



**City of Keller  
City Council  
Agenda**

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

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Tuesday, September 20, 2022

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

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

**B. DISCUSS AND REVIEW AGENDA ITEMS**

**C. EXECUTIVE SESSION**

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.

**D. WORK SESSION**

1. [Receive an update on the South Elm Street design project.](#)  
**Attachments:** [092022 S. Elm St. Work Session Presentation](#)
2. [Discuss proposed City of Keller Code of Ordinance amendments related to dangerous dogs.](#)  
**Attachments:** [092022\\_dangerous dog ordinance](#)  
[092022\\_dangerous dog ordinance redline](#)  
[Work Session - Dangerous Dog Ordinance Presentation](#)
3. [City Council Updates on Boards and Commissions Progress](#)

**E. ADJOURN**

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

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

**B. INVOCATION - Pastor Kason Branch, Creek Stone Church**

**C. PLEDGE OF ALLEGIANCE**

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 recognizing September 15, 2022 - October 15, 2022 as Hispanic Heritage Month.

**Attachments:** [092022\\_Proclamation\\_National Hispanic Heritage Month.pdf](#)

## 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.

## F. CONSENT

1. [Consider approval of the Minutes of the Thursday, August 11, 2022 Joint Meeting of the City Council, Keller Development Corporation, and the Parks and Recreation Board.](#)

**Attachments:** [081122 Minutes Joint Mtg](#)

2. [Consider approval of the Minutes of the Tuesday, September 6, 2022 Regular City Council Meeting.](#)

**Attachments:** [090622 Minutes.pdf](#)

3. [Consider a resolution approving a professional services agreement with Teague, Nall and Perkins, of Fort Worth, Texas, to provide engineering services for the Bear Creek Parkway Bridge Erosion Protection 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:** [092022\\_BCPBridgeRepair\\_ProposedResolution](#)

[092022\\_BCPBridgeRepair\\_ExhibitA](#)

[092022\\_BCPBridgeRepair\\_ProjectMap](#)

4. [Consider a resolution approving a development agreement with GS-PG Keller Center Stage Owner, LLC of Irving, Texas; for the construction of an off-site sanitary sewer line 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:** [092022\\_CenterStageDA\\_ProposedResolution](#)

[092022\\_CenterStageDA\\_StaffAttachment](#)

[092022\\_CenterStageDA\\_ProjectMap](#)

5. [Consider a resolution approving a construction contract with McClendon Construction Company, Inc. of Burleson, Texas; for the Johnson Road Reconstruction 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:** [092022 JohnsonReconstruction ProposedResolution](#)  
[092022 JohnsonReconstruction BidSummary](#)  
[092022 JohnsonReconstruction ProjectMap](#)

6. [Consider a resolution approving a construction contract with Green Dream International, LLC of Irving, Texas; for the Pate Orr Sidewalk 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:** [092022 PateOrrSidewalk ProposedResolution](#)  
[092022 PateOrrSidewalk ProjectMap](#)  
[092022 PateOrrSidewalk BidSummary](#)

7. [Consider a resolution approving a construction estimate from Union Pacific Railroad of Omaha, Nebraska; for the Bear Creek Parkway Sidewalk 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:** [092022 UPRRBearCreek ProposedResolution](#)  
[092022 UPRRBearCreek StaffAttachment](#)  
[092022 UPRRBearCreek ProjectMap](#)

8. [Consider a resolution approving a construction estimate from Union Pacific Railroad of Omaha, Nebraska; for the Golden Triangle Boulevard Sidewalk 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:** [092022 UPRRGoldenTriangle ProposedResolution](#)  
[092022 UPRRGoldenTriangle StaffAttachment](#)  
[092022 UPRRGoldenTriangle ProjectMap](#)

## G. OLD BUSINESS

1. [Consider an ordinance approving an amendment to the City of Keller Code of Ordinances Chapter 10 - Miscellaneous Provisions by amending Article VIII - Noise Ordinance; providing a repealing clause; providing a maximum penalty of \\$200.00; providing a severability clause; and establishing an effective date.](#)

**Attachments:** [092022 Noise Ordinance ORDINANCE](#)  
[092022 Noise Ordinance Exhibit A REDLINE](#)  
[092022 Noise Ordinance Exhibit A CLEAN](#)  
[Item G1 Old Bus - Noise Ordinance Presentation](#)

2. [PUBLIC HEARING: Consider a resolution approving an amendment to the Future Land Use Plan \(FLUP\) from Low-Density Single Family \(LD-SF\) to Retail/Commercial \(RTC\), for approximately 3.52 acres, legally described as Tract 1D01B of the John Martin Survey, Abstract 1153 \(account # 42818999\), and a portion of Lot 7, Block 1, Pearson Crossing, and addressed as 1816 Johnson Road and 1908 Pearson Crossing. Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner. \(LUP-22-0001\)](#)

**Attachments:** [092022\\_Landscape Systems FLUP Resolution.docx](#)  
[092022\\_Landscape Systems FLUP Amend Maps](#)  
[092022\\_Landscape Systems FLUP Amend Staff Attachment - Application and](#)

