



City of Keller

City Council

Meeting Minutes

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

Tuesday, June 4, 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 5:37 P.M.

The following City Council Members were present:

Mayor Pat McGrail

Council Member Mitch Holmes (joined by video conference at 7:02 P.M.)

Council Member Beckie Paquin

Council Member Sheri Almond

Council Member Chris Whatley

Council Member Tag Green

Mayor Pro Tem Sean Hicks was absent.

The following City staff members were present: City Manager Mark Hafner, City Attorney Matt Butler, City Secretary Kelly Ballard, Director of Administrative Services Aaron Rector, Director of Public Services/Economic Development Trina Zais, Director of Community Development Julie Smith, Director of Public Works Alonzo Linan, Police Chief Mike Wilson, 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 - Property Tax Calculations and Homestead Exemption](#)

Attachments: [Property Tax Rate Calcs and HS Exemp Presentation](#)

Director of Administrative Services Aaron Rector gave a presentation related to Property Tax Calculations and potential Homestead Exemption.

E. ADJOURN

Mayor Pat McGrail adjourned the Pre-Council Meeting at 6:18 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 7:02 P.M.

Council Member Mitch Holmes joined the City Council Meeting by video conferencing at 7:02 P.M.

B. INVOCATION

Mr. Kyle Davison, Bear Creek Bible Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mr. Ed Yrisarri, Veteran, 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 - 2018 Achievement of Library Excellence](#)

Mr. Mark Smith, Director of the Texas State Library and Archives Division, presented the 2018 Achievement of Library Excellence to the Keller Public Library Board Members and Library Director Jana Prock.

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, congratulated Council Member Sheri Almond and Council Member Beckie Paquin on their new appointments, and expressed his thoughts on voter turn out and services for Veterans.

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, May 21, 2019 Regular City Council Meeting.](#)

Attachments: [052119 Minutes](#)

A motion was made by Council Member Chris Whatley, seconded by Council Member Tag Green, to approve the Minutes of the Tuesday, May 21, 2019 Regular City Council Meeting. The motion carried unanimously.

G. OLD BUSINESS - None**H. NEW BUSINESS**

1. [PUBLIC HEARING: Consider an ordinance approving a SUP for North Texas Veterinarian Clinic to permit the use of a 'Veterinarian Clinic \(with or without outdoor pens\) includes grooming facility' located at 1100 Whitley Road \(Account# 41561562\), being a 2.562-acre tract at the intersection of Wall-Price Keller Road and Whitley Road, being Lot 7, Block A, Keller Plaza Addition, owned by Scheifley Real Estate LLC. \(SUP-19-0009\)](#)

Attachments: [060419_NTXVet_ProposedOrdinance](#)
[060419_NTXVet_Maps](#)
[060419_NTXVet_ExhibitA](#)
[060419_NTXVet_ExhibitA_SitePlan](#)
[060419_NTXVet_OppositionLetter](#)
[060419_NTXVet_StaffAttachment_ApprovedPlat](#)
[Presentation - N. TX Vet](#)

Ms. Julie Smith, Community Development Director, gave a presentation relating to the request for a SUP for North Texas Veterinarian Clinic to permit the use of a veterinarian clinic at 1100 Whitley Road.

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

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

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Ordinance No. 1933 approving a SUP for North Texas Veterinarian Clinic to permit the use of a 'Veterinarian Clinic (with or without outdoor pens) includes grooming facility' located at 1100 Whitley Road (Account# 41561562), being a 2.562-acre tract at the intersection of Wall-Price Keller Road and Whitley Road, being Lot 7, Block A, Keller Plaza Addition with the following conditions:

- 1. The SUP request for North Texas Veterinarian Clinic shall be allowed.**
- 2. Outside boarding and/or holding pens shall not be allowed.**

The motion carried unanimously.

2. [Consider a resolution approving a variance to the City of Keller Unified Development Code \(UDC\), Article 8, Zoning Districts, Fencing Requirements in Residential Zoning Districts, Section 8.11 - requesting a special exception to use black, vinyl-coated chain link fencing, situated on approximately 6.36-acres of land on the south side of Shady Grove Road, approximately 480-feet southwest of Shady Grove Road and Keller Smithfield Road South intersection, being Lots 8R1 and 8R2, Block A, Shady Grove Estates, at 7220 Shady Grove Road, and zoned Single Family-Residential - 36,000 Square-Foot lot minimum \(SF-36\), Frank Dale, Owner. \(UDC-19-0008\).](#)

Attachments: [060419_7220ShadyGroveFenceVariance_Res4125](#)
[060419_7220ShadyGroveFenceVariance_Exhibit A](#)
[060419_7220ShadyGroveFenceVariance_SitePlan](#)
[060419_7220ShadyGroveFenceVariance_LettersofSupport](#)
[060419_7220ShadyGroveFenceVariance_Presentation](#)

Community Development Director Julie Smith gave a presentation relating to the request for a variance to the City of Keller Unified Development Code (UDC), Article 8, Zoning Districts, Fencing Requirements in Residential Zoning Districts, at 7220 Shady Grove Road.

