



City of Keller City Council Agenda

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

Tuesday, December 6, 2022

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Armin R. Mizani

B. DISCUSS AND REVIEW AGENDA ITEMS

C. EXECUTIVE SESSION

The Pre-Council Meeting is now recessed so that the Council, in compliance with provisions of the Texas Open Meetings Act as authorized therein, shall go into Executive Session to consider matters allowed therein and as stated in the agenda.

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.

a. 721 Chisholm Trail.

2. Adjourn into Open Meeting.

3. Action on Executive Session Item 1 if necessary.

D. WORK SESSION

1. [Discuss wildlife public awareness.](#)

2. [Discuss Old Town Keller parking garage concept.](#)

Attachments: [OTK Parking Garage WS 1206 Presentation](#)

3. [Capital Improvement Projects Update](#)

E. ADJOURN

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani**B. INVOCATION - Dr. Kim Vastine, Ambassador Alliance Ministries Keller****C. PLEDGE OF ALLEGIANCE - Cub Scout Pack 88**

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**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.

F. CONSENT

1. [Consider approval of the Minutes of the Tuesday, November 15, 2022 Regular City Council Meeting.](#)
Attachments: [111522 Minutes](#)
2. [Consider a resolution appointing members to the Board of Directors for the Keller Crime Control and Prevention District Board, as provided for in Section 363.101 of the Texas Local Government Code.](#)
3. [Consider a resolution appointing a member to the Keller Development Corporation.](#)
4. [Consider a resolution appointing a member to the Planning and Zoning Commission.](#)
Attachments: [120622_P & Z Commission Resolution](#)
5. [Consider a resolution appointing members to the Zoning Board of Adjustment.](#)
Attachments: [120622_Zoning Board of Adjustment Resolution](#)
6. [Consider a resolution approving the purchase and installation of park amenities including four lighted pickleball courts, one shade structure, and sidewalk and trail improvements for Bear Creek Park, from The Playground, Shade and Surfacing Depot, LLC., of Keller, Texas, through the Texas Association of School Boards \(TASB\) BuyBoard Cooperative Purchasing Program, for the Parks and Recreation Department; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_BearCreekParkPickleballCourtsResolution](#)
[120622_PickleballCourtsProposal](#)
[120622_BearCreekParkShadeDrawing](#)
[120622_PickleballCourtsProposal](#)
[120622_AerialofCourtsShadeNewTrailSidewalks](#)

7. [Consider a resolution approving a professional services agreement with Baird, Hampton and Brown of Grapevine, Texas; to provide professional engineering services related to Public Works Engineering Division operations for a one \(1\) year period with an option for four \(4\) additional one \(1\) year renewal periods, not to exceed five \(5\) years; and authorize the City Manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_EngineeringOperations_ProposedOrdinance](#)
[120622_EngineeringOperations_StaffAttachment](#)

8. [Consider a resolution approving a professional services agreement with Criado & Associates, Inc. of Dallas, Texas to provide construction inspection services for the Public Works Department for a one \(1\) year period with an option for four \(4\) additional one \(1\) year renewal periods, not to exceed five \(5\) years; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_ConstructionInspections_ProposedResolution](#)
[120622_ConstructionInspections_StaffAttachment](#)

9. [Consider a resolution approving the construction bid with Canary Construction of Lewisville, Texas; for the Sanitary Sewer Line Extension on Melody Lane, Florence Road and Winter Drive project for the Public Works Department in the amount of \\$340,415.00; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_SSExtension_ProposedResolution](#)
[120622_SSExtension_StaffAttachment](#)
[120622_SSExtension_LocationMap](#)

10. [Consider a resolution approving a professional services agreement with Kimley Horn of Denton, Texas; for the purpose of providing professional engineering design for the Mt. Gilead Road Reconstruction project for the Public Works Department; and authorizing the City Manager to execute all contract documents.](#)

Attachments: [120622_Mt.GileadEngineering_ProposedResolution](#)
[120622_Mt.GileadEngineering_ExhibitA](#)
[120622_Mt.GileadEngineering_ProjectMap](#)

11. [Consider a resolution cancelling the agreement approved by Resolution No. 4560 on September 20, 2022 with Green Dream International, LLC of Irving, Texas, in the amount of \\$646,024.80, effective December 6, 2022.](#)

Attachments: [120622_PateOrrContractCancellation_ProposedResolution](#)

12. [Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 18, Traffic, Article II, Speed Limits, Section 18-210, School Zone Speed Provisions to reflect current school times; providing a penalty; providing a severability clause; authorizing publication; and establishing an effective date.](#)

Attachments: [120622_SchoolZoneSpeeds_ProposedOrdinance](#)
 [120622_SchoolZoneSpeeds_OrdinanceRedlines](#)

13. [Consider a resolution approving the proposal from One Source Commercial Flooring, LLC., of Plano, