



City of Keller

City Council

Meeting Minutes

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

Tuesday, October 15, 2019

COUNCIL MEMBER DINNER 4:30 P.M.

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER

Mayor Pro Tem Sean Hicks called the Pre-Council Meeting to order at 5:07 P.M.

The following City Council Members were present:

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

Mayor Pat McGrail and Council Member Chris Whatley were 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 Community Services Cody Maberry, 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. [Discuss having a City Council Retreat, the agenda, and a date.](#)

Council Member Beckie Paquin expressed her desire of having a City Council Retreat. The City Council resolved to wait until after the May 2020 election to have a City Council Retreat.

E. ADJOURN

Mayor Pro Tem Sean Hicks adjourned the Pre-Council Meeting at 6:05 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

Mayor Pro Tem Sean Hicks called the Regular City Council Meeting to order at 7:03 P.M.

B. INVOCATION

Pastor Mike Banas, Milestone Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Scouts from Troops 170, 32, 589, and 1920 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. PROCLAMATIONS & PRESENTATIONS

1. [Proclamation - Texas Arbor Day](#)

Attachments: [2019 Arbor Day Proclamation](#)

Mayor Pro Tem Sean Hicks presented a proclamation to Community Services Director Cody Maberry honoring Friday, November 1, 2019 as Texas Arbor Day.

2. [Proclamation - Randy Carter Memorial Christmas Ride Day](#)

Mayor Pro Tem Sean Hicks presented a proclamation to Ms. Elizabeth Carter honoring Saturday, October 19, 2019 as Randy Carter Memorial Christmas Ride Day.

3. [Presentation - Keller FFA Agricultural Issues Team Presentation.](#)

The Keller FFA Agricultural Issues Team led by Mr. Bryce Gerhardt, gave a presentation relating to Veterinarian Science Programs at Texas Tech University and Texas A&M University.

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. Taylor Dent, 660 Keller Smithfield Road, addressed the City Council regarding an update on construction at The Birch Tennis Club, taxes, and community support.

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 Mitch Holmes, seconded by Council Member Tag Green, to approve Consent Item Nos. 1 - 6 and 8 - 12, and to table the consent Item No. 7 to the November 19, 2019 Regular City Council Meeting. The motion carried unanimously.

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

Attachments: [100119 Minutes.pdf](#)

Approved

2. [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 Special Election, to be held on Tuesday, November 5, 2019.](#)

Attachments: [101519 110519 ElectionContract Res](#)
[101519 110519 ElectionContract Exhibit A](#)
[101519 110519 ElectionContract ATTACHMENT A](#)
[101519 110519 ElectionContract ATTACHMENT B](#)

Resolution No. 4172

3. [Consider an ordinance amending Ordinance No. 1936 dated June 18, 2019, calling the Special Election for the question of the reauthorization of a Sales and Use Tax for Street Maintenance of one-fourth of one percent, for the City of Keller, to be held on November 5, 2019, as set forth by the Charter and the Texas Election Code.](#)

Attachments: [101519 Ordinance Sales and Tax Use Election Amendment](#)

[101519 Amend Call Election ATTACHMENT A](#)

[101519 Amend Call Election ATTACHMENT B](#)

[101519 Amend Call Election Ordinance No. 1936](#)

Ordinance No. 1952

4. [Consider a resolution amending Resolution No. 4131 dated June 18, 2019, calling the Special Election to consider "the legal sale of all alcoholic beverages including mixed beverages" in the City of Keller, to be held on November 5, 2019, as set forth by the Charter and the Texas Election Code.](#)

Attachments: [040219 Amend Call Election Resolution](#)

[101519 Amend Call Election ATTACHMENT A](#)

[101519 Amend Call Election ATTACHMENT B](#)

[101519 Amend Call Election Resolution No. 4131](#)

Resolution No. 4173

5. [Consider a resolution nominating candidates for the Tarrant Appraisal District \(TAD\) Board of Directors.](#)

Attachments: [101519 TAD Nomination Resolution](#)

Resolution No. 4174

6. [Consider a resolution urging TxDOT to proceed with construction of State Highway 170 improvements at the earliest possible date.](#)

Attachments: [101519 SH 170 Construction](#)

Resolution No. 4175

7. [Consider an ordinance amending the City Of Keller Code Of Ordinances by adopting The 2018 International Code Council \(ICC\) Codes and The 2017 National Electric Code by consolidating and deleting Chapter 4 - Buildings, Article I - Building Code, Article II - Swimming Pools, and Article IV - Substandard Buildings, Chapter 5 - Electric Code, and Chapter 14 - Plumbing and Mechanical Codes, in their entirety; and by adopting a new Chapter 4 - Buildings, Article I - Technical Codes, Article II - Reserved, Article IV - Reserved, Chapter 5 - Reserved, Chapter 14 - Reserved; and by amending Chapter 6 Fire Prevention, Article I Fire Prevention Code; and prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials, and explosion providing for the adoption of local amendments thereto; providing a penalty; providing a cumulative clause; providing a severability clause; providing a savings clause; authorizing publication; and establishing an effective date.](#)

