



City of Keller
City Council
Meeting Minutes

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

Tuesday, November 15, 2022

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 5:04 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Council Member Jessica Juarez
Council Member Tag Green
Council Member Chris Whatley
Mayor Pro Tem Ross McMullin

Council Member Sean Hicks was absent.

The following City staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, City Secretary Kelly Ballard, Director of Administrative Services Aaron Rector, Director of Community Services Cody Maberry, Director of Public Works Alonzo Liñán, Director of Economic Development Mary Culver, Director of Community Development Julie Smith, Assistant Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Communication and Public Engagement Manager Rachel Reynolds, Police Chief Bradley G. Fortune, and Fire Chief Bobby J. 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 5:15 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. 541 Keller Parkway

2. **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. 721 Chisholm Trail

3. **Adjourn into Open Meeting.**

Mayor Armin Mizani called the Pre-Council Meeting back to order at 6:11 P.M.

4. **Action on Executive Session Items 1 and 2 if necessary.**

No action was taken.

D. WORK SESSION

1. [Receive a demonstration on WaterSmart, the customer website that is included in the City's future smart water meters \(AMI\) procurement.](#)

Regional Sales Director Michelle Camp, Vertexone, gave a presentation and demonstration on WaterSmart, the customer website that is included in the City's future smart water meters (AMI) procurement.

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

No updates were given.

3. [Discuss Keller Senior Activity Center Survey results regarding user fees and operating hours.](#)

Attachments: [WS - Keller 2022 Sr Activities Ctr](#)

Director of Community Services Cody Maberry and Senior Citizens Advisory Board Chairperson Susan Padgett gave a presentation relating to Senior Center survey results and needs.

The City Council directed staff to change membership fees at the Keller Senior Activities Center beginning January 1, 2023 to the following:

\$20 a year for Keller residents, \$70 a year for non-residents.

The City Council also approved the Parks and Recreation reorganization. This will eliminate the Recreation Manager position, and create one new full time program coordinator and two new part time customer service representatives for the Keller Senior Activities Center.

4. [Receive an update on the Shady Grove Road Project.](#)

Director of Public Works Alonzo Liñán gave an update on the Shady Grove Road Project.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:58 P.M. with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Armin Mizani adjourned the Pre-Council Meeting at 8:59 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

Mayor Armin Mizani called the Regular Meeting to order at 7:05 P.M.

Mayor Mizani expressed his condolences to the family of former City Council Member Terry Barker, and stated that Terry was a devoted husband, father, grandfather, Army veteran and American Airlines retiree. Terry Barker died Saturday, November 12, 2022 in the tragedy at the Wings Over Dallas Airshow.

B. INVOCATION

Elder James Murray, Bear Creek Bible Church, led a Moment of Silence in remembrance of former Council Member Terry Barker.

Elder Murray also 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. PRESENTATIONS

1. [Recognition of 2022 Keller Citizens Academy participants.](#)

Mayor Armin Mizani presented a certificate of achievement to each of the graduates from the Class of 2022 Keller Citizens Academy: Mary Castillo, Gigi Gupta, Brandon Honeycutt, Timothy Moser, Barbarita Nieri, Feyi Obamehinti, Erika Piquant, Desiree Rogers, Gretchen Stegman, Peggy Wadsworth, and Angela Walby.

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.

The following individuals expressed concerns with operations at the Keller Senior Activities Center: Ms. Sherry Walters, 1929 Overlook Ridge Drive; Mr. Bob Johnson, 1828 Forest Bend Lane; Ms. Debbie Bryan, 760 Mt. Gilead; Mr. John Harding, 1004 Mesquite Drive; Ms. Stephanie McKnight, 2127 Beeding Lane; Mr. Frank Roszell, 2230 Union Church Road; and Ms. Len Nichols, 1017 W. Murphy Road, Colleyville TX 76034.

Mr. Sean Alibrando, 901 Barbara Lane, expressed concerns with residents feeding wildlife and the potential safety risks.

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 Mayor Pro Tem Ross McMullin, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Saturday, October 22, 2022 City Council Work Session.](#)

Attachments: [102222 Minutes](#)

Approved

2. [Consider approval of the Minutes of the Thursday, October 27, 2022 City Council Work Session.](#)

Attachments: [102722 Minutes](#)

Approved

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

Attachments: [110122 Minutes](#)

Approved

4. [Consider an ordinance of the City Council of the City of Keller, Texas, amending the City of Keller Code of Ordinances, by amending Chapter 2, Administration, by deleting Article IX. Reserved, and adding a New Article IX. Senior Citizens Advisory Board; and by amending Article XV, Economic Development Board, by deleting Section 2-1500, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-1500; authorizing publication; and establishing an effective date.](#)

Attachments: [111522 Board Amendments Ord 2101](#)

Ordinance No. 2101 approves amending the City of Keller Code of Ordinances, Chapter 2, Administration, by deleting Article IX. Reserved, and adding a New Article IX. Senior Citizens Advisory Board; and by amending Article XV, Economic Development Board, by deleting Section 2-1500, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-1500; authorizing publication; and establishing an effective date.

