



# City of Keller

## City Council

### Meeting Minutes

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

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Tuesday, August 16, 2022

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

##### **A. CALL TO ORDER - Mayor Armin R. Mizani**

Mayor Armin Mizani called the Pre-Council Meeting to order at 5:02 P.M.

The following City Council Members were present:

Mayor Armin Mizani

Council Member Shannon Dubberly

Council Member Sean Hicks

Council Member Jessica Juarez (attended by video conference)

Council Member Tag Green

Council Member Chris Whatley

Mayor Pro Tem Ross McMullin

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry (attended by video conference), Director of Administrative Services Aaron Rector, City Engineer Chad Barteo, Director of Community Services Cody Maberry, Assistant Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Economic Development Director Mary Culver, Police Chief Bradley G. Fortune, 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 Armin Mizani recessed the Pre-Council Meeting at 5:06 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

**1. Section 551.074, Texas Government Code - Personnel Matters. (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary**

**2. Adjourn into Open Meeting.**

Mayor Armin Mizani reconvened the Pre-Council Meeting at 5:51 P.M.

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

No action was taken.

## D. WORK SESSION

1. [Receive an update on the South Elm Street design project.](#)

Ms. Sam Fries, Kimley Horn, gave a presentation relating to the Old Town Keller Phase II South Elm Street reconstruction project at 30% design. Ms. Fries discussed the project status and timeline, the South Elm Street improvements, the bridge replacement and enhancement options, and also gave her professional opinion relating to construction costs and cost savings.

Ms. Fries asked for direction from the City Council on moving forward with the 30% design or one of the cost savings options, and also on the bridge options.

The City Council requested more time to review the options and asked see this on a work session in September.

2. [Discussion related to market rate adjustment proposal from Community Waste Disposal.](#)

Community Waste Disposal President Greg Roemer gave a presentation relating to a request for a rate adjustment increase of 11.4%.

The City Council directed the City Manager to negotiate with Community Waste Disposal to come up with another option, and then to bring that back for action at the September 6, 2022 City Council Meeting.

3. [Discuss a recommendation from the Parks and Recreation Board for additional Pickleball courts at Bear Creek Park.](#)

Director of Community Services Cody Maberry gave a presentation relating to the request by the Parks and Recreation Board for Pickleball Courts at Bear Creek Park. The amenities would include Pickleball Courts, shade structures, grills, picnic tables, water fountains, and benches. Estimated cost for the amenities at Bear Creek Park is \$400,000. Discussion was held by the City Council.

The City Council directed staff to move forward with the plan for Pickleball Courts at Bear Creek Park, at a cost of \$444,000, and with the understanding that parking at Bear Creek Park will need to be adjusted with the addition of the Pickleball amendments.

4. [City Council Updates on Boards and Commissions Progress.](#)

The City Council Members gave an update on Boards and Commission progress.

## E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 7:07 P.M., with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Armin Mizani adjourned the Pre-Council Meeting at 8:25 P.M.

**REGULAR MEETING 7:00 P.M.****A. CALL TO ORDER – Mayor Armin R. Mizani**

Mayor Armin Mizani called to Regular City Council meeting to order at 7:10 P.M.

**B. INVOCATION**

Pastor Sterling Smith, Whites Chapel United Methodist Church gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

Pastor Sterling Smith, Whites Chapel United Methodist Church, 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**

1. [Recognition of the Summer Earn and Learn program Participants](#)

Mayor Armin Mizani presented Certificates of Recognition to the following Goodwill Summer Earn and Learn (SEAL) Participants: Kyle Toler, Kyle Medford, Cameron Hopson, Trinity Price, Ethan Pattalochi, and Cooper Pattalochi.

**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.

Mr. Wes Bullock, 702 Montana Court; Ms. Dana Meinecke, 301 Anita Ave.; and Ms. Darcie Speicher, 1301 Briar Ridge Drive, expressed their concerns regarding the TAD Board of Directors.

