



City of Keller
City Council
Meeting Minutes

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

Tuesday, February 6, 2024

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 5:07 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Council Member Sean Hicks
Council Member Jessica Juarez
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, Director of Administrative Services Aaron Rector, Director of Community Services Cody Maberry, Director of Community Development Sarah Hensley, Director of Public Works Alonzo Liñán, Director of Human Resources Marcia Reyna, and Police Chief Bradley G. Fortune.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. JOINT WORK SESSION WITH PARKS AND RECREATION BOARD

Mayor Armin Mizani welcomed the following members of the Keller Parks and Recreation Board:

Chairman Felix Mira
Vice Chairman Jay Blakey
Board Member Tom Hixson
Board Member Judy Sether
Board Member Raylene Moore
Board Member Jenilee Harwell
Board Member Katelyn McCormack

1. [Discuss roles, responsibilities, and vision for the Parks and Recreation Board.](#)

Director of Community Services Cody Maberry gave a presentation relating to the Keller

Development Corporation Five Year Capital Improvement Projects.

Parks and Recreation Board Chairman Felix Mira stated that with the Sports Park project now underway, the Parks and Recreation Board is eager to receive direction from the City Council as to how best to focus their attention with regards to other Parks and Recreation programs and park maintenance and development. The City Council gave the Parks and Recreation Board direction to concentrate on the Keller Sports Park Operating Policy, the Hike and Bike Trail Master Plan, and the Rental Policy for all park fields and facilities. Staff was given direction to make improvements to the dog park in the form of additional soil and seed as soon as temperatures warm enough to encourage seed germination.

Discussion was held regarding the Pickleball Court scheduling and possible league play. City Council identified Parks and Recreation Staff as the point of contact for both, but discouraged Pickleball League play.

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:10 P.M. and reconvened at 6:23 P.M.

D. ADJOURN

Mayor Armin Mizani adjourned the Pre-Council Meeting at 6:50 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

Mayor Armin Mizani and Mayor for the Day Ascher Williams called the Regular City Council Meeting to Order at 7:00 P.M.

B. INVOCATION

Pastor Keith Sanders, First Baptist Church of Keller, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Armin Mizani and Mayor for the Day Ascher Williams 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. [Mayor for the Day - Ascher Williams](#)

Mayor Armin Mizani introduced Mayor for the Day Ascher Williams and presented him a Certificate of Recognition.

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.

Ms. Safa Elshanshory, 607 Hays Drive, addressed the City Council regarding her request for consideration of a resolution calling for a cease fire in the Israel-Hamas war.

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 Sean Hicks, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, January 16, 2024 Regular City Council Meeting.](#)

Approved.

2. [Consider approval of the Minutes of the Tuesday, January 22, 2024 Special City Council Meeting.](#)

Approved.

3. [Consider a resolution approving the purchase of concrete repair and related services from CI Pavement of Grand Prairie, Texas, through The Interlocal Purchasing System cooperative purchasing program; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4754 approves the purchase of Concrete Repair and Related Services from CI Pavement of Grand Prairie, Texas, through The Interlocal Purchasing System in the amount of \$57,915; and further authorizes the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.

4. [Consider a resolution approving a construction proposal from Anderson Asphalt and Concrete of Dallas, Texas; for the Shady Grove 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.](#)

Resolution No. 4755 approves the construction proposal for the Shady Grove Reconstruction Project from Anderson Asphalt and Concrete of Dallas, Texas; through The Interlocal Purchasing System cooperative purchasing program, in the amount of \$768,005.80; and authorizing the City Manager to execute all purchase 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 amendments to the City of Keller Code of Ordinances, Chapter 12 - Parks and Recreation, Section 12-160, by adopting the annual Youth Programs Standards of Care; providing a severability clause; authorizing publication; and providing an effective date.](#)

Keller Pointe Recreation Supervisor Michael Queen gave a presentation relating to amendments to the City of Keller Code of Ordinances, Chapter 12 - Parks and Recreation, Section 12-160, by adopting the annual Youth Programs Standards of Care.

