAttachment CodeEnforc](#)
[ementCase](#)
[03052019 FenceVariance8747Buckner StaffAttachment Photos](#)
[03052019 FenceVariance8747Buckner StaffAttachment OriginalPlat](#)
[H-2 Presentation](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to the request for a variance to the Unified Development Code for 8747 Buckner Lane.

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Sean Hicks, to approve Resolution No. 4096 approving a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts to allow a six-foot (6') privacy fence, and ornamental iron fence and gate, to exceed the maximum height of five feet (5') to be located on the property line, located on 1.16-acres, on the west side of Buckner Lane, being Lot 1, Spann Addition, at 8747 Buckner Lane, and zoned SF-36 (Single Family Residential - 36,000 square-foot lot size minimum) with the following conditions:

1. A variance to exceed the maximum five feet (5') in height and allow a six-foot (6') privacy fence, and ornamental iron fence and gate, to be located on the property line on the west side of Buckner Lane in front of the primary structure shall be allowed.
2. A variance to allow a privacy fence in lieu of the required open fencing shall be allowed.

The motion carried unanimously.

3. **PUBLIC HEARING: Consider an ordinance approving demolition of a substandard building at 1827 Highland Drive East, Lot 41, Highland Terrace Mobile Home Park.**

Attachments: [Ordinance to Demolish 1827 Highland Drive \(Final\)](#)

[02192019 Highland Drive Demo Maps](#)

[02192019 Highland Drive Demo Cost Estimates](#)

[02192019 Highland Drive Demo Chronology](#)

[02192019 Highland Drive Demo Pictures](#)

[H-3 Presentation](#)

Mr. Payne Randell, Building Official, gave a presentation relating to demolition of a substandard building at 1827 Highland Drive East.

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

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Sean Hicks, to close the public hearing. The motion carried unanimously.

A motion was made by Mayor Pro Tem Ed Speakmon, seconded by Council Member Eric Schmidt, to approve Ordinance No. 1925 approving demolition of a substandard building at 1827 Highland Drive East, Lot 41, Highland Terrace Mobile Home Park. 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. **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 Chris Whatley, to adjourn the City Council Meeting at 8:31 P.M. The motion carried unanimously.

Mayor

City Secretary