## H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Maui Health Spa to operate a spa with massage in an existing 2,240 square-foot lease space, within a 4,325 square-foot multi-tenant building, at the intersection of Davis Boulevard and Bear Creek Parkway, legally described as Lot 3, Block A of Hidden Lakes Center addition \(Erroneously listed on the Tarrant Appraisal District website as Lot 2 50% of Common Area, Hidden Lakes Condo addition. Account #: 41197127\), zoned Commercial \(C\) and addressed as 8845 Davis Boulevard, Suite 150. David Campbell, Applicant. GFP Keller Property, LLC, Owner. \(SUP-22-0030\)](#)

**Attachments:** [092022\\_Maui Health Spa SUP Ordinance.docx](#)  
[092022\\_Maui Health Spa SUP Application](#)  
[092022\\_Maui Health Spa SUP Staff Attachment - Applicant Business Plan](#)  
[092022\\_Maui Health Spa SUP Staff Attachment - Building Layout](#)  
[092022\\_Maui Health Spa Maps](#)  
[092022\\_Maui Health Spa SUP Opposition](#)  
[Item H-1 Maui Health Spa Presentation](#)

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow a drive-thru for Black Rock Coffee to occupy a 2,077 square-foot lease space, within a proposed 5,730 square-foot multi-tenant building, located on the east side of North Main Street, situated at the Ridge Point Parkway and North Main Street intersection, on approximately 1.18 acres, legally described as Lot 1, Block A of the Center Stage Addition, zoned Planned Development - Commercial \(PD-C\), and addressed at 1600 North Main Street. Jimmy Archie, Reality Capital Management, LLC., Owner/Applicant. \(SUP-22-0028\)](#)

**Attachments:** [092022\\_Black Rock Coffee SUP Ordinance](#)  
[092022\\_Black Rock Coffee SUP Maps](#)  
[092022\\_Black Rock Coffee SUP Staff Attachment A](#)  
[092022\\_Black Rock Coffee SUP Staff Attachment B - HOA Letters](#)  
[Item H-2 Black Rock Coffee Presentation](#)

3. [PUBLIC HEARING: Consider a resolution replacing the 2012 Major Thoroughfare Plan with the 2022 Major Thoroughfare Plan.](#)

**Attachments:** [Item H-3 Major Thoroughfare Plan Update Presentation](#)  
[Item H-3 & 4 Public Comments Summary](#)

4. [PUBLIC HEARING: Consider a resolution replacing the 2015 Impact Fee Study with the 2021 Impact Fee Study that establishes new maximum service unit rates for Water, Wastewater and Roadway impact fees.](#)

**Attachments:** [Item H-4 Keller-Impact Fee Update Presentation](#)  
[Item H-3 & 4 Public Comments Summary](#)

5. [Consider an ordinance approving an amendment to the City of Keller Code of Ordinances Chapter 4 - Buildings, by replacing Article IV in its entirety regarding the regulation of substandard structures; providing a repealing clause; providing a maximum penalty of \\$2,000.00; providing a severability clause; and establishing an effective date.](#)

**Attachments:** [092022 Substandard Buildings Ordinance](#)  
[Item H-5 Substandard Buildings Presentation](#)

6. [PUBLIC HEARING: Consider an ordinance approving certain amendments to the Fiscal Year 2021-22 Annual Operating Budget for the City of Keller, Texas, in accordance with Article VIII, Section 8.13, of the Keller City Charter.](#)

**Attachments:** [092022 FY 22 Budget Amend Ordinance](#)  
[Item H-6 Budget Amendment Presentation](#)

7. [PUBLIC HEARING: Consider an ordinance adopting the annual budget for the City of Keller, Texas, for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023, including the 2022-23 Capital Improvements Program, and adopting the Fiscal Year 2022-23 Fee Schedule for the City of Keller, Texas.](#)

**Attachments:** [092022 BudgetAdopt Ordinance](#)  
[092022 FY23FeeSchedule](#)  
[Items H-7 - H-9 Budget and Tax Rate Presentation](#)

8. [Consider a resolution ratifying the tax revenue for the Tax Year 2022 \(Fiscal Year 2022-23\) for the City of Keller, Texas.](#)

**Attachments:** [092022 TaxRatification Resolution](#)  
[Items H-7 - H-9 Budget and Tax Rate Presentation](#)

9. [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 2022 \(Fiscal Year 2022-23\).](#)

**Attachments:** [092022 TaxRateAdopt Ordinance](#)  
[Items H-7 - H-9 Budget and Tax Rate Presentation](#)

## **I. EXECUTIVE SESSION**

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**

**CITY OF KELLER  
MISSION STATEMENT**

*We commit to preserving a safe, informed and vibrant community of quality neighborhoods, thriving businesses and natural beauty by setting the standard for municipal engagement, collaboration, service and innovation.*

**CERTIFICATE**

*I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, September 15, 2022 at 5:00 P.M.*

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Kelly Ballard, TRMC, CMC  
City Secretary

***Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.***