



City of Keller

City Council

Meeting Minutes

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

Tuesday, April 2, 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 Pre-Council meeting to order at 5:35 P.M.

The following City Council Members were present:

Mayor Pat McGrail
Council Member Mitch Holmes
Council Member Sean Hicks
Council Member Eric Schmidt
Council Member Tag Green
Council Member Chris Whatley

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 Captain Tracy Talkington, 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. 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. Davis Tyson vs. The City of Keller Zoning Board of Adjustment.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1 and 2 if necessary.

D. WORK SESSION

1. [Budget Strategic Planning - CAFR Presentation and Fund Types](#)

Attachments: [FY 2018-19 Fund Balance Update](#)

Mr. Ben Cohen, Audit Manager (Weaver), gave a presentation relating to the the annual audit. Director of Administrative Services Aaron Rector presented the FY 2019 Fund Balances.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:47 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 7:06 P.M.

B. INVOCATION

Keller Police Chaplain Brian Hamlin gave the invocation.

C. PLEDGE OF ALLEGIANCE

Local Scouts led the pledges to the United States Flag and 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. PRESENTATIONS

1. [Presentation to Speakmon Family](#)

Mayor Pat McGrail expressed his thoughts and appreciation; then presented a plaque in Mayor Pro Tem Ed Speakmon's honor to the Speakmon family.

Community Services Director Cody Maberry announced that the City has named the top honor in the Holiday Yard Decorating Contest the Ed Speakmon Best in Theme Award.

2. [Receive an update on the Water Conservation Plan and Drought Contingency and Emergency Water Management Plan](#)

Attachments: [04022019 City of Keller Drought Contingency Plan Draft](#)
[04022019 City of Keller Water Conservation Plan Draft](#)
[Keller Water Conservation Drought Contingency Plan City Council Update 20190402 \(ALZ\)](#)

Mr. Jeremy Rice, Freese and Nichols, gave a presentation relating to the Water Conservation Plan and Drought Contingency and Emergency Water Management Plan. This plan will be presented for consideration at the Regular City Council Meeting on Tuesday, April 16, 2019.

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.

Mrs. Linda Taylor, 1201 Bourland Road, addressed the City Council regarding her thoughts concerning the recording and live streaming of the Future Land Use Plan Task Force meeting. Ms. Taylor requested that the Future Land Use Plan Task Force meeting be recorded.

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 Chris Whatley, seconded by Council Member Eric Schmidt, to approve the Consent Agenda. The motion unanimously.

1. [Consider approval of the Minutes of the Tuesday, March 19, 2019 Regular City Council](#)

Meeting.

Attachments: [031919 Minutes.pdf](#)

Approved

2. [Consider a resolution amending Resolution No. 4088 dated January 15, 2019, calling the General Election for City Council Place 3 and City Council Place 4 for the City of Keller, to be held on May 4, 2019, as set forth by the Charter and the Texas Election Code.](#)

Attachments: [040219 Amend Call Election Res. 4107](#)
[040219 Amend Call Election Exhibit A](#)

Resolution No. 4107

3. [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 Election, to be held on Saturday, May 4, 2019.](#)

Attachments: [040219_050419 ElectionContract Res. 4108](#)
[040219_050419 ElectionContract Exhibit A](#)
[040219_050419 ElectionContract ATTACHMENT A](#)
[040219_050419 ElectionContract ATTACHMENT B](#)

Resolution No. 4108

4. [Consider a resolution approving an Interlocal Agreement with Tarrant County, for the rehabilitation of portions of Knox Road, Ottinger Road, and Rapp Road; for the Public Works Department; and authorizing the City Manager to execute said agreement on behalf of the City of Keller, Texas.](#)

Attachments: [040219 Road Rehab Resolution 4109](#)
[040219 Road Rehab Interlocal Agreement](#)
[040219 Pavement Maintenance Program Map](#)

Resolution No. 4109

5. [Consider a resolution acknowledging receipt of the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2018.](#)

Attachments: [040219 FY 2017-18 CAFR Receipt Res. 4110](#)
[040219 FY 2017-18 CAFR Final](#)

Resolution No. 4110

6. [Consider a resolution approving an Agreement for Professional Services with Kimley-Horn of Fort Worth, Texas; for the purpose of providing engineering design, relating to the Bear Creek Parkway and Whitley Road Round-a-bout project for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [040219 BCP-Whitley RoundABout Resolution 4111](#)
[040219 Whitley RoundABout Exhibit A](#)

