



**MINUTES OF THE
TOWN OF WESTLAKE, TEXAS
TOWN COUNCIL MEETING**

March 28, 2016

PRESENT: Mayor Laura Wheat, Council Members, Michael Barrett, Alesa Belvedere, Carol Langdon, Rick Rennhack and Wayne Stoltenberg.

ABSENT:

OTHERS PRESENT: Town Manager Thomas Brymer, Town Secretary Kelly Edwards, Town Attorneys Stan Lowry and Cathy Cunningham, Fire Chief Richard Whitten, Police Chief Mike Wilson, Director of Public Works Jarrod Greenwood, Finance Director Debbie Piper, Planning and Development Director Eddie Edwards, Director of Human Resources & Administrative Services Todd Wood, Director of Facilities and Parks & Recreation Troy Meyer, Director of Communications Ginger Awtry, Communications Specialist Susan McFarland, Director of Information Technology Jason Power, and Intern Joel Enders.

Work Session

1. CALL TO ORDER

Mayor Wheat called the work session to order at 5:23 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Wheat led the pledge of allegiance to the United States and Texas flags.

3. **REVIEW OF CONSENT AGENDA ITEMS FOR THE TOWN COUNCIL REGULAR MEETING AGENDA.**

No additional discussion.

4. **DISCUSSION ITEMS**

- a. Presentation and Discussion of a Town-Wide Public Art Program.

Town Manager Brymer provided an overview of the opportunities.

Mr. Robin McCaffrey, Mesa Planning and Mr. Russell Tether, Russell Tether Fine Art, provided an overview of a proposal to acquire art within the community.

Discussion ensued regarding enlisting local artists, implementing an art competition, designing a contract, number of members, the selection process, propitiatory rights, fundraising, rotating exhibits, sculpture gardens, locations along FM 1938 and opportunities within Entrada.

- b. Presentation and discussion of the Keller Police Department animal control duties, the registration of animals and proposed amendments to the Code of Ordinances.

Assistant Town Manager DeGan and Keller Police Chief Wilson provided an overview of the current ordinance and proposed amendments.

Discussion ensued regarding the enforcement, proactive patrolling, resident calls, determining a dangerous animal, number of hold days, communication to residents, cooperation from the veterinary community, and protecting yourself from a dangerous animal.

- c. Discussion of items to be placed on future agendas, updates on development trends and progress of past development projects.

No additional discussion.

- d. **Standing Item:** Update and discussion regarding the Granada Development, including items posted on the regular session agenda and the Covenants Conditions Restrictions (CCR's) and Design Standards.

Director Greenwood provided an update regarding the infrastructure and Phase II.

- e. **Standing Item:** Update and discussion regarding the Entrada Development, including items posted on the regular session agenda and public art.
 - i. Discuss methods to attract future retail and business location placement within Entrada

Director Greenwood provided an overview of the project regarding off-site infrastructure, retaining walls, on-site sanitary installation, sewer easements, CVS Pharmacy, and a submittal for residential.

Discussion ensued regarding temporary construction signage and monument wayfinding signage, parking requirements and agreements, temporary parking, opportunities to attract future retail, economic development opportunities, sharing hotel/motel taxes with hotels located within the development,

5. EXECUTIVE SESSION

The Council did not convene into Executive Session.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney 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: Ordinance 767
- b. Section 551.087 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 (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 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 (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 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 (1). Project Lynx
- e. Section 551.087 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 (1). BRE Solana, LLC
 - f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
 - g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

6. RECONVENE MEETING

7. COUNCIL RECAP / STAFF DIRECTION

8. ADJOURNMENT

Mayor Wheat adjourned the work session at 6:55 p.m.

Regular Session

1. CALL TO ORDER

Mayor called the regular session to order at 6:55 p.m.

2. ITEMS OF COMMUNITY INTEREST

Director Awtry provided an overview of the Historical Marker celebration. Historical Board President Stephen Thornton provided an overview for the festivities.

Director Awtry also provided an overview of the Spring Concert series at Solana.

3. CITIZEN COMMENTS

No one addressed the Council.

4. CONSENT AGENDA

- a. Consider approval of the minutes from the February 22, 2016, meeting.
- b. Consider approval of the minutes from the March 7, 2016, meeting.
- c. Consider approval of **Resolution 16-08**, Authorizing the Mayor to enter into a Joint Election Agreement with Denton County for the General Election.
- d. Consider approval of **Resolution 16-09**, Authorizing the Mayor to enter into a Joint Election Agreement with Tarrant County for the General Election.
- e. Consider approval of **Resolution 16-10**, Approving a Right-of-way License Agreement for an entryway sign within the Solana Boulevard median.

MOTION: Council Member Rennhack made a motion to approve the consent agenda. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat stated that the Council would convene into executive session prior to discussion of the items listed on the regular agenda.

5. EXECUTIVE SESSION

The Council convened into executive session at 7:01 p.m.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071 Consultation with Attorney (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; (2) Consultation with Attorney 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: Ordinance 767
- b. Section 551.087 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 (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
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 - f. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
 - g. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

6. RECONVENE MEETING

Mayor Wheat reconvened the meeting at 8:15 p.m.

