



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 17, 2023

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 5:09 P.M.

The following City Council Members were present:

Mayor Armin Mizani

Council Member Shannon Dubberly

Council Member Sean Hicks (arrived at 5:15 P.M. by videoconference)

Council Member Jessica Juarez (arrived at 5:12 P.M.)

Council Member Tag Green

Council Member Chris Whatley

Mayor Pro Tem Ross McMullin (arrived at 5:15 P.M.)

The following City Staff members were present: City Manager Mark Hafner, City Attorney Stan Lowry, City Secretary Kelly Ballard, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Director of Economic Development Mary Culver, Police Captain Jared Lemoine, 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 5:12 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

1. 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.

1. [401 Golden Triangle Boulevard](#)
2. [137 Hill Street](#)

2. Adjourn into Open Meeting.

Mayor Armin Mizani adjourned the Executive Session and called the Pre-Council Meeting back to order at 5:42 P.M.

3. Action on Executive Session Item 1 if necessary.

No action was taken.

D. WORK SESSION

1. [Discuss Medical and Spa-related uses, and allowed uses in the Town Center Zoning District](#)

Community Development Director Sarah Hensley and Economic Development Director Mary Culver, gave a presentation relating to Medical and Spa-related uses, and allowed uses in the Town Center Zoning District. The City Council directed City Staff to move forward with the new SPA Use to be permitted with an Specific Use Permit, and to track the number of SUPs issued and percentage of approvals. Based on the percentage of approvals, future action may take place.

2. [Receive an update on the Mt Gilead Road reconstruction project.](#)

Director of Public Works Alonzo Liñán and Ms. Katie Wilson, Kimley Horn gave a presentation relating to the Mt. Gilead Road reconstruction project at 30%.

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

Mayor Armin Mizani commented on recent resignations and vacancies on Boards and Commissions, stating that the City thanks all volunteers for their time and service, and that the vacancies will be filled with alternates.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 7:06 P.M. with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Armin Mizani reconvened the Pre-Council Meeting at 8:44 P.M., and adjourned the

Pre-Council Meeting and Regular Meeting at 8:50 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 7:11 P.M.

B. INVOCATION

Council Member Tag Green gave the invocation.

Mayor Armin Mizani recognized a Moment of Silence in response to the conflict in Israel.

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. PROCLAMATIONS & PRESENTATIONS

Mayor Armin Mizani recognized the German American Partnership Program Students from Amberg, Bavaria. Mr. Austin Mitchell, Keller High School German Teacher, addressed the City Council regarding the Program. Keller High School students will visit host families in June of 2024 as part of the program.

Council Member Chris Whatley expressed his support of this program and his experience with traveling to Germany.

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. William McCrea, 701 Muirfield Road, expressed support of the proposed Bella Casa development, and addressed concerns with the development's entrance.

Mr. Louis Seldon, 1305 Clear Springs Drive, expressed his desire for the Keller Senior Activities Center to extend weekend hours and to explore visitor passes.

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 Jessica Juarez, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, October 3, 2023 Regular City Council Meeting.](#)

Approved.

2. [Consider a resolution approving an Interlocal Agreement with the City of Fort Worth for the Keller Hicks Road Improvements Project, for the Public Works Department; and authorizing the City Manager to execute said agreement in the amount of \\$1,450,363.73 on behalf of the City of Keller, Texas.](#)

Resolution No. 4714 approves an Interlocal Agreement with the City of Fort Worth for the Keller Hicks Road Improvements Project, for the Public Works Department; paid from the Street System Capital Improvements Project Fund with funding provided by the General Fund and the 2017 Certificates of Obligations, in the amount of \$1,450,363.73 and further authorizes the City Manager to execute said Agreement on behalf of the City of Keller, Texas.

3. [Consider adoption of an ordinance authorizing the issuance and sale of City Of Keller, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2023, to provide funds for water system improvements and for related issuance costs; levying an annual ad valorem tax and providing for the security for and payment of such certificates; providing an effective date; and enacting other matters and provisions relating to the subject.](#)

Ordinance No. 2143 authorizes the issuance and sale of City of Keller, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2023, to provide funds for water system improvements and for related issuance costs; levying an annual ad valorem tax and providing for the security for and payment of such certificates; providing an effective date; and enacting other matters and provisions relating to the subject.

