



# 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, September 17, 2024

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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 5:01 P.M.

The following City Council Members were present:

Mayor Armin Mizani  
Council Member Shannon Dubberly  
Council Member Greg Will  
Council Member Karen Brennan (sworn it at 7:00 P.M.)  
Council Member Tag Green  
Mayor Pro Tem Ross McMullin

Council Member Chris Whatley was absent.

The following City staff members were present: Interim City Manager Aaron Rector, City Attorney Stan Lowry, City Secretary Kelly Ballard, Director of Community Services Cody Maberry, Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Public Works Director Alonzo Liñán, Police Chief Bradley F. Fortune, and Fire Chief Bobby Tatum Jr.

#### **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 5:21 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

1. **Section 551.072, Texas Government Code - Deliberation Regarding Real Property; Closed Meeting.** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. [205 S. Elm Street](#)

2. **Adjourn into Open Meeting.**

Mayor Armin Mizani adjourned the Executive Session and reconvened the Pre-Council Meeting at 5:49 P.M.

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

No action was taken.

**D. WORK SESSION**

1. [Discuss the TML Region 8 Director Candidates](#)

The City Council discussed the candidates for TML Region 8 Director and cast the City's vote in favor of Hurst Council Member Jon McKenzie, the incumbent.

2. [Capital Improvement Projects Update](#)

Director of Public Works Alonzo Liñán provided an update on current, future, and completed Capital Improvement Projects.

3. [Discuss City Boards and Commissions](#)

City Secretary Kelly Ballard discussed the upcoming Board and Commission appointment process. The City Council directed the City Secretary to proceed with November 16, 2024, as the interview date for new applicants. The Council also decided to waive interviews for incumbents. Appointments will be made at the November 19 City Council Meeting.

Director of Community Development Sarah Hensley presented the idea of establishing a standing day for the Corridor Committee Meetings to alleviate scheduling issues. The Council agreed with the proposal and asked Ms. Hensley to determine the most suitable day. The committee members will continue to rotate as they currently do.

**E. ADJOURN**

Mayor Armin Mizani adjourned the Pre-Council Meeting at 6:42 P.M.

**REGULAR MEETING 7:00 P.M.**

**A. CALL TO ORDER – Mayor Armin R. Mizani**

Mayor Armin Mizani called the Meeting to order at 7:03 P.M.

**B. INVOCATION**

Mayor Armin Mizani gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

Mayor Armin Mizani 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. 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.

#### E. ELECTIONS

1. [Administer the Oath of Office to City Council Place 3.](#)

Judge Susan McCoy, 153rd District Court, administered the Oath of Office for City Council Place 3 to Karen Brennan.

Council Member Karen Brennan addressed and thanked the public. Mayor Armin Mizani presented Council Member Karen Brennan a Certificate of Election.

#### 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 Shannon Dubberly, seconded by Council Member Gregory Will, to approve Items 1-3 and 5 of the Consent Agenda. Item 4 was considered separately. The motion carried unanimously.**

1. [Consider approval of the Minutes of the Wednesday, August 28, 2024, City Council Work Session.](#)

**Attachments:** [082824 Minutes](#)

Approved.

2. [Consider approval of the Minutes of the Tuesday, September 3, 2024, Regular City Council Meeting.](#)

**Attachments:** [090324 Minutes](#)

Approved.

3. [Consider approval of the Minutes of the Tuesday, September 10, 2024, Special City Council Meeting.](#)

**Attachments:** [091024 Minutes](#)

Approved.

4. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of School Resource Officers, for the](#)

Keller Police Department.

**Attachments:** [091724\\_SRO KISD Agreement Resolution](#)  
[091724\\_SRO KISD Agreement - Exhibit A](#)

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Tag Green, to approve Resolution No. 4835 authorizing the City Manager to execute an Interlocal Agreement with Keller Independent School District, for the funding of of four full-time School Resource Officers, for the Keller Police Department, with the following amendment:

Strike the words "to promote" from Section 4. of the Agreement.

The motion carried unanimously.

