



City of Keller

City Council

Meeting Minutes

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

Tuesday, October 18, 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 Sean Hicks (arrived at 5:14 P.M.)
Council Member Jessica Juarez
Council Member Tag Green
Council Member Chris Whatley (arrived at 5:10 P.M.)
Mayor Pro Tem Ross McMullin

The following City staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, Assistant City Secretary Andrea McDonald, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Assistant Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Director of Information Services Sean Vreeland, Police Chief Bradley G. Fortune, Deputy Fire Chief Shane Gainer, 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 5:30 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.**

- 1. [142 E. Vine, 212 S. Elm St. and 116 Bates St.](#)**

- 2. Adjourn into Open Meeting.**

Mayor Armin Mizani called the Pre-Council Meeting back to order at 6:42 P.M.

3. Action on Executive Session Item 1 if necessary.

No action was taken.

D. WORK SESSION

1. [Discuss the Mt. Gilead Reconstruction Project.](#)

Attachments: [CC WS 10.18.2022 - MT. Gilead Roadway Design Discussion](#)

Director of Public Works Alonzo Liñán gave a presentation regarding the Mt. Gilead Reconstruction Project to include the roadway design scope, need, impact and budget. Mr. Liñán and Mrs. Sam Fries P.E., with Kimley-Horn, addressed questions from the City Council regarding the project. The City Council directed staff to move forward with the project by breaking up the contracts and include the east side.

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

The City Council discussed updates on Boards and Commissions progress at the conclusion of the Regular Meeting. Council Member Tag Green gave an update regarding the progress of the Keller Economic Development Board.

E. ADJOURN

Mayor Armin Mizani adjourned the Pre-Council Meeting at 6:58 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 7:09 P.M.

B. INVOCATION

Dr. Bart Paxton, Church of Jesus Christ of Latter-Day Saints, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Cub Scout Pack 1910 led the Pledge of Allegiance to the United States Flag and 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. [Administer the Oath of Office to a New Keller Fire Chief.](#)

Mayor Armin Mizani administered the Oath of Office to the City of Keller's new Fire Chief,

Mr. Bobby J. Tatum Jr. Fire Chief Tatum thanked the City of Keller for the opportunity and recognized his family and friends in attendance.

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. Tim Moser, 309 LaQuinta Circle North, expressed his thoughts and concerns regarding impact fees.

Mr. Louis Seldon, 1305 Clear Springs Drive, expressed his concerns with traffic signals along running/biking routes during special community events.

Mr. Craig Hill, 628 Rockhurst Trail, expressed his concerns regarding the Master Thoroughfare Plan.

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 Mayor Pro Tem Ross McMullin, seconded by Council Member Shannon Dubberly, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, October 4, 2022 Regular City Council Meeting.](#)

Attachments: [100422 Minutes.pdf](#)

Approved.

2. [Consider a resolution approving a consulting services agreement with Sciens Consulting for the Asset Management System Solution Selection project and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [Resolution No. 4574.docx](#)
[101822_CSASciens_ExhibitA](#)

Resolution No. 4574 approves a consulting services agreement with Sciens Consulting for the Asset Management System Solution Selection project in the amount of \$69,000.00 for Assessment and Planning services, Request for Proposal Development, Vendor Evaluation and Selection, and Contract Negotiation; and authorizes the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.

3. [Consider a resolution approving an Agreement for Professional Services with Wade Trim,](#)

[Inc. of Fort Worth, Texas; for the purpose of providing engineering design for the 2023 Annual Street Maintenance 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: [Resolution No. 4575.docx](#)
[101822_22StreetRecon_StaffAttachment](#)
[101822_22StreetRecon_Map](#)

Resolution No. 4575 approves an agreement for Professional Services with Wade Trim, Inc. of Fort Worth, Texas; for design of the 2023 Annual Street Maintenance Project for the Public Works Department in the amount of \$220,000.00; and authorizes the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.

4. [Consider a resolution approving an agreement with Granicus, Inc. for legislative and agenda management and video recording software, for the Information Technology Department; and authorizing the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [Resolution No. 4576.docx](#)
[101822_Granicus_Exhibit A.pdf](#)

Resolution No. 4576 approves a three-year agreement with Granicus, Inc. for legislative and agenda management and video recording software in an amount not to exceed \$188,000.00 for the Information Technology Department; and authorizes the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.

5. [Consider a resolution authorizing the City Manager to execute an agreement with Insight Public Sector to purchase Cisco SMARTnet hardware maintenance and support, through the State of Texas Department of Information Resources \(DIR\) Cooperative Purchasing Program, for the Information Technology Department.](#)

Attachments: [Resolution No. 4577.docx](#)
[101822_Cisco_Exhibit A.pdf](#)

Resolution No. 4577 authorizes the City Manager to execute an agreement with Insight Public Sector to purchase Cisco SMARTnet hardware maintenance and support in the amount of \$54,285.89, through the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Program, for the Information Technology Department; and authorizes the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [Consider a resolution approving a Site Plan Amendment with variances for First Baptist Church, situated on approximately 7.97 acres, being legally described as Lot 1R1A, Block](#)

3 of the Johnson Addition; Lots 5-11, Block 2 of Johnson Addition-Keller; Lot 1, Block 1 or Cagle Addition; Tracts 1C01B, 1C01A, 1J, 1L, 1F, 1G, 1C02, 1H1, 1H2, 1H, 1I, 1K, 1I1A, 1K1A, Abstract 1171 of the Samuel Needham Survey and zoned Single-Family 8,400 square-foot minimum lot sizes or greater (SF-8.4) and Old Town Keller (OTK), and addressed as 218, 220, 224 and 245 Lorine St; 237, 231, 221, 217, and 213 Jessie Street; 222 and 238 Ruby Street; and 145, 205 and 211 Pearl Street. First Baptist Church, Owner/Applicant (SP-22-0027)

Attachments: [101822_FBC_RESOLUTION](#)

[101822_FBC_Maps](#)

[101822_FBC_Exhibit A - Site Plan](#)

[101822_FBC_Staff Attachment - Narrative Letter](#)

[Item H1 FBC Presentation](#)

Assistant Director of Community Development Sarah Hensley gave a presentation in relation to a site plan amendment with variances for First Baptist Church addressed as 218, 220, 224 and 245 Lorine St; 237, 231, 221, 217, and 213 Jessie Street; 222 and 238 Ruby Street; and 145, 205 and 211 Pearl Street. Mr. Scott Knox, First Baptist Church Associate Pastor, addressed questions from the City Council regarding the variances.

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4578; approving a Site Plan Amendment with variances for First Baptist Church, situated on approximately 7.97 acres, being legally described as Lot 1R1A, Block 3 of the Johnson Addition; Lots 5-11, Block 2 of Johnson Addition-Keller; Lot 1, Block 1 or Cagle Addition; Tracts 1C01B, 1C01A, 1J, 1L, 1F, 1G, 1C02, 1H1, 1H2, 1H, 1I, 1K, 1I1A, 1K1A, Abstract 1171 of the Samuel Needham Survey and zoned Single-Family 8,400 square-foot minimum lot sizes or greater (SF-8.4) and Old Town Keller (OTK), and addressed as 218, 220, 224 and 245 Lorine St; 237, 231, 221, 217, and 213 Jessie Street; 222 and 238 Ruby Street; and 145, 205 and 211 Pearl Street with the following variances:

1. To allow a 7-foot tall powder-coated steel fence surrounding the multi-purpose field located four feet from the sidewalk.
2. To allow 344 square-feet of garage door exposure to the street.
3. The garage doors will resemble carriage house doors.
4. To allow a driveway width of 70 feet, 2 inches.

The motion carried unanimously.