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

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

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Ordinance No. 2150 approving amendments to the City of Keller Code of Ordinances, Chapter 12 - Parks and Recreation, Section 12-160, by adopting the annual Youth Programs Standards of Care; providing a severability clause; authorizing publication; and providing an effective date. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for an approximately 2,400 square-foot accessory structure with an average height of 14 feet 8 inches, on approximately 4.17 acres, on the west side of Keller Smithfield Road, approximately 680 feet southwest from the intersection of Keller Smithfield Road and Ottinger Road, legally described as Lot 1R, Block A of the Our Lady of the Fields Subdivision, zoned Single-Family 36,000 square-foot lot size or greater \(SF-36\) and addressed 760 Keller Smithfield Road. William Starck, Applicant/Owner. \(SUP-23-0034\)](#)

Planner Alexis Russell gave a presentation relating to the request for a SUP for an approximately 2,400 square-foot accessory structure at 760 Keller Smithfield Road.

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.

Mr. William Starck, Property Owner, addressed the City Council regarding his proposal.

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Ordinance No. 2151 approving a Specific Use Permit (SUP) for an approximately 2,400 square-foot accessory structure with an average height of 14 feet 8 inches, on approximately 4.17 acres, on the west side of Keller Smithfield Road, approximately 680 feet southwest from the intersection of Keller Smithfield Road and Ottinger Road, legally described as Lot 1R, Block A of the Our Lady of the Fields Subdivision, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 760 Keller Smithfield Road, with the

following conditions:

1. **A Specific Use Permit for an accessory structure in excess of 1,200 square-feet in the SF-36 zoning district shall be allowed.**
2. **A Specific Use Permit for the combined square footage of accessory structures on the property to be in excess of 50% of the main dwelling unit's square footage shall be allowed.**

The motion carried by the following vote:

AYE: 5 - Council Member Shannon Dubberly, Council Member Jessica Juarez, Council Member Tag Green, Council Member Chris Whatley, and Mayor Pro Tem Ross McMullin.

NAY: 2 - Council Member Sean Hicks, and Mayor Armin Mizani.

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) with variances for a carport on 0.93 acres located on the west side of Hillview Drive, approximately 440 feet northwest from the intersection of Hillview Drive and Bancroft Road, legally described as Lot 4, Block 2 of Rolling Oaks North Addition, zoned Single-Family 36,000 square-foot lot size or greater \(SF-36\) and addressed 1013 Hillview Drive. Daniel Evans, Owner/Applicant. \(SUP-23-0032\)](#)

Community Development Director Sarah Hensley gave a presentation relating to the request for a SUP with variances for a carport at 1013 Hillview Drive.

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

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

Mr. Daniel Evans, Property Owner, addressed the City Council regarding the proposal.

A motion was made by Council Member Chris Whatley, seconded by Council Member Jessica Juarez, to approve Ordinance No. 2152 approving a Specific Use Permit (SUP) with variances for a carport on 0.93 acres located on the west side of Hillview Drive, approximately 440 feet northwest from the intersection of Hillview Drive and Bancroft Road, legally described as Lot 4, Block 2 of Rolling Oaks North Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1013 Hillview Drive, with the following variances:

1. **The variance to encroach the side yard setback by approximately four feet shall be allowed.**
2. **The variance to allow the carport to be located in line with the primary dwelling shall be allowed.**

The motion carried by the following vote:

AYE: 6 - Council Member Shannon Dubberly, Council Member Sean Hicks, Council Member Jessica Juarez, Mayor Armin Mizani, Council Member Chris Whatley, and Mayor Pro Tem Ross McMullin.

NAY: 1 - Council Member Tag Green.

4. [PUBLIC HEARING: Consider an ordinance approving an amendment to an existing Specific Use Permit \(SUP\) allowing a six-month extension for the Applicant to complete the required development steps to receive a Certificate of Occupancy, for Beauteous Lash Studio, a proposed salon/spa in an existing 700 square-foot lease space, within a 3,550 square-foot multi-tenant building, approximately 593 feet southeast of the intersection of South Main Street and U.S. Hwy. 377, legally described as Lots 1-4, Block 10, Keller City Addition, zoned Old Town Keller \(OTK\) and addressed as 149 S. Main St., Suite C. GoGuz LLC, Applicant. Vina Property, LLC, Owner. \(SUP-23-0039\)](#)

Community Development Director Sarah Hensley gave a presentation relating to the request for an amendment to an existing SUP allowing a six-month extension for the Applicant to complete the required development steps to receive a Certificate of Occupancy, for Beauteous Lash Studio, at 149 S. Main Street, Suite C.