5. [Consider a resolution rejecting all bids for the construction of the Oakhill Road Waterline Improvements project, for the Public Works Department.](#)

Attachments: [111522 OakhillBidRejection BidSummary](#)
[111522 OakhillBidRejection Resolution 4582](#)

Resolution No. 4582 rejects all bids received for the Oakhill Waterline Improvements Project, for the Public Works Department; and authorizes the City Manager to execute any and all documents relating thereto on behalf of the City of Keller, Texas.

6. [Consider a resolution approving a professional services agreement with Front Line Mobile Health, of Georgetown, Texas, for the purpose of providing annual physicals to firefighters, physicals to new hires, and a fit-for-duty program for a one \(1\) year period with four \(4\) additional one \(1\) year renewal periods, not to exceed five \(5\) years; and authorizing the City manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [111522 Keller FD PSA with Job Descriptions 11.08.22](#)
[111522 Front Line Mobile Health Resolution 4583](#)

Resolution No. 4583 approves a Professional Services Agreement with Front Line Mobile Health, of Georgetown, Texas, for the purpose of providing annual physicals to firefighters, physicals to new hires, and a fit-for-duty program; for a one (1) year period with four (4) additional one (1) year renewal periods, not to exceed five (5) years, 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 Keller Prenatal Massage to operate in an existing 150-square-foot lease space, within a](#)

1,744-square-foot multi-tenant building, approximately 100 feet southwest of the intersection of Pecan Street and South Elm Street, legally described as Tract 19, Abstract 1171 of the Samuel Needham Survey, zoned Old Town Keller (OTK) and addressed as 140 Pecan Street, Ste. B. Jennifer Land Wellness LLC, DBA Keller Prenatal Massage, Applicant. Ronald Lee, Owner. (SUP-22-0034)

Attachments: [111522 Keller Prenatal Massage Ordinance 2102](#)
[111522 Keller Prenatal Massage Application](#)
[111522 Keller Prenatal Massage SUP Maps.pdf](#)
[111522 Keller Prenatal Massage Staff Attachment.pdf](#)
[Item H-1 Keller Prenatal Massage Presentation](#)

Planner Amber Washington gave a presentation relating to the request for a Specific Use Permit (SUP) for Keller Prenatal Massage at 140 Pecan Street, Ste. B.

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

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

A motion was made by Council Member Chris Whatley, seconded by Council Member Jessica Juarez, to approve Ordinance No. 2102 approving a Specific Use Permit (SUP) for Keller Prenatal Massage to operate in an existing 150-square-foot lease space, within a 1,744-square-foot multi-tenant building, approximately 100 feet southwest of the intersection of Pecan Street and South Elm Street, legally described as Tract 19, Abstract 1171 of the Samuel Needham Survey, zoned Old Town Keller (OTK) and addressed as 140 Pecan Street, Ste. B., with the following condition:

1. A Specific Use Permit to operate a pre- and postnatal massage business at 140 Pecan Street, Suite B with the hours of operation being 10 a.m. to 5 p.m. Monday, Wednesday, and Saturday, and 2-5 p.m. on Sunday, shall be allowed.

The motion carried unanimously.

2. [Consider a resolution appointing members and a chairperson to the Public Arts Board.](#)

Attachments: [111522 Public Arts Board Resolution 4584](#)

The following members shall be appointed to serve on the Keller Public Arts Board for a two-year term ending November 30, 2024:

Place 4 - Michael Polydorf
Place 5 - Debbie Wolfe
Place 6 - Kathryn Cox
Place 7 - Elisha Van Deventer
Alternate 2 - Rashmi Sundriyal

The following members shall be appointed to serve on the Keller Public Arts Board for an unexpired term ending November 30, 2023:

Alternate 1 - Jo Ann Stankus

the following member shall be appointed to serve as chairperson for a term of one (1) year or until their successor has been duly appointed or elected for said board: Brenda Wyatt.

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4584 appointing members and a chairperson to the Public Arts Board. The motion carried unanimously.

3. [Consider a resolution appointing members to the Keller Economic Development Board.](#)

Attachments: [111522 Economic Development Board Resolution 4585](#)

The following members shall be appointed to serve on the Keller Economic Development Board for a two-year term ending November 30, 2024:

Place 3 - Ashley Hernandez

Place 4 - Nate Bernklau

Advisory Member 1 - Kingsley Fregene

Alternate Member 2 - Jim Fletcher Jr.

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4585 appointing members to the Keller Economic Development Board. The motion carried unanimously.

4. [Consider a resolution appointing members and a chairperson to the Zoning Board of Adjustment.](#)

Attachments: [111522 Zoning Board of Adjustment Resolution 4586](#)

The following members shall be appointed to serve on the Zoning Board of Adjustment for a two-year term ending November 30, 2024:

Place 1 - John Birt

Place 3 - Bob Apke

Place 5 - Matthew Gilpin

Alternate 1 - Perry Fourrier

The following member shall be appointed to serve as chairperson for a term of one (1) year or until their successor has been duly appointed or elected for said board: Matthew Gilpin

A motion was made by Council Member Chris Whatley, seconded by Council Member Jessica Juarez, to approve Resolution No. 4586 appointing members and a chairperson to the Zoning Board of Adjustment. The motion carried unanimously. Council Member Shannon Dubberly abstained from the vote.