2. [Consider a resolution approving a Preliminary Site Evaluation \(PSE\) with five variances for Winding Creek Addition, a proposed ten single-family residential lots and one open space lot subdivision on 12.21 acres of land on the south side of Johnson Road, approximately 1,800 feet southwest from the intersection of Johnson Road and North Pearson Road, being tracts 1D and a portion of 1D01, Abstract 1153 out of the John Martin Survey, zoned Single-Family Residential 36,000 square-foot minimum lot sizes or greater \(SF-36\), and addressed 1808 Johnson Road and a portion of 1816 Johnson](#)

[Road. Cary Clarke, Devane Clarke Partnership, Ltd., Owner/Applicant. \(PSE-22-0008\)](#)

Attachments: [Resolution No. 4579.docx](#)

[101822 Winding Creek Exhibit A](#)

[101822 Winding Creek Maps](#)

[Item H2 Winding Creek Presentation](#)

Assistant Director of Community Development Sarah Hensley gave a presentation related to a Preliminary Site Evaluation (PSE) with five variances for Winding Creek Addition located at 1808 Johnson Road and a portion of 1816 Johnson Road.

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4579; approving a Preliminary Site Evaluation (PSE) with five variances for Winding Creek Addition, a proposed ten single-family residential lots and one open space lot subdivision on 12.21 acres of land on the south side of Johnson Road, approximately 1,800 feet southwest from the intersection of Johnson Road and North Pearson Road, being tracts 1D and a portion of 1D01, Abstract 1153 out of the John Martin Survey, zoned Single-Family Residential 36,000 square-foot minimum lot sizes or greater (SF-36), and addressed 1808 Johnson Road and a portion of 1816 Johnson Road with the following variances:

1. To allow Lot 1, Block A for an average depth of 152.34 feet in lieu of the required 200 feet.
2. To allow Lots 4 and 5, Block A for a lot width of 130 feet in lieu of the required 140 feet.
3. To allow Lots 6 and 7, Block A for a front yard setback of 35 feet in lieu of the required 40 feet.
4. To allow Lot 6, Block A for a width at the front yard setback of 110.06 feet in lieu of the 120 feet.
5. To allow Lot 7, Block A for a width at the front yard setback of 108.40 feet in lieu of the 120 feet.

The motion carried unanimously.

3. [PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Eight - Zoning Districts, Development Standards, Tree Preservation, Section 8.03 - Zoning Districts, relating to supplemental regulations for fuel pumps; providing penalties; authorizing publication; and establishing an effective date. \(UDC-22-0009\)](#)

Attachments: [Ordinance No. 2096.docx](#)
[101822 UDC Amend Fuel Pumps Exhibit A](#)
[101822 UDC Amend Fuel Pumps Staff Attachment \(Redline\)](#)
[Item H3 UDC Amendment Fuel Pumps Presentation](#)

Assistant Director of Community Development Sarah Hensley gave a presentation regarding proposed amendments to the Unified Development Code (UDC) in relation to supplemental regulations for fuel pumps.

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 Tag Green, seconded by Council Member Chris Whatley, to approve Ordinance No. 2096; approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Eight - Zoning Districts, Development Standards, Tree Preservation, Section 8.03 - Zoning Districts, relating to supplemental regulations for fuel pumps; providing penalties; authorizing publication; and establishing an effective date. The motion carried unanimously.

4. [PUBLIC HEARING: Consider a request to approve amendments to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Five - Subdivision Design and Improvement Requirements, Section 5.06 - Sidewalks and Trails, relating to sidewalk width requirements, Section 5.12 - Blocks, relating to sidewalk width requirements and removal of the maximum, Section 5.24 - Design Standards, relating to sidewalk construction requirements, and Appendix C - Subdivision Design and Improvement Requirements, Section 1 - Building Services, relating to sidewalk fee assessment; providing penalties; authorizing publication; and establishing an effective date. \(UDC-22-0008\)](#)

Attachments: [Ordinance No. 2097.docx](#)
[101822 UDCSidewalks ExhibitA](#)
[101822 UDCSidewalks ExhibitB Redline](#)
[Item H4 - 5' Sidewalks in UDC Presentation](#)

Director of Public Works, Mr. Alonzo Liñán, gave a presentation regarding proposed amendments to the Unified Development Code (UDC) related to sidewalk requirements and sidewalk fee assessment.