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 Jessica Juarez, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Chris Whatley, to approve Ordinance No. 2153 approving an amendment to an existing Specific Use Permit (SUP) allowing a six-month extension for the Applicant to complete the required development steps to receive a Certificate of Occupancy, for Beauteous Lash Studio, a proposed salon/spa in an existing 700 square-foot lease space, within a 3,550 square-foot multi-tenant building, approximately 593 feet southeast of the intersection of South Main Street and U.S. Hwy. 377, legally described as Lots 1-4, Block 10, Keller City Addition, zoned Old Town Keller (OTK) and addressed as 149 S. Main St., Suite C. The motion carried unanimously.

5. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow Office/Medical Use in an existing 1,260 square-foot structure, on 0.17 acres located on the south side of Taylor Street, approximately 85 feet southeast from the Taylor Street and South Main Street intersection, legally described as Lot 2A, Block 11 of Keller, City Addition, zoned Old Town Keller \(OTK\) and addressed 110 Taylor Street. David Simmons, Owner. Cary Stillwell, Applicant. \(SUP-23-0036\)](#)

Community Development Director Sarah Hensley gave a presentation relating to the request for a SUP allow Office/Medical Use at 110 Taylor Street.

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

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Ross McMullin, to approve the SUP request for 110 Taylor Street. The motion failed by the following vote:

AYE: 3 - Mayor Armin Mizani, Council Member Chris Whatley, and Mayor Pro Tem Ross McMullin

NAY: 4 - Council Member Shannon Dubberly, Council Member Sean Hicks, Council Member Jessica Juarez, and Council Member Tag Green.

6. [Consider a resolution approving a Site Plan with variances for an existing approximately 1,260 square foot structure on 0.17 acres located on the south side of Taylor Street, approximately 85 feet southeast from the Taylor Street and South Main Street intersection, legally described as Lot 2A, Block 11 of Keller, City Addition, zoned Old Town Keller \(OTK\) and addressed 110 Taylor Street. David Simmons, Owner. Cary Stillwell, Applicant. \(SP-23-0030\)](#)

A motion was made by Council Member Chris Whatley, seconded by Council Member Tag Green, to deny the Site Plan with variances for 110 Taylor Street. The motion carried by the following vote:

AYE: 6 - Council Member Shannon Dubberly, Council Member Sean Hicks, Council Member Jessica Juarez, Council Member Tag Green, Mayor Armin Mizani, and Council Member Chris Whatley.

NAY: 1 - Mayor Pro Tem Ross McMullin.

7. [Consider adoption of an ordinance authorizing the issuance and sale of City of Keller, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2024, to provide funds for parks and recreation facility improvements and for related issuance costs; levying an annual ad valorem tax and providing for the security for and payment of such certificates; approving the Official Statement; providing an effective date; and enacting other matters and provisions relating to the subject.](#)

Director of Administrative Services Aaron Rector gave a presentation relating to the issuance and sale of City of Keller, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2024, to provide funds for parks and recreation facility improvements.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Sean Hicks, to approve Ordinance No. 2154 authorizing the issuance and sale of City of Keller, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2024, to provide funds for parks and recreation facility improvements and for related issuance costs; levying an annual ad

valorem tax and providing for the security for and payment of such certificates; approving the Official Statement; providing an effective date; and enacting other matters and provisions relating to the subject. The motion carried unanimously.

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

1. **Adjourn into Open Meeting.**
2. **Action on Executive Session Item 1 if necessary.**

J. ADJOURN

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to adjourn the Regular City Council Meeting at 7:54 P.M. The motion carried unanimously.

Mayor

City Secretary