5. [Consider a resolution approving a construction contract with MHB Construction, Inc. of Fort Worth, Texas, relating to the Woods Drive Drainage Improvements Project 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:** [091724 WoodsDrainage Resolution](#)

Resolution No. 4836 approves the construction bid for the Woods Drive Drainage Improvements Project, from MHB Construction, Inc., of Fort Worth, Texas for the Public Works Department, in the amount of \$60,237.50; 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. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for A + Boxes & More, to operate a retail store with used goods and merchandise sales, located in an existing multi-tenant building on 0.92 acres, located on the west side of N. Main Street, approximately 240 feet northwest of the N. Main Street and Keller Hicks Road intersection, legally described as part of the Samuel Needham Survey, Abstract No. 1171, Tract 1E, zoned Old Town Keller and addressed 419 N. Main Street. Donald Morris, Owner. Brenda Currier, Applicant. \(SUP-2407-0004\)](#)

**Attachments:** [091724\\_419 N Main SUP Ordinance](#)  
[082724\\_419 N Main SUP Maps](#)  
[082724\\_419 N Main SUP Applicant Packet](#)  
[H-1 A-Plus Boxes SUP](#)

Planner Alexis Russell gave a presentation related to the request for a SUP for A + Boxes & More, to operate a retail store with used goods and merchandise sales, at 419 N. Main Street.

Mayor Armin Mizani opened the public hearing. No public comments were received.

A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2187 approving a Specific Use Permit (SUP) for A + Boxes & More, to operate a retail store with used goods and merchandise sales, located in an existing multi-tenant building on 0.92 acres, located on the west side of N. Main Street, approximately 240 feet northwest of the N. Main Street and Keller Hicks Road intersection, legally described as part of the Samuel Needham Survey, Abstract No. 1171, Tract 1E, zoned Old Town Keller and addressed 419 N. Main Street. The motion carried unanimously.

2. [Consider a resolution approving a Final Plat with two variances for the Diemand-Mueller Addition, a proposed residential subdivision with two single-family lots, on 2.774 acres of land, approximately 500 feet southeast of the Bourland Road and Lavena Street intersection, legally described as Lots 1 and 2, Block 1 of the Diemand-Mueller Addition, zoned Single-Family 36,000 minimum square-foot lots \(SF-36\), and addressed 569 Lavena Street. Lisa Diemand and Robert Mueller, Owners. Pentavia Custom Homes, Applicant. \(PLAT-2408-0003\)](#)

**Attachments:** [091724 569 Lavena Plat Resolution](#)  
[091724 569 Lavena Plat Exhibit A](#)  
[091724 569 Lavena Plat MAPS](#)  
[091724 569 Lavena Plat Applicant Letter](#)  
[H-2 569 Lavena Plat](#)

Community Development Director Sarah Hensley gave a presentation relating to the request for a Final Plat with two variances for the Diemand-Mueller Addition, addressed 569 Lavena Street.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Karen Brennan, to table the request for a Final Plat with two variances for the Diemand-Mueller Addition, to the October 1, 2024 Regular City Council Meeting. The motion carried unanimously.

3. [Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 19, Water and Sewers; by repealing Articles V. - Wastewater Pretreatment Program, in its entirety; and by adding a new Article V, Wastewater Pretreatment Program; providing a severability clause; establishing an effective date; and authorizing publication.](#)

**Attachments:** [091724 TRA PreTreatment ProposedOrdinance](#)  
[091724 TRA PreTreatment AttachmentA OrdinanceChanges](#)  
[091724 TRA PreTreatment AttachmentB](#)  
[091724 TRA PreTreatment StaffAttachment](#)  
[H-3 TRA RA Update](#)

Environmental Specialist Hannah Smith gave a presentation related to the proposed amendments to the City of Keller Code of Ordinances by amending Chapter 19, Water

and Sewers.

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Gregory Will, to approve Ordinance No. 2188 amending the City of Keller Code of Ordinances by amending Chapter 19, Water and Sewers; by repealing Articles V. - Wastewater Pretreatment Program, in its entirety; and by adding a new Article V, Wastewater Pretreatment Program; providing a severability clause; establishing an effective date; and authorizing publication. The motion carried unanimously.

