



# City of Keller

## City Council

### Meeting Minutes

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

---

Tuesday, September 15, 2020

---

#### PRE-COUNCIL MEETING 5:00 P.M.

##### **A. CALL TO ORDER - Mayor Pat McGrail**

Mayor Pat McGrail called the Pre-Council Meeting to order at 5:04 P.M.

The following City Council Members were present:

Mayor Pat McGrail  
Council Member Mitch Holmes  
Mayor Pro Tem Sean Hicks  
Council Member Sheri Almond  
Council Member Beckie Paquin  
Council Member Chris Whatley  
Council Member Tag Green

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Public Services Trina Zais, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Linan, Director of Human Resources Kandace Tappen-Lesley, Director of Community Development Julie Smith, Police Chief Bradley G. Fortune, and Fire Chief David Jones.

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

The City Council discussed and reviewed the agenda items.

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

Work Session was held before the Executive Session.

Mayor Pat McGrail recessed the Pre-Council Meeting at 5:53 P.M. so that the City Council could conduct an Executive Session in accordance with State Law.

---

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**

2. **Adjourn into Open Meeting.**

Mayor Pat McGrail resumed and adjourned the Pre-Council Meeting at 6:01 P.M.

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

No action was taken.

## D. WORK SESSION

1. [Discuss the request by the Mayor to consider amending the Keller Unified Development Code to change the requirements for carports.](#)

**Attachments:** [Item D-1 Work Session - Carports.pdf](#)

Director of Community Development Julie Smith gave a presentation relating to potential changes to the Unified Development Code regarding carport requirements. A comparison of other Cities' carport requirements, Keller's current code, and Specific Use Permit restrictions were discussed by the City Council. The City Council directed staff to continue to do research prior to placing the topic on a future agenda for action.

2. [Tarrant County Aerial Spraying Update.](#)

City Manager Mark Hafner gave an update on the possibility of aerial spraying by Tarrant County to combat mosquito populations. Concern was expressed by Tarrant County Public Health over a surge of mosquitoes and humans testing positive for West Nile Virus. The City of Keller has had twenty-nine positive mosquito tests for West Nile Virus and two confirmed human cases in 2020. Tarrant County Public Health believes that aerial spraying is not warranted at this time based on recent temperature changes.

If aerial spraying is recommended and Keller participates, the agreement will only be for the current season and the City will provide communication to residents regarding the spraying.

## E. ADJOURN

---

Mayor Pat McGrail resumed and adjourned the Pre-Council Meeting at 6:01 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 7:00 P.M.

#### **B. INVOCATION**

Ms. Sharon Campbell, Bear Creek Bible Church, gave the invocation.

#### **C. PLEDGE OF ALLEGIANCE**

Mayor Pat McGrail led the Pledge to the United States Flag and the 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 - 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. Each speaker will be allowed three (3) minutes to speak.

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 to no discussion, and were acted upon as one business item.

**A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to approve the Consent Agenda. The motion carried unanimously.**

1. [Consider approval of the Minutes of the Tuesday, September 1, 2020 Regular City Council Meeting.](#)

**Attachments:** [090120 Minutes.pdf](#)

Approved

2. [Consider a resolution approving an Professional Services Agreement with Hardin & Associates Consulting, LLC, for the purpose of completing state-mandated customer service inspections of private water systems; and authorizing the City Manager to execute](#)

all documents relating thereto on behalf of the City of Keller, Texas.

**Attachments:** [091520 Hardin & Associates Resolution No. 4289](#)  
[091520 Hardin & Associates Exhibit A](#)

Resolution No. 4289

3. Consider a resolution approving the purchase of Miscellaneous Concrete Improvement services from Apex Concrete Construction of Keller, Texas, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

**Attachments:** [091520 Apex Resolution](#)  
[091520 Apex Staff Attachment](#)  
[091520 Apex NRH Renewal](#)

Resolution No. 4290

4. Consider a resolution approving the purchase of one (1) replacement Bobcat E55 compact excavator from Bobcat or North Texas - Fort Worth of Fort Worth, Texas through the Buyboard Cooperative Purchasing Program and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

**Attachments:** [091520 Excavator Equipment Resolution](#)  
[091520 Excavator Buyboard Quote](#)

Resolution No. 4291

5. 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, dated October 7, 2008, 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:** [091520 Nortex Resolution 4292](#)  
[091520 Nortex Renewal](#)  
[091520 Nortex Staff Attachment](#)

Resolution No. 4292

6. Consider a resolution approving the purchase of one (1) replacement Crafc0 Super Shot 250 Diesel Melter from Crafc0, Inc. of Chandler, Arizona through the Buyboard Cooperative Purchasing Program and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

**Attachments:** [091520 Crafc0 Equipment Resolution 4293](#)  
[091520 Crafc0 Buyboard Quote](#)

Resolution No. 4293

## **G. OLD BUSINESS - None**

## H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving certain amendments to the Fiscal Year 2019-20 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter.](#)

**Attachments:** [091520\\_FY\\_20\\_Budget\\_Amend\\_Ord\\_No\\_1983\\_Item\\_H-1\\_Budget\\_Amendment.pdf](#)

Director of Administrative Services Aaron Rector gave a presentation relating to the following amendments to the General Fund: the General Government/Facilities Capital Improvement Projects (CIP) Fund, the Pointe CIP Fund, the Self Insurance Fund, the Street System CIP Fund, the Water-Wastewater Utility Fund, and the Water-Wastewater System CIP Fund.

