



# City of Keller

## City Council

### Meeting Minutes

Keller Town Hall  
1100 Bear Creek Parkway  
Keller, TX 76248  
817-743-4000  
[www.cityofkeller.com](http://www.cityofkeller.com)

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**Tuesday, July 16, 2019**

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#### **COUNCIL MEMBER DINNER 5:00 P.M.**

#### **PRE-COUNCIL MEETING 5:30 P.M.**

#### **A. CALL TO ORDER - Mayor Pro Tem Sean Hicks**

Mayor Pro Tem Sean Hicks called the Regular Meeting to order at 5:32 P.M.

The following City Council Members were present:

Mayor Pro Tem Sean Hicks  
Council Member Mitch Holmes  
Council Member Sheri Almond  
Council Member Tag Green

Mayor Pat McGrail, Council Member Beckie Paquin, and Council Member Chris Whatley were absent.

The following City staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, City Secretary Kelly Ballard, Assistant City Secretary Andrea McDonald, Director of Administrative Services Aaron Rector, Director of Public Services/Economic Development Trina Zais, Director of Community Services Cody Maberry, Director of Community Development Julie Smith, Director of Public Works Alonzo Linan, Director of Library Jana Prock, Police Chief Mike Wilson, and Deputy Fire Chief Shane Gainer.

#### **B. DISCUSS AND REVIEW AGENDA ITEMS**

The City Council discussed and reviewed the agenda items.

#### **C. EXECUTIVE SESSION**

Mayor Pro Tem Sean Hicks recessed the Pre-Council Meeting at 6:33 P.M. to allow the City Council to meet in Executive session in accordance with State Law.

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**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.

**a. 541 Keller Parkway**

**b. 114 W. Vine Street**

**2. Adjourn into Open Meeting.**

Mayor Pro Tem Sean Hicks called the Pre-Council Meeting back to order at 6:54 P.M.

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

No action was taken.

**D. WORK SESSION**

**1. [Discuss Building Code, Fire Code, and Property Maintenance updates and adoption.](#)**

**Attachments:** [Item D-1 2018 ICC Code Update Presentation](#)

Community Development Director Julie Smith and Fire Marshal Debra Crafton gave a presentation regarding the Building Code, Fire Code and Property Maintenance updates and adoption.

**2. [Budget Strategic Planning - Fee Adjustments](#)**

**Attachments:** [Item D-2 Fee Adjustments Presentation](#)

Administrative Services Director Aaron Rector and Library Director Jana Prock gave a presentation relating to Budget Strategic Planning - Fee Adjustments.

**3. [Budget Strategic Planning - Financial Software](#)**

**Attachments:** [Item D-3 Finance Software Presentation](#)

Administrative Services Director Aaron Rector gave a presentation related to Budget Strategic Planning - Financial Software.

**E. ADJOURN**

Mayor Pro Tem Sean Hicks adjourned the Pre-Council Meeting at 6:55 P.M.

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**REGULAR MEETING 7:00 P.M.****A. CALL TO ORDER – Mayor Pro Tem Sean Hicks**

Mayor Pro Tem Sean Hicks called the Regular City Council Meeting to order at 7:05 P.M.

**B. INVOCATION**

Mr. Dennis Serratt, First Baptist Church Watauga, gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Sean Hicks 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 - None****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. Philip Dorr, 1521 Whitley Road, spoke regarding the maintenance of Bear Creek Park.

**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, July 2, 2019 Regular City Council Meeting.](#)

**Attachments:** [070219 Minutes](#)

A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, to approve the Minutes of the Tuesday, July 2, 2019 Regular City Council Meeting. The motion carried unanimously.

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

1. [PUBLIC HEARING: Consider a resolution approving the Fiscal Year 2019-20 City of](#)

Keller Crime Control and Prevention District Budget.

**Attachments:** [071619 KCCPD Budget Resolution](#)  
[071619 FY 20 KCCPD Budget Exhibit A](#)  
[Item H-1 KCCPD Budget 2019-20 Presentation](#)

Police Chief Mike Wilson and Mr. Mark Jones, Keller Crime Control and Prevention District Board Chairperson, gave a presentation regarding the 2019-20 Keller Crime Control and Prevention District Budget.

Mayor Pro Tem Sean Hicks opened the public hearing.

Mayor Pro Tem Hicks read into record a letter of support of the 2019-20 Keller Crime Control and Prevention District Budget from Mayor Pat McGrail. Mr. Ed Yrisarri, 1445 Melody Lane, expressed his concerns regarding marijuana, mental health, and the dangers of cannabis.

**A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, 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 Resolution No. 4137 approving the Fiscal Year 2019-20 City of Keller Crime Control and Prevention District Budget. The motion carried unanimously.**

2. PUBLIC HEARING: Fiscal Year 2019-20 Keller Development Corporation Budget.

**Attachments:** [071619 KDC FY20 Budget Memo](#)  
[071619 KDC FY20 Budget CIP PARKS DRAFT](#)  
[Item H-2 KDC Budget 2019-20 Final Presentation](#)

Director of Community Services Cody Maberry gave a presentation in relation to the Keller Development Corporation 2019-20 Budget.

Mayor Pro Tem Sean Hicks opened the public hearing. No public comments were received.

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

3. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to construct an Accessory Dwelling Unit up to 2,400 square-feet, with variances for size and location on an approximately 2.2-acre tract of land located on the west side of Willis Lane and approximately 2,800 feet northwest of the intersection of North Tarrant Parkway and Willis Lane, being Lot 1, Block A, Sandra Smith Addition, at 1660 Willis Lane (Account# 41563832), and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Janine and Nicholas Stevens, Owner/Applicant. (SUP-19-0014)

**Attachments:** [071619 StevensDwellingUnitSUP-19-0014 Ordinance](#)  
[071619 StevensDwellingUnitSUP-19-0014 Maps](#)  
[071619 StevensDwellingUnitSUP-19-0014 StaffAttachment\(1of1\)](#)  
[071619 StevensDwellingUnitSUP-19-0014 ExhibitA\(1of3\)](#)  
[071619 StevensDwellingUnitSUP-19-0014 ExhibitA\(2of3\)](#)  
[071619 StevensDwellingUnitSUP-19-0014 ExhibitA\(3of3\)](#)  
[Item H-3 1660 Willis Lane SUP Presentation](#)

Director of Community Development Julie Smith gave a presentation related to a specific use permit to construct an accessory dwelling unit at 1660 Willis Lane.

Mayor Pro Tem Sean Hicks opened the public hearing. No public comments were received.

**A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, 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. 1938 approving a Specific Use Permit (SUP) to construct an Accessory Dwelling Unit up to 2,400 square-feet, with variances for size and location on an approximately 2.2-acre tract of land located on the west side of Willis Lane and approximately 2,800 feet northwest of the intersection of North Tarrant Parkway and Willis Lane, being Lot 1, Block A, Sandra Smith Addition, at 1660 Willis Lane (Account# 41563832), and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36) with the following conditions:**

- 1. The Specific Use Permit request to construct up to a 2,400 square-foot accessory dwelling unit shall be allowed.**
- 2. The variance request to locate the accessory dwelling unit to the side of the main dwelling in lieu of being constructed behind the main dwelling as required by city code shall be allowed.**

**The motion carried unanimously.**

4. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for The Tiki Hut of Keller to operate a temporary vendor business \(sno-cones\), located on an approximately 0.5467-acre tract of land, on the east side of South Main Street \(U.S. HWY 377\), at the intersection of Bear Creek Parkway and South Main Street \(U.S. HWY 377\), being Lot 2RB1, Block 1, Bland Square Addition, at 705 South Main \(U.S. HWY 377\) accessory to Mr. Jim's Pizza \(Account #: 05744830\), and zoned C \(Commercial\). \(SUP-19-0011\) Cathy Smith, Applicant. Todd Hendricks, Property Owner.](#)

**Attachments:** [071619 TikiHut SUP Ordinance](#)  
[071619 TikiHut SUP ExhibitA\(ApplicationAndNarrative\)](#)  
[071619 TikiHut SUP ExhibitA\(Photos\)](#)  
[071619 TikiHut SUP ExhibitA\(Permits\)](#)  
[071619 TikiHut SUP Maps](#)  
[Item H-4 Tiki Hut SUP Presentation](#)

Director of Community Development Julie Smith gave a presentation related to a specific use permit for the Tiki Hut of Keller to operate a temporary vendor business at 705 South Main Street.

Mayor Pro Tem Sean Hicks opened the public hearing. No public comments were received.

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

**A motion was made by Council Member Sheri Almond, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1939 approving a Specific Use Permit (SUP) for The Tiki Hut of Keller to operate a temporary vendor business (sno-cones), located on an approximately 0.5467-acre tract of land, on the east side of South Main Street (U.S. HWY 377), at the intersection of Bear Creek Parkway and South Main Street (U.S. HWY 377), being Lot 2RB1, Block 1, Bland Square Addition, at 705 South Main (U.S. HWY 377) accessory to Mr. Jim's Pizza (Account #: 05744830), and zoned C (Commercial) with the following conditions:**

**1. The Specific Use Permit request to allow seasonal sales for six (6) months per year beginning April 1st and ending September 30th for four (4) years, which shall expire on September 30, 2023.**

**The motion carried unanimously.**

5. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow the "rental of tools and machinery," the use of "outside storage", and to allow a "high risk or hazardous industrial use", specifically two above-ground storage tanks on a 4.77-acre-lot on the east side of South Main Street, approximately 400 feet south from the intersection of South Main Street and Calverley Place, being Steelwright Addition, Lot 1A, Block 1, at 1675 South Main Street \(Account # 06427324\) zoned Light Industrial \(LI\), Roy Holdeman, applicant; Johnson-Keller, LLC, owner. \(SUP-19-0015\)](#)