Attachments: [101519 Code Adoption Ordinance](#)
[101519 Code Adoption EXHIBIT A](#)
[F-7 ICC Code Update PP](#)

TABLED TO 11/19/19

8. [Consider a resolution approving the purchase of concrete lifting and stabilization services from Nortex Concrete Lift and Stabilization Inc. of Fort Worth, Texas, through an Interlocal Agreement with the City of Grand Prairie, Texas, dated October 7, 2008, for the Public Works Department; and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [101519 Concrete Lifting Resolution](#)
[101519 Concrete Lifting GrandPrairieInterlocal](#)
[101519 Concrete Lifting Nortex Bid](#)
[101519 Concrete Lifting GrandPrairie2019 Contract](#)

Resolution No. 4176

9. [Consider a resolution approving the bid from Flow Line Utilities, Inc., of Dallas, Texas, for improvements to Bear Creek Park, 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: [101519 BCP Sewer Improvements Resolution](#)
[101519 BCP Sewer Improvements Bid Tab](#)
[101519 BCP Sewer Improvements Plans](#)
[101519 BCP Sewer Improvements Contract](#)
[101519 BCP Sewer Improvements Engineer Letter](#)
[F-9 Bear Creek Park Sewer Presentation](#)

Resolution No. 4177

10. [Consider a resolution approving the purchase of one \(1\) replacement Toro Groundsmaster 4500-D nine-foot \(9'\) deck mower, from Professional Turf Products, L.P. of Euless, Texas, through the BuyBoard Cooperative Purchasing Program, and authorizing the City Manager to execute all related purchase documents on behalf of the City of Keller.](#)

Attachments: [101519 4500-D Replacement Mower Resolution](#)
[101519 4500-D Replacement Mower Attachment A](#)
[F-10 Mower Replacement Presentation](#)

Resolution No. 4178

11. [Consider a resolution approving a Site Plan Amendment for the Gold Star Families Memorial Monument, an approximately 1,400 square-foot uncovered monument plaza on an approximately 4.425-acre tract of land, located on the southeast side of Bear Creek Parkway and Town Center Lane, being Lot 1R, Block D, Keller Town Center, at 1100 Bear](#)

Creek Parkway, and zoned Town Center (TC). City of Keller, owner. VLK Architects, LLC, applicant. (SP-19-0008)

Attachments: [101519_GoldStarMonument_ProposedResolution](#)
[101519_GoldStarMonument_ExhibitA.pdf](#)
[101519_GoldStarMonument_Maps.pdf](#)
[F-11 Gold Star Families Monument](#)

Resolution No. 4179

12. Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 18, Article II, Speed Limits, Section 18-200, various speed limits on public streets; establishing a prima facie speed limit for vehicles on Hidden Meadow Drive located in Hidden Lakes, under provisions of section 545.356(b-1) of the Texas Transportation Code; providing a severability clause; a penalty; authorizing publication; and establishing an effective date

Attachments: [101519_Hidden Meadow Speed Limit Ordinance](#)
[101519_Hidden Meadow Speed Limit Petition](#)

Ordinance No. 1953

G. OLD BUSINESS - None

H. NEW BUSINESS

1. PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller's Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions for a "brewery" land use and modifying Article Three - Definitions and Article Eight - Zoning/Districts; providing penalties; providing a severability clause; providing a conflict of ordinances clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC-19-0017)

Attachments: [101519_Brewery UDC AmendProposedOrdinance](#)
[101519_Brewery UDC Amend_Exhibit A_Article3\(Definitions\)](#)
[101519_Brewery UDC Amend_Exhibit A_UseTables.pdf](#)
[101519_Brewery UDC Amend_Presentation](#)

Planner I Katasha Smithers gave a presentation relating to a request for an amendment to the City of Keller's Unified Development Code, providing provisions for a "brewery" land use.

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 Mitch Holmes, seconded by Council

Member Sheri Almond, to approve Ordinance No. 1954 approving an amendment to the City of Keller's Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions for a "brewery" land use and modifying Article Three - Definitions and Article Eight - Zoning/Districts; providing penalties; providing a severability clause; providing a conflict of ordinances clause; authorizing publication; and establishing an effective date, to include the amended definition of:

Brewery with entertainment - An indoor and/or outdoor area in which beer is brewed, served, and provides entertainment. A brewery may also sell food.

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 Mitch Holmes, seconded by Council Member Sheri Almond, to adjourn the meeting at 7:57 P.M. The motion carried unanimously.

Mayor

City Secretary