4. [Consider a resolution endorsing the implementation and continuation of a pretreatment program as required by 40 CFR 403 for the Trinity River Authority's Central Regional Wastewater System and Denton Creek Regional Wastewater System.](#)

**Attachments:** [091724\\_TRA PreTreatment Resolution](#)  
[Item H-4 Budget Amendment](#)

Environmental Specialist Hannah Smith gave a presentation related to the implementation and continuation of a pretreatment program.

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Tag Green, to approve Resolution No. 4837 endorsing the implementation and continuation of a pretreatment program as required by 40 CFR 403 for the Trinity River Authority's Central Regional Wastewater System and Denton Creek Regional Wastewater System. The motion carried unanimously.

5. [PUBLIC HEARING: Consider an ordinance approving certain amendments to the Fiscal Year 2023-24 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter.](#)

**Attachments:** [091724\\_FY\\_24\\_Budget Amend](#)  
[Items H-5 - H-7 Budget and Tax Rate](#)

Interim City Manager Aaron Rector gave a presentation relating to amendments to the Fiscal Year 2023-24 Annual Operating Budget for the City of Keller.

Mayor Armin Mizani opened the public hearing. No public comments were received.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Gregory Will, to close the public hearing. The motion carried unanimously.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Tag Green, to approve Ordinance No. 2189 approving certain amendments to the Fiscal Year 2023-24 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.

6. [PUBLIC HEARING: Consider an ordinance adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025, including the 2024-25 Capital Improvements Program, and adopting the Fiscal Year 2024-25 Fee Schedule for the City of Keller, Texas.](#)

**Attachments:** [FY 25 Fee Schedule](#)  
[Items H-5 - H-7 Budget and Tax Rate](#)

Interim City Manager Aaron Rector gave a presentation relating to adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025, including the 2024-25 Capital Improvements Program, and adopting the Fiscal Year 2024-25 Fee Schedule for the City of Keller.

Mayor Armin Mizani opened the public hearing. No public comments were received.

**A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to close the public hearing. The motion carried unanimously.**

**A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2190 adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025, including the 2024-25 Capital Improvements Program, and adopting the Fiscal Year 2024-25 Fee Schedule for the City of Keller, Texas. The motion carried unanimously.**

7. [Consider a resolution ratifying the tax revenue for the Tax Year 2024 \(Fiscal Year 2024-25\) for the City of Keller, Texas.](#)

**Attachments:** [091724 FY25 Tax Ratification Resolution](#)  
[Items H-5 - H-7 Budget and Tax Rate](#)

Interim City Manager Aaron Rector gave a presentation relating to ratifying the tax revenue for the Tax Year 2024.

**A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Gregory Will, to approve Resolution No. 4838 ratifying the tax revenue for the Tax Year 2024 (Fiscal Year 2024-25) for the City of Keller, Texas. The motion carried unanimously.**

8. [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 2024 \(Fiscal Year 2024-25\).](#)

**Attachments:** [091724 FY25 Tax Rate Adopt Ord](#)

Interim City Manager Aaron Rector gave a presentation relating to levying taxes for the Tax Year 2024.

**A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2191 levying the following taxes on each One Hundred Dollars (\$100.00), of taxable valuation on all taxable property within the city limits of the City of Keller, Texas, to be assessed and collected by the Tax Assessor/Collector for the tax year 2024 (Fiscal Year 2024-25) for the purposes hereinafter stipulated:**

- a. **For the General Fund Maintenance and Operations levied on the \$100.00 of taxable valuation: \$0.247620**

b. For the Interest and Sinking Fund levied on the \$100.00 of taxable valuation:  
\$0.043500

Total tax rate - \$0.291120

The motion carried unanimously.

## I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

1. Section 551.072, Texas Government Code - Deliberation Regarding Real Property; Closed Meeting. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
  - a. [205 S. Elm Street](#)
2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

## J. ADJOURN

A motion was made by Council Member Karen Brennan, seconded by Council Member Gregory Will, to adjourn the City Council Meeting at 8:31 P.M. The motion carried unanimously.

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Mayor

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City Secretary