**Attachments:** [071619 EquipmentShare ProposedOrdinance](#)  
[071619 EquipmentShare Exhibit A](#)  
[071619 EquipmentShare Maps](#)  
[071619 EquipmentShare SignaturesofSupport](#)  
[Item H-5 1675 S Main Street EquipmentShare Presentation](#)

Director of Community Development Julie Smith gave a presentation related to a specific use permit to allow the rental of tools and machinery, the use of outside storage and to allow a high risk or hazardous industrial use, specifically two above-ground storage tanks at 1675 South Main Street.

Mayor Pro Tem Sean Hicks opened the public hearing.

Mr. Bart Jetton and Mr. Roy Holdeman, applicants, addressed the Council regarding the specific use permit and discussed their company.

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

**A motion was made by Council Member Mitch Holmes, seconded by Council Member Sheri Almond, to approve Ordinance No. 1940 approving a Specific Use Permit (SUP) to allow the "rental of tools and machinery," the use of "outside storage", and to allow a "high risk or hazardous industrial use", specifically two above-ground storage tanks on a 4.77-acre-lot on the east side of South Main Street, approximately 400 feet south from the intersection of South Main Street and Calverley Place, being Steelwright Addition, Lot 1A, Block 1, at 1675 South Main Street (Account # 06427324) zoned Light Industrial (LI) with the following conditions:**

**1. The Specific Use Permit for Equipmentsshare.com to occupy the property at 1675 South Main Street, for the "rental of tools and machinery," and the use of "outside storage," and to allow a "high risk or industrial use," specifically, two above-ground fuel storage tanks shall be allowed.**

**The motion carried unanimously.**

6. [Consider a resolution approving a Site Plan Amendment for Chick-Fil-A, a 4,779 square-foot restaurant with drive-thru on an approximately 11.960-acre tract of land, located on the south side of Keller Parkway \(F.M. 1709\), situated at the intersection of Rufe Snow Drive and Keller Parkway \(F.M. 1709\), being Lot 1R, Block A, Keller Town Center, at 1002 Keller Parkway, and zoned Town Center \(TC\). Regency Centers, LP, owner. Esencia Architecture and Urban Design, LLC, applicant/developer. \(SP-19-0007\)](#)

**Attachments:** [071619 ChickFilA ProposedResolution](#)  
[071619 ChickFilA Maps](#)  
[071619 ChickFilA ExhibitA SitePlan&Elevations](#)  
[071619 ChickFilA ExhibitB Application](#)  
[071619 ChickFilA StaffAttachment ApprovedPlat](#)  
[Item H-6 Chick-Fil-A Presentation](#)

Community Development Director Julie Smith gave a presentation regarding a site plan amendment for Chick-Fil-A at 1002 Keller Parkway.

**A motion was made by Council Member Tag Green, seconded by Council Member**

Mitch Holmes, to approve Resolution No. 4138 approving a Site Plan Amendment for Chick-Fil-A, a 4,779 square-foot restaurant with drive-thru on an approximately 11.960-acre tract of land, located on the south side of Keller Parkway (F.M. 1709), situated at the intersection of Rufe Snow Drive and Keller Parkway (F.M. 1709), being Lot 1R, Block A, Keller Town Center, at 1002 Keller Parkway, and zoned Town Center (TC). The motion carried unanimously.

7. [PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 3 - Definitions; Article 8 - Zoning Districts, Development Standards, Tree Preservation, to amend fence requirements; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. \(UDC-19-0004\)](#)

**Attachments:** [071619 UDC Fence Amend ProposedOrdinance](#)  
[071619 UDC Fence Amend-Exhibit A\\_Red-line version of Code](#)  
[Item H-7 Fence Presentation](#)

Director of Community Development Julie Smith gave a presentation regarding amendments to the City of Keller Unified Development Code related to fence requirements.

Mayor Pro Tem Sean Hicks opened the public hearing. There were no public comments received.

A motion was made by Council Member Tag Green, seconded by Council Member Sheri Almond, to continue the Public Hearing and table the agenda item to the Tuesday, August 6, 2019 Regular City Council Meeting. The motion carried unanimously.

## **I. DISCUSSION – None**

## **J. EXECUTIVE SESSION**

Executive Session was not held during the Regular Meeting.



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**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.**

**a. 541 Keller Parkway**

**b. 114 W. Vine Street**

**2. Adjourn into Open Meeting.**

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

**K. ADJOURN**

**A motion was made by Council Member Mitch Holmes, seconded by Council Member Tag Green, to adjourn the meeting at 8:24 P.M. The motion carried unanimously.**

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Mayor

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City Secretary