G. OLD BUSINESS

1. [Consider a resolution approving a Chapter 380 Economic Development Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with Calli Wang of North Texas Whole Health Wellness Center, owner of the property located at 413 Keller Parkway, Keller, TX 76248 for a City of Keller Façade Improvement Grant.](#)

A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to table the agenda item to the Tuesday, November 7, 2023 Regular City Council Meeting. 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 Mayor Pro Tem Ross McMullin.

NAY: 1 - Council Member Chris Whatley.

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Planned Development zoning change from Retail \(R\) to Planned Development Single-Family 8,400 square-foot minimum lots \(PD-SF-8.4\) for Bella Casa, a Planned Development, consisting of 31 residential lots and approximately 1.6 acres of open space on approximately 10.9 acres of land, legally described as Tract 3D08, Abstract 457 of the John Edmonds Survey, located on the southwest corner of the Rufe Snow Drive and Rapp Road intersection, and addressed as 1300 Rufe Snow Drive. Jim Tchoukaleff, Applicant. Amer Patel, Owner. \(Z-23-0004\)](#)

Planner Amber Washington gave a presentation relating to a request for a Planned Development zoning change from Retail (R) to Planned Development Single-Family 8,400 square-foot minimum lots (PD-SF-8.4) for Bella Casa, a Planned Development, consisting of 31 residential lots.

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 Tag Green, to close the public hearing. The motion carried unanimously.

Mr. Jerry Sylo, JBI Partners, addressed the City Council regarding the proposal.

Mayor Armin Mizani made a motion, Council Member Sean Hicks seconded, to approve the Planned Development Zoning Change as presented.

A motion was made by Council Member Tag Green, seconded by Council Member Sean Hicks, to amend the original motion to remove the condition for a façade masonry minimum of 70% brick or stone. The amendment failed by the following vote:

AYE: 3 - Council Member Sean Hicks, Council Member Tag Green, and Council Member Chris Whatley.

NAY: 4 - Council Member Shannon Dubberly, Council Member Jessica Juarez, Mayor Armin Mizani, and Mayor Pro Tem Ross McMullin.

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin, to approve Ordinance No. 2144 approving a Planned Development zoning change from Retail (R) to Planned Development Single-Family 8,400 square-foot minimum lots (PD-SF-8.4) for Bella Casa, a Planned Development, consisting of 31 residential lots and approximately 1.6 acres of open space on approximately 10.9 acres of land, legally described as Tract 3D08, Abstract 457 of the John Edmonds Survey, located on the southwest corner of the Rufe Snow Drive and Rapp Road intersection, and addressed as 1300 Rufe Snow Drive. The motion carried unanimously.

2. [Consider a resolution approving a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the city's economic development policy, with Houghton Horns LLC, who is expanding their business to 137 Hill Street on 0.5932 acres legally described as Lot 1, Block A, Lucas & Thompson Addition; and authorizing the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)

Economic Development Director Mary Culver gave a presentation relating to the request by Houghton Horns LLC for a Chapter 380 Economic Development Program Agreement.

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4715 approving a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with Houghton-Wright Holdings LLC, owner and operator of a specialty brass instrument shop at 137 Hill Street on 0.59 acres known as Lucas & Thompson Addition, Block A, Lot 1, Keller, Texas; and further authorizes the City Manager to execute said documents on behalf of the City of Keller, Texas. The motion carried unanimously.

3. [Consider a resolution approving a Chapter 380 Economic Development Agreement pursuant to Chapter 380 of the Texas Local Government Code, specifically approving a ground lease agreement with ME Development LLC.](#)

Director of Community Services Cody Maberry gave a presentation relating to the request by ME Development LLC for a Chapter 380 Economic Development Program Agreement, specifically a ground lease agreement.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Jessica Juarez, to approve Resolution No. 4716 approves a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, specifically approving a Ground Lease Agreement, with ME Development LLC.; and further authorizes the City Manager to execute said documents on behalf of the City of Keller, Texas. The motion carried unanimously.

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.
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1. [401 Golden Triangle Boulevard](#)
2. [137 Hill Street](#)
2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

J. ADJOURN

Mayor

City Secretary

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