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 Tag Green, to close the public hearing. The motion carried unanimously.**

**A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to approve Ordinance No. 1983 approving certain amendments to the Fiscal Year 2019-20 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter. The motion carried unanimously.**

2. [PUBLIC HEARING: Consider an ordinance adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, including the 2020-21 Capital Improvements Program, and adopting the Fiscal Year 2020-21 Fee Schedule for the City of Keller, Texas.](#)

**Attachments:** [091520\\_Budget\\_Adopt\\_Ord\\_No\\_1984\\_091520\\_FY\\_21\\_Fee\\_Schedule\\_Item\\_H-2\\_&\\_H-3\\_Budget\\_and\\_Tax\\_Rate.pdf](#)

Director of Administrative Services Aaron Rector gave a presentation relating adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, including the 2020-21 Capital Improvements Program, and adopting the Fiscal Year 2020-21 Fee Schedule. Mr. Rector noted that the total FY 2020-21 Proposed Operating Budget expenditures are \$86,494,362, a decrease of \$3,979,492 or 4.4 percent from the FY 2019-20 Budget. The published Proposed Operating Budget expenditures were \$85,692,215. The increase is related to re-appropriations of \$754,147 with the financial software being \$562,152 of the re-appropriations, increased funding of \$43,000 for the Nightingale Culvert project, increased funding of \$90,000 for the Sanitary Sewer Evaluation Study project, and decreased funding of \$85,000 for the Utility Relocation project.

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 Tag Green, to close the public hearing. The motion carried unanimously.**

Council Member Tag Green expressed gratitude to City staff for the preparation of the proposed budget. He also asked Director of Administrative Services Aaron Rector to provide more information regarding the tax rate reduction and the homestead exemption increase, and why the City has proposed both. Mr. Rector explained that Homestead Exemptions provide relief to homeowners, and tax rate reduction provides relief to both commercial and homeowners. The City strives to balance these along with maintaining current service levels. Councilman Green also asked if these reductions are sustainable without financial hardship or tax increases in the future. Mr. Rector responded that the City re-evaluates each year using conservative projections, and the proposed budget which maintains current service levels is sustainable in the City's five-year model.

Mayor Pro Tem Sean Hicks thanked Mayor Pat McGrail for his leadership throughout the budget preparation process and City staff for their hard work. He also expressed gratitude for the increases to the Public Safety salaries included in the proposed budget.

Council Member Chris Whatley congratulated and thanked City staff for work that was put into the proposed budget.

**Mayor Pat McGrail thanked City staff and the City Council for the proposed budget, and made a motion to approve Ordinance No. 1984 adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, including the 2020-21 Capital Improvements Program, and adopting the Fiscal Year 2020-21 Fee Schedule for the City of Keller, Texas. Council Member Sheri Almond seconded the motion. The motion carried unanimously.**

3. [Consider an ordinance levying taxes to be assessed on all taxable properties within the city limits of the City of Keller, Texas for the Tax Year 2020 \(Fiscal Year 2020-21\).](#)

**Attachments:** [091520 Tax Rate Adopt Ord. No. 1985](#)  
[Item H-2 & H-3 Budget and Tax Rate.pdf](#)

Director of Administrative Services Aaron Rector gave a presentation relating levying taxes to be assessed on all taxable properties within the city limits of the City of Keller, Texas for the Tax Year 2020 (Fiscal Year 2020-21). The tax rate proposed in the fiscal year 2020-21 budget is \$0.39500/\$100 of taxable valuation, a reduction of \$0.0049 from the current year and is the seventh rate reduction in a row.

**A motion was made by Council Member Tag Green, seconded by Council Member Mitch Holmes, to approve Ordinance No. 1985 levying taxes to be assessed on all taxable properties within the city limits of the City of Keller, Texas for the Tax Year 2020 (Fiscal Year 2020-21). The motion carried unanimously.**

4. [PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions to permit front-facing garages setback 100 feet in all residential zoning districts, Article Eight -Zoning Districts, Development Standards, Tree Preservation; providing penalties; providing a severability clause; providing a conflicting of](#)

[ordinances clause; authorizing publication; and establishing an effective date. \(UDC-20-0006\)](#)

**Attachments:** [091520\\_FrontFacingGaragesUDC-20-0006\\_Ord.No.1986](#)

[091520\\_FrontFacingGarageUDC-20-0006\\_ExhibitA](#)

[Item H-4 Front Facing Garage.pdf](#)

Director of Community Development Julie Smith gave a presentation relating to the proposed changes to the Unified Development Code.

Mayor Pat McGrail opened the Public Hearing.

Mrs. Brandi Holmes, 717 Bandit Trail, expressed her support of the proposal.

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

**A motion was made by Council Member Sheri Almond, seconded by Mayor Pro Tem Sean Hicks, to approve Ordinance No. 1986 approving an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by providing provisions to permit front-facing garages setback 100 feet in all residential zoning districts, Article Eight -Zoning Districts, Development Standards, Tree Preservation; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; 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.**

**(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**

### **2. Adjourn into Open Meeting.**

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

**K. ADJOURN**

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Sheri Almond, to adjourn the Regular Council Meeting at 7:49 P.M. The motion carried unanimously.

---

Mayor

---

City Secretary