5. [Consider a resolution appointing members and a chairperson to the Library Board.](#)

Attachments: [111522 Library Board Resolution 4587](#)

The following members shall be appointed to serve on the Library Board for a two-year term ending November 30, 2024:

Place 4 - Mary Vermette
Place 5 - Rick Peters
Place 7 - Michelle Hur
Alternate 2 - Katelyn McCormack

the following member shall be appointed to serve as chairperson for a term of one (1) year or until their successor has been duly appointed or elected for said board: Mona Ford

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4587 appointing members and a chairperson to the Library Board. The motion carried unanimously.

6. [Consider a resolution appointing members and a chairperson to the Parks and Recreation Board.](#)

Attachments: [111522 Parks and Recreation Resolution 4588](#)

The following members shall be appointed to serve on the Parks and Recreation Board for a two-year term ending November 30, 2024:

Place 1 - Felix Mira, Chairperson
Place 2 - Thomas Hixson
Place 3 - Nicholas Anderson
Place 4 - Jay Blakey
Alternate 2 - Wes Cope

The following members shall be appointed to serve on the Parks and Recreation Board for an unexpired term ending November 30, 2023:

Place 7 - Brittany Whitacre
Alternate 1 - Raylene Moore

The following member shall be appointed to serve as chairperson of the Parks and Recreation Board for a term of one (1) year or until their successor has been duly appointed or elected for said board: Felix Mira

A motion was made by Council Member Chris Whatley, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4588 appointing members and a chairperson to the Parks and Recreation Board. The motion unanimously.

7. [Consider a resolution appointing members and a chairperson to the Planning and Zoning Commission.](#)

Attachments: [111522 P & Z Commission Resolution 4589](#)

The following members shall be appointed to serve on the Planning and Zoning Commission for a two-year term ending November 30, 2024:

Place 1 - Erik Leist
Place 2 - Erin Pfarner
Place 3 - Vern Stansell
Place 4 - Paul Alvarado
Alternate 2 - Gigi Gupta

The following member shall be appointed to serve on the Planning and Zoning Commission for an unexpired term ending November 30, 2023:

Place 7 - Greg Will

The following member shall be appointed to serve as chairperson for a term of one (1) year or until their successor has been duly appointed or elected for said board: Paul Alvarado

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Chris Whatley, to approve Resolution No. 4589 appointing members and a chairperson to the Planning and Zoning Commission. The motion carried unanimously.

8. [Consider a resolution appointing members to the Metroport Teen Court Advisory Board.](#)

Attachments: [111522 Metroport Teen Court Resolution No. 4590](#)

The following members shall be appointed to serve on the Metroport Teen Court Advisory Board for a two-year term ending November 30, 2024:

Place 1 - Jeffrey Plant
Place 2 - Angela Walby

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4590 appointing members to the Metroport Teen Court Advisory Board. The motion carried unanimously.

9. [Consider a resolution appointing members and a chairperson to the Senior Citizens Advisory Board.](#)

Attachments: [111522 Senior Citizens Advisory Board Res. 4591](#)

The following members shall be appointed to serve on the Keller Senior Citizens Advisory Board for a two-year term ending November 30, 2024:

Place 2 - Beckie Wiggins
Place 4 - Vandolyn Roszell
Place 6 - Richard Sanchez
Alternate 2 - Karen Clark

The following members shall be appointed to serve on the Senior Citizens Advisory Board for an unexpired term ending November 30, 2023:

Place 1 - Peggy Wadsworth
Place 3 - Anant Gairola
Place 5 - Sandi Janacek
Place 7 - Carol Rubino
Alternate 1 - Warren Robinson

The following member shall be appointed to serve as chairperson for a term of one (1) year or until their successor has been duly appointed or elected for said board: Anant Gairola

A motion was made by Council Member Chris Whatley, seconded by Council Member Jessica Juarez, to approve Resolution No. 4591 appointing members and a chairperson to the Senior Citizens Advisory Board. The motion carried unanimously.

10. PUBLIC HEARING: Consider a request for a Zoning Change from Old Town Keller (OTK) to Retail (R), approximately 96.067 acres, generally located north of Keller Parkway, south of Johnson Road, east of the railroad, and west of Elm and Charles Streets; including the properties on the attached list. City of Keller, Applicant. (Z-22-0003) (The Applicant has requested to withdraw this request.)

Attachments: 110822_(WITHDRAWN)-OTK N Rezone_Buffer Map-Addresses
COMBINED
110822_(WITHDRAWN)-OTK N Rezone_Staff Attachment

This item was withdrawn by the applicant.

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. 541 Keller Parkway

2. 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. 721 Chisholm Trail

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1 and 2 if necessary.

J. ADJOURN

Mayor Armin Mizani adjourned the Regular City Council Meeting at 7:57 P.M.

Mayor

City Secretary