A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to approve Resolution No. 4125 approving a variance to the City of Keller Unified Development Code (UDC), Article 8, Zoning Districts, Fencing Requirements in Residential Zoning Districts, Section 8.11 - requesting a special exception to use black, vinyl-coated chain link fencing, situated on approximately 6.36-acres of land on the south side of Shady Grove Road, approximately 480-feet southwest of Shady Grove Road and Keller Smithfield Road South intersection, being Lots 8R1 and 8R2, Block A, Shady Grove Estates, at 7220 Shady Grove Road, and zoned Single Family-Residential - 36,000 Square-Foot lot minimum (SF-36). The motion carried unanimously.

3. [Consider a resolution approving variances to the City of Keller Unified Development Code \(UDC\), Article 8, Zoning Districts, Non-Residential Construction Standards, Section 8.06 - requesting the use of CMU Concrete Blocks, Course Concrete Blocks and a steel roof for Bear Creek Park Restroom Improvements, situated on approximately 21.46-acres of land on the south side of Bear Creek Parkway, approximately 525-feet south of Bear Creek Parkway, being Abstract 692, Tract 1B, JW Holland Survey, at 400 Bear Creek Parkway, and zoned Single Family-Residential 36,000 Square-Foot lot minimum \(SF-36\). City of Keller, applicant; Tarrant County, owner. \(SP-19-0006\).](#)

Attachments: [060419 ParkRestroomVariance Resolution 4126](#)

[060419 ParkRestroomVariance AerialPhoto](#)

[060419 ParkRestroomVariance Exhibit A](#)

[060419 ParkRestroomVariance ExistingStructures](#)

[060419 ParkRestroomVariance Presentation](#)

Community Development Director Julie Smith gave a presentation relating to variances to the City of Keller Unified Development Code (UDC), at 400 Bear Creek Parkway, for the Bear Creek Park Restroom Improvements.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve Resolution No. 4126 approving variances to the City of Keller Unified Development Code (UDC), Article 8, Zoning Districts, Non-Residential Construction Standards, Section 8.06 - requesting the use of CMU Concrete Blocks, Course Concrete Blocks and a steel roof for Bear Creek Park Restroom Improvements, situated on approximately 21.46-acres of land on the south side of Bear Creek Parkway, approximately 525-feet south of Bear Creek Parkway, being Abstract 692, Tract 1B, JW Holland Survey, at 400 Bear Creek Parkway, and zoned Single Family-Residential 36,000 Square-Foot lot minimum (SF-36). The motion carried unanimously.

4. [Consider an ordinance approving an amendment to the City of Keller Code of Ordinances, Appendix C - Fee Schedule, Sec. 1. - Building Services by amending the Keller Fee](#)

Schedule as it relates to residential construction fees, adopted by Ordinance No. 1905, on September 18, 2018, by adopting a revised Appendix C - Fee Schedule, Sec. 1. - Building Services; authorizing publication; and establishing an effective date.

Attachments: [060419 Fee Amend HB 852 Building Fees Ordinance](#)
[060419 Fee Amend HB 852 Building Fees Fee Schedule Proposed](#)
[060419 Fee Amend HB 852 Building Fees Fee Schedule Current](#)
[060419 Fee Amendment HB 852 Building Fees](#)

Director of Administrative Services Aaron Rector, gave a presentation relating to amending the Keller Fee Schedule as it relates to residential construction fees.

A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to approve Ordinance No. 1934 approving an amendment to the City of Keller Code of Ordinances, Appendix C - Fee Schedule, Sec. 1. - Building Services by amending the Keller Fee Schedule as it relates to residential construction, adopted by Ordinance No. 1905, on September 18, 2018, by adopting a revised Appendix C - Fee Schedule, Sec. 1. - Building Services, to 84-cents-per-square-foot calculation for residential construction; authorizing publication; and establishing an effective date. 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 Chris Whatley, seconded by Council Member Beckie Paquin, to adjourn the meeting at 7:37 P.M. The motion carried unanimously.

Mayor

City Secretary