Ms. Cheryl Weiskircher, 1617 Overlook Terrace, expressed concerns with noise and traffic at Northeast Park.

Mr. Chris Wroble, 907 Shoreline Court, expressed his desire for dedicated Police Officers at elementary schools.

Ms. Beckie Haskin, 1905 Cielo Court, expressed concerns with the proposed rate increase of 11.4% by Community Waste Disposal.

**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 Mayor Pro Tem Ross McMullin, seconded by Council Member Chris Whatley, to approve the Consent Agenda, with the following addition requested by Council Member Tag Green:**

**Consent Agenda Item 3: The same quality control measures that are in place for new sidewalk construction to be in place for all sidewalk repairs.**

**The motion carried unanimously.**

1. [Consider approval of the Minutes of the Tuesday, August 2, 2022 Regular City Council Meeting.](#)

Approved.

2. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of three full-time School Resource Officers and one less than full-time School Resource Officer, for the Keller Police Department.](#)

Resolution No. 4541 approves an Interlocal Agreement for the funding of three full-time School Resource Officers and one less than full-time School Resource Officer, for the Keller Police Department, between Keller Independent School District and City of Keller, Texas.

3. [Consider a resolution approving a professional services agreement with HR Green, Inc. of Plano, Texas, to provide professional program management and engineering services for the Public Works department and the Sidewalk Repair Program, and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4542 approves an Agreement with HR Green, Inc., of Plano, Texas to provide professional program management and engineering services, for the Public Works Department and the Sidewalk Repair Program, in the amount of \$300,000.00, in accordance with the terms and conditions set forth in said Agreement for Professional Services; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

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

## **H. NEW BUSINESS**

1. [Consider a resolution of the City Council of the City of Keller, Texas, to consider a proposal to adopt a tax rate that will be lower than the no new revenue and voter-approval tax rates; and providing an effective date.](#)

Director of Administrative Services Aaron Rector gave a presentation relating to the proposed tax rate of \$0.3545.

**A motion was made by Council Member Chris Whatley, seconded by Council**

Member Sean Hicks, to approve Resolution No. 4543 approving the proposed tax rate of \$0.354500 which is below the no new revenue and voter approval rates. The motion carried unanimously.

2. [Consider a resolution of the City Council for the City of Keller, Texas, amending Resolution No. 4539, approved on August 2, 2022, by canceling the Public Hearing scheduled for Tuesday, September 6, 2022, and by calling for a Public Hearing on Tuesday, September 20, 2022, to consider the updated Major Thoroughfare Plan.](#)

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Chris Whatley, to approve Resolution No. 4544, amending Resolution No. 4539, approved on August 2, 2022, by canceling the Public Hearing scheduled for Tuesday, September 6, 2022, and by calling for a Public Hearing on Tuesday, September 20, 2022, to consider an update to the City of Keller Major Thoroughfare Plan. The motion carried unanimously.

3. [Consider a resolution of the City Council for the City of Keller, Texas, amending Resolution No. 4540, approved on August 2, 2022, by canceling the Public Hearing scheduled for Tuesday, September 6, 2022, and by calling for a Public Hearing on Tuesday, September 20, 2022, to consider amendments to the City of Keller Land Use Assumptions, Capital Improvements Plan, and Impact Fees.](#)

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4545, Resolution No. 4540, approved on August 2, 2022, by canceling the Public Hearing scheduled for Tuesday, September 6, 2022, and by calling for a Public Hearing on Tuesday, September 20, 2022, to consider amendments to the City of Keller Land Use Assumptions, Capital Improvements Plan, and Impact Fees, in accordance with Chapter 395 of the Local Government Code. The motion carried unanimously.

## I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

1. Section 551.074, Texas Government Code - Personnel Matters. (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary
2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

## J. ADJOURN

Mayor Armin Mizani adjourned the Regular Meeting at 7:59 P.M., and reconvened the Work Session.

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Mayor

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City Secretary