7. CONTINUE THE PUBLIC HEARING AND CONSIDERATION ORDINANCE 774, APPROVING AN AMENDMENT OF ORDINANCE 691, AMENDING THE DEVELOPMENT REGULATIONS APPLICABLE TO THE PD 1 ZONING DISTRICT, PLANNING AREA 1 (PD 1-1), PROVIDING FOR A 500 FOOT SETBACK IN THE AREA ADJACENT TO A RESIDENTIAL SUBDIVISION IN PD1-3 (GRANADA).

Town Manager Brymer and Director Greenwood provided a presentation and overview of the item.

Mayor Wheat continued the public hearing.

Pat Cockrum, 1825 Broken Bend Drive and 2018 Valencia Cove, spoke in favor of the item.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 774**. Council Member Barrett seconded the motion. The motion carried by a vote of 5-0.

8. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 775, A PLANNED DEVELOPMENT ZONING DISTRICT (PD) SITE PLAN FOR THE PLANNED DEVELOPMENT DISTRICT 2 (PD 2) COMMONLY REFERRED TO AS THE FIDELITY OFFICE CAMPUS, GENERALLY LOCATED SOUTH OF STATE HIGHWAY 114, WEST OF DAVIS BOULEVARD, AND NORTH OF DOVE ROAD.

Management Intern Enders provided a presentation and overview of the item.

Mayor Wheat opened the public hearing.

Carley Schalliol, Site Enhancement Services - representing the applicant, spoke in favor.

Mayor Wheat closed the public hearing.

MOTION: Council Member Stoltenberg made a motion to approve **Ordinance 775**. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

9. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 776, FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW AN AMPHITHEATER AND ENTERTAINMENT VENUE THAT SEATS MORE THAN 300 PEOPLE FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 114, EAST OF DAVIS BOULEVARD, AND NORTH OF SOLANA BOULEVARD, COMMONLY KNOWN AS WESTLAKE ENTRADA.

Management Intern Enders provided a presentation and overview of the item.

Discussion ensued regarding an event with less than 300 persons and types of events or content of event.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Belvedere made a motion to approve **Ordinance 776**. Council Member Stoltenberg seconded the motion. The motion carried by a vote of 5-0.

10. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 777, APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT (PD) SITE PLAN FOR AN APPROXIMATELY 1.9 ACRE PORTION OF PLANNED DEVELOPMENT DISTRICT 1, PLANNING AREA 2 (PD 1-2), ESTABLISHED BY ORDINANCE 703 FOR THE PROPERTY GENERALLY LOCATED SOUTH OF STATE HIGHWAY 114, EAST OF DAVIS BOULEVARD, AND NORTH OF SOLANA BOULEVARD,

COMMONLY KNOWN AS WESTLAKE ENTRADA. THE AREA SHOWN ON THIS PD SITE PLAN IS COMMONLY REFERRED TO AS THE WESTLAKE ENTRADA AMPHITHEATER SITE, TO BE LOCATED NEAR TARRAGONA DRIVE.

Management Intern Enders provided a presentation and overview of the item.

Robin McCaffrey, Mesa Planning, provided an overview of the architectural challenges and stucco joint expansion design.

Discussion regarding the construction timeline and estimated completion date.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Barrett made a motion to approve **Ordinance 777**. Council Member Rennhack seconded the motion. The motion carried by a vote of 5-0.

11. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 778, APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT (PD) SITE PLAN FOR AN APPROXIMATELY 3.75-ACRE PORTION OF PLANNED DEVELOPMENT DISTRICT 1, PLANNING AREA 2 (PD 1-2), ESTABLISHED BY ORDINANCE 703 FOR THE PROPERTY GENERALLY LOCATED SOUTH OF STATE HIGHWAY 114, EAST OF DAVIS BOULEVARD, AND NORTH OF SOLANA BOULEVARD, COMMONLY KNOWN AS WESTLAKE ENTRADA. THE AREA SHOWN ON THIS PD SITE PLAN IS GENERALLY LOCATED WEST OF THE PROPOSED AMPHITHEATER SITE, TO BE LOCATED NEAR GIRONA DRIVE AND ARAGON DRIVE.

Management Intern Enders provided a presentation and overview of the item.

Robin McCaffrey, Mesa Planning, provided an overview of the architectural challenges and design elements.

Discussion ensued regarding the ceiling height, visibility, levels of the parking garage, surface parking, ingress and egress, owner of the gas well, and the landscaping requirements in relation to surface parking.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 778**. Council Member Belvedere seconded the motion. The motion carried by a vote of 5-0.