Resolution No. 4111

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance for a Specific Use Permit \(SUP\) for Brett Vance Insurance, a proposed 'professional office' use, to include insurance, to occupy a 1,598 square-foot building, located on a 0.17-acre lot on the west side of South Main Street \(US 377\), approximately 52 feet north west of the South Main Street \(US 377\) and Olive Street intersection, being a portion of Lot 3 and 4, Block 5E, Keller City Addition, at 234 South Main Street \(US377\), and zoned OTK \(Old Town Keller\). Keller Main Street Depot, LLC, owner; Brett Vance, applicant. \(SUP-19-0004\).](#)

Attachments: [04022019 234SMainStSUP Ordinance 1927](#)

[04022019 234SMainStSUP Application JustificationLTR Survey ExhibitA\(1of2\)](#)

[04022019 234SMainStSUP Photos ExhibitA\(2of2\)](#)

[04022019 234SMainStSUP BufferMap StaffAttachment](#)

[04022019 234SMainStSUP Maps](#)

[H-1 Presentation](#)

Mr. Scott Bradburn, Planner I, gave a presentation relating to the request for a SUP for Brett Vance Insurance at 234 South Main Street.

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

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

A motion was made by Council Member Chris Whatley, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1927 approving a Specific Use Permit (SUP) for Brett Vance Insurance, a proposed 'professional office' use, to include insurance, to occupy a 1,598 square-foot building, located on a 0.17-acre lot on the west side of South Main Street (US 377), approximately 52 feet north west of the South Main Street (US 377) and Olive Street intersection, being a portion of Lot 3 and 4, Block 5E, Keller City Addition, at 234 South Main Street (US377), and zoned OTK (Old Town Keller). The motion carried unanimously.

2. [Consider a resolution approving a Site Plan with a variance for the Keller Smithfield Activity Node Park parking lot expansion for a total of 55 parking spaces within a 69.063-acre tract of land located on the west side of Keller-Smithfield Drive, at the intersection of Keller-Smithfield Drive and Bear Creek Parkway, being Lot 1, Block D, Keller Town Center, at 1100 Bear Creek Pkwy, and zoned Town Center \(TC\). \(SP-19-0003\)](#)

Attachments: [040219 Activity Node Parking Resolution](#)
[040219 Activity Node Parking ExhibitA SitePlan](#)
[040219 Activity Node Parking StaffAttachment KellerTownCenter.](#)
[Lot 1, Block D - Final Plat](#)
[040219 Activity Node Parking Maps](#)
[H-2 Presentation](#)

Ms. Katasha Smithers, Planner I, gave a presentation relating to the Keller Smithfield Activity Node Park parking lot expansion. Discussion was held by the City Council regarding placement of the two trees in question.

A motion was made by Council Member Sean Hicks, seconded by Council Member Mitch Holmes, to approve Resolution No. 4112 approving a Site Plan with a variance for the Keller Smithfield Activity Node Park parking lot expansion for a total of 55 parking spaces within a 69.063-acre tract of land located on the west side of Keller-Smithfield Drive, at the intersection of Keller-Smithfield Drive and Bear Creek Parkway, being Lot 1, Block D, Keller Town Center, at 1100 Bear Creek Pkwy, and zoned Town Center (TC), with the following variance:

1. The variance to plant two trees within the park in lieu of the parking islands to avoid line-of-site traffic concerns as shown in "Exhibit A" shall be allowed.

The motion carried unanimously.

3. [Consider a resolution approving the bid from Cole Construction, Inc., of Fort Worth, Texas, for improvements to the Keller Smithfield Activity Node, for the Parks and Recreation Department, and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller.](#)

Attachments: [040219 ActivityNode Parking Resolution 4113](#)
[040219 ActivityNode Parking Bid Tab](#)
[040219 ActivityNode Parking Site Layout](#)
[H-3 Presentation](#)

Mr. Cody Maberry, Director of Community Services, gave a presentation relating to improvements to the Keller Smithfield Activity Node Park.

A motion was made by Council Member Mitch Holmes, seconded by Council Member Eric Schmidt, to approve Resolution No. 4113 approving the bid from Cole Construction, Inc., of Fort Worth, Texas, for improvements to the Keller Smithfield Activity Node, for the Parks and Recreation Department, and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller. 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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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. Davis Tyson vs. The City of Keller Zoning Board of Adjustment.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1 and 2 if necessary.

K. ADJOURN

A motion was made by Council Member Eric Schmidt, seconded by Council Member Chris Whatley, to adjourn the meeting at 8:02 P.M. The motion carried unanimously.

Mayor

City Secretary