Mayor Armin Mizani opened public hearing. Mr. Tim Moser, 309 LaQuinta Circle North, and Mr. Craig Hill, 628 Rockhurst Trail, made inquiries to Mr. Liñán regarding the proposed amendments.

Mr. Liñán addressed questions from the City Council.

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 Mayor Pro Tem Ross McMullin, seconded by Council Member Jessica Juarez, to approve Ordinance No. 2097; approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Five - Subdivision Design and Improvement Requirements, Section 5.06 - Sidewalks and Trails, relating to sidewalk width requirements, Section 5.12 - Blocks, relating to sidewalk width requirements and removal of the maximum, Section 5.24 - Design Standards, relating to sidewalk construction requirements, and Appendix C - Subdivision Design and Improvement Requirements, Section 1 - Building Services, relating to sidewalk fee assessment; providing penalties; authorizing publication; and establishing an effective date. The motion carried unanimously.

5. [Consider an ordinance which replaces the 2012 Major Thoroughfare Plan with the 2022 Major Thoroughfare Plan \(MTP\).](#)

Attachments: [Ordinance No. 2098.docx](#)

[101822 MTP ExhibitA](#)

[101822 MTP Staff Attachment](#)

[Item H5 & H6 - MTP & Impact Fees Presentation](#)

Director of Public Works Alonzo Liñán gave a presentation related to the Major Thoroughfare Plan (MTP). Mr. Liñán clarified the definition of a Thoroughfare Plan, reviewed what changed and what remained the same with the 2022 MTP, and addressed questions from the City Council.

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2098; replacing the 2012 Major Thoroughfare Plan with the 2022 Major Thoroughfare Plan (MTP). The motion carried unanimously.

6. [Consider an ordinance replacing the 2015 Impact Fee Study with the 2021 Impact Fee Study that establishes new maximum service unit \(SU\) rates for Water, Wastewater and Roadway Impact Fees.](#)

- Attachments:** [Ordinance No. 2099.docx](#)
[101822_ImpactFeeUpdate_ProposedOrdinance](#)
[101822_ImpactFeeUpdate_ExhibitA](#)
[101822_ImpactFeeUpdate_ExhibitB](#)
[101822_ImpactFeeUpdate_ExhibitC](#)
[101822_ImpactFeeUpdate_RoadwayMap](#)
[101822_ImpactFeeUpdate_WastewaterMap](#)
[101822_ImpactFeeUpdate_WaterMap](#)
[Item H5 & H6 - MTP & Impact Fees Presentation](#)

Director of Public Works, Mr. Alonzo Liñán, gave a presentation in relation to the 2021 Impact Fee Study. Mr. Liñán addressed questions from the City Council. The City Council held a discussion regarding the 2021 Impact Fee Study and rates.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Mayor Armin Mizani, to approve Ordinance No. 2099; replacing the 2015 Impact Fee Study with the 2021 Impact Fee Study that establishes new maximum service unit (SU) rates for Water, Wastewater and Roadway Impact Fees; establishing the Impact Fee rates at 75% of the allowable state maximum. The motion carried by the following vote:

AYE: Mayor Armin Mizani, Council Member Shannon Dubberly, Council Member Jessica Juarez, Council Member Tag Green and Mayor Pro Tem Ross McMullin.

NAY: Council Member Sean Hicks and Council Member Chris Whatley.

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

J. ADJOURN

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Shannon Dubberly, to adjourn the Regular Meeting at 8:28 P.M. The motion carried unanimously.

 Mayor

 City Secretary