- 12. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 779, APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT (PD) SITE PLAN FOR AN APPROXIMATELY 1.9-ACRE PORTION OF PLANNED DEVELOPMENT DISTRICT 1, PLANNING AREA 2 (PD 1-2), ESTABLISHED BY ORDINANCE 703 FOR THE PROPERTY GENERALLY LOCATED SOUTH OF STATE HIGHWAY 114, EAST OF DAVIS BOULEVARD, AND NORTH OF SOLANA BOULEVARD, COMMONLY KNOWN AS WESTLAKE ENTRADA. THE AREA SHOWN ON THIS PD SITE PLAN IS COMMONLY REFERRED TO AS THE WESTLAKE ENTRADA RESTAURANT ROW SITE, TO BE LOCATED NEAR ARAGON DRIVE AND TARRAGONA DRIVE.**

Management Intern Enders provided a presentation and overview of the item.

Robin McCaffrey, Mesa Planning, provided an overview of the architectural challenges.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Langdon made a motion to approve **Ordinance 779**. Council Member Rennhack seconded the motion. The motion carried by a vote of 5-0.

- 13. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 780, GRANTING A SPECIFIC USE PERMIT FOR THE PROPOSED ESTATES OF QUAIL HOLLOW SUBDIVISION TO ALLOW FOR A GATED ACCESS SUBDIVISION WITH PRIVATE STREETS AND OTHER SPECIAL CONDITIONS AS RECOMMENDED BY STAFF. QUAIL HOLLOW IS AN APPROXIMATE 92 LOT PROPOSED SINGLE FAMILY RESIDENTIAL DETACHED SUBDIVISION WITH ITS LOTS BEING ONE (1) ACRE OR MORE IN SIZE. QUAIL HOLLOW IS PROPOSED TO BE DEVELOPED ON APPROXIMATELY 188.28 ACRES ON A TRACT GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE FM 1938/DOVE ROAD INTERSECTION (ON PROPERTY PREVIOUSLY ADDRESSED AS 1755 DOVE ROAD).**

Town Manager Brymer provided a presentation and overview of the item.

Discussion ensued regarding the number of access points along FM 1938, landscaping elements, and Right-of-way along Dove Road.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 780**. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

14. DISCUSSION AND CONSIDERATION OF RESOLUTION 16-11, REGARDING A PRELIMINARY PLAT OF THE QUAIL HOLLOW SUBDIVISION, SHOWING 92 RESIDENTIAL LOTS OF ONE-ACRE OR MORE IN SIZE. THE PROPERTY IS APPROXIMATELY 188.28 ACRES AND IS LOCATED ON PROPERTY PREVIOUSLY ADDRESSED AS 1755 DOVE ROAD, SOUTHEAST CORNER OF THE FM 1938/DOVE ROAD INTERSECTION.

Director Greenwood provided a presentation and overview of the item.

Discussion ensued regarding location of the dams, drainage from the current lakes, Parkland Dedication and a controlled intersection at Dove Road and Randol Mill.

MOTION: Council Member Stoltenberg made a motion to approve **Resolution 16-11**. Council Member Barrett seconded the motion. The motion carried by a vote of 5-0.

15. DISCUSSION AND CONSIDERATION OF RESOLUTION 16-12, AUTHORIZING THE TOWN MANAGER TO EXECUTE A REPRESENTATION AGREEMENT WITH CUSHMAN & WAKEFIELD FOR IDENTIFYING SUITABLE RELOCATION OFFICE SPACE, ANALYZING LEASE AND PURCHASE OPTIONS, AS WELL AS NEGOTIATING TERMS FOR OFFICE SPACE WITHIN SOLANA IN WESTLAKE.

Mr. Trent Petty, Petty & Associates, provided an overview of the item.

Discussion ensued regarding the timing of options, lease per square foot, vacant buildings and percentage of buildings occupied in the Solana Complex.

MOTION: Council Member Rennhack made a motion to approve **Resolution 16-12**. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

16. TAKE ANY ACTION, IF NEEDED, FROM EXECUTIVE SESSION ITEMS.

Town Manager Brymer provided an overview of the 380 Agreement with BRE Solana L.L.C.

MOTION: Council Member Stoltenberg made a motion to approve **Resolution 16-13**, approving a 380 Agreement with BRE Solana L.L.C. as discussed in Executive Session. Council Member Rennhack seconded the motion. The motion carried by a vote of 5-0.

17. FUTURE AGENDA ITEMS

Mayor Wheat – Discussion regarding cost effective ways of enhancing and maintaining the trail system.

Mayor Wheat provided an overview of her request.

Council Member Rennhack seconded her request to have the item placed on a future agenda for discussion.

18. ADJOURNMENT

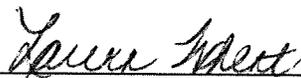
There being no further business before the Council, Mayor Wheat asked for a motion to adjourn the meeting.

MOTION: Council Member Rennhack made a motion to adjourn the meeting. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

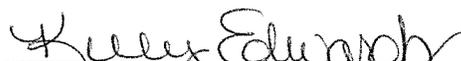
Mayor Wheat adjourned the meeting at 9:18 p.m.

APPROVED BY THE TOWN COUNCIL ON APRIL 25, 2016.

ATTEST:



Laura Wheat, Mayor



Kelly Edwards, Town Secretary