



# City of Keller

## City Council

### Meeting Minutes

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

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Tuesday, November 1, 2022

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#### PRE-COUNCIL MEETING 5:30 P.M.

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

Mayor Armin Mizani called the Pre-Council Meeting to order at 5:33 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  
Mayor Pro Tem Ross McMullin

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, Assistant Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, Director of Information Services Sean Vreeland, 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 5:58 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

- 1. Section 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. A governmental body may not conduct a private consultation with its attorney except:**

- (1) when the governmental body seeks the advice of its attorney about:**

- (A) pending or contemplated litigation: Meritage Homes of Texas, LLC VS. City of Keller, Texas**

- 2. Adjourn into Open Meeting.**

Mayor Armin Mizani called the Pre-Council Meeting back to order at 6:41 P.M

**3. Action on Executive Session Item 1 if necessary.**

No Action was taken.

**D. WORK SESSION**

1. [Discuss the request for a city mobile application.](#)

Council Member Shannon Dubberly and Council Member Tag Green brought forward a request for a City mobile application. Council Member Dubberly stated that the request is for a "RFP" Request For Proposal for a 3 year contract for \$25,000. The intent is for the application to not require a lot of staff time.

Director of Information Services Sean Vreeland and Communication and Public Engagement Manager Rachel Reynolds gave a presentation relating to a mobile application.

The City Council directed staff to move forward with the process to obtain a City mobile application.

2. [Capital Improvement Projects Update](#)

Director of Public Works Alonzo Liñán gave an update on current Capital Improvement Projects.

**E. ADJOURN**

Mayor Armin Mizani recessed the Pre-Council Meeting at 7:00 P.M. with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Armin Mizani adjourned the Pre-Council Meeting at 9:10 P.M.

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

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

Mayor Armin Mizani called the Regular Council Meeting to order at 7:08 P.M.

**B. INVOCATION**

Ms. Sharon Campbell, Children's Ministry Administrator, Bear Creek Bible Church, 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. PROCLAMATIONS & PRESENTATIONS

1. [Proclamation - Texas Arbor Day](#)

**Attachments:** [110122\\_TXArborDay\\_Proclamation.pdf](#)

Mayor Armin Mizani proclaimed Friday, November 4, 2022 as Texas Arbor Day in the City of Keller. Community Services Director Cody Maberry accepted the proclamation on behalf of the City.

#### 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 their support of the proposed Substandard Building Ordinances, and their frustrations with properties located at 1390 Jackson Road and 1001 Oakwood Drive:

Mr. Rusty Mayeux, 1416 Jackson Road; Mrs. Jane Mayeux, 1416 Jackson Road; Ms. Christy Murray, 1413 Jackson Road; Mr. David Zobrist, 1413 Jackson Road; Ms. Kara McKinney, 1405 Jackson Road; Mr. Bruce Long, 1408 Jackson Road; Mrs. Beth Long, 1408 Jackson Road; Mr. Dale Williamson, 1409 Jackson Road; and Ms. Yesenia Koppa, 1034 Bancroft Road.

The following individuals expressed their support of the proposed Final Plat with variances for Hallelujah Farms: Ms. Kelly Jackson, 1205 Johnson Road; Ms. Joan Boyle, 1262 Oak Hill Road; Mr. John Scott, 736 Hallelujah Trail; Mr. David C. Lanier, 749 Hallelujah Trail; Mrs. Sharry Lanier, 749 Hallelujah Trail; Ms. Cecily Verloop, 1937 Denali Lane; and Ms. Pam Lewis, 645 Hallelujah Trail.

#### 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 Tuesday, October 18, 2022 Regular City Council Meeting.](#)

**Attachments:** [101822 Minutes.pdf](#)

Approved.

2. [Consider a resolution amending Resolution No. 4035, dated September 18, 2018; and authorizing an amendment of the Interlocal Agreement for Police Services \(Contract No.18-80\), Section 3. Keller obligations and Section 4. Westlake obligations, with the Town of Westlake, Texas.](#)

**Attachments:** [110122 Exhibit A - Westlake SRO Amendment No 2](#)  
[110122 KPD Interlocal Resolution 4580](#)

Resolution No. 4580 amends the Interlocal Agreement for Police Services (Contract No.18-80), Section 3. Keller obligations and Section 4. Westlake obligations, with the Town of Westlake, Texas, to assign a full-time School Resource Officer (SRO) to the Westlake Academy.

## G. OLD BUSINESS

1. [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. \(LUP-22-0001\)](#)

The applicant requested to table this item to the December 6, 2022 Regular City Council Meeting.

**A motion was made by Council Member Tag Green, seconded by Council Member Sean Hicks, to table the agenda item to the December 6, 2022 Regular City Council Meeting. The motion carried unanimously.**

2. [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:** [Item G2 Substandard Buildings Presentation](#)  
[110122 Substandard Buildings Ordinance 2100](#)

Director of Community Development Julie Smith gave a presentation relating to the proposed Substandard Building Ordinance.

**A motion was made by Council Member Shannon Dubberly, seconded by Council Member Jessica Juarez, to approve Ordinance No. 2100 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. The motion carried unanimously.**

## H. NEW BUSINESS

1. [Consider a resolution approving a Final Plat with variances for Lots 1-3, Block A of Hallelujah Farms, located on 6.99 acres of land, north of Hallelujah Trail, approximately 1,000 feet northeast of the intersection of Hallelujah Trail and Johnson Road, currently addressed as 657 Hallelujah Trail, and zoned Single-Family 36,000 square-foot minimum lots \(SF-36\). Brittainy Fink, Owner/Applicant. \(P-22-0022\)](#)

**Attachments:** [101122 Hallelujah Plat Maps](#)  
[101122 Hallelujah Plat Exhibit A](#)  
[101122 657 Hallelujah Support Letters](#)  
[H-1 Hallelujah Presentation](#)  
[110122 Hallelujah Resolution 4581](#)

Community Development Director Julie Smith, Public Works Director Alonzo Linan, and Fire Chief Bobby Tatum Jr., gave a presentation relating to the request for a Final Plat with variances for Hallelujah Farms.

Mrs. Brittny Fink, property owner, gave a presentation relating to her request for a Final Plat with five variances for Hallelujah Farms.

**A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4581 approving a Final Plat with variances for Lots 1-3, Block A of Hallelujah Farms, located on 6.99 acres of land, north of Hallelujah Trail, approximately 1,000 feet northeast of the intersection of Hallelujah Trail and Johnson Road, currently addressed as 657 Hallelujah Trail, and zoned Single-Family 36,000 square-foot minimum lots (SF-36) with the following variances:**

1. **A request for a variance to permit nine properties accessing a private drive (rather than the Unified Development Code Section 5.13 limit of three) shall be allowed.**
2. **A request for a variance not to construct the public street shall be allowed.**
3. **A request for a variance not to make the public street connection to the City street network shall be allowed.**
4. **A request for a variance to the requirement to build a cul-de-sac when a street terminates shall be allowed.**
5. **A request for a variance not to extend the public sanitary sewer line shall be allowed.**

**The motion carried unanimously.**

**I. EXECUTIVE SESSION**

Executive Session was not held during the Regular Meeting.

1. **Section 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. A governmental body may not conduct a private consultation with its attorney except:**
  - (1) **when the governmental body seeks the advice of its attorney about:**
    - (A) **pending or contemplated litigation: Meritage Homes of Texas, LLC VS. City of Keller, Texas**
2. **Adjourn into Open Meeting.**
3. **Action on Executive Session Item 1 if necessary.**

**J. ADJOURN**

Mayor Armin Mizani adjourned the Regular City Council Meeting at 8:41 P.M.

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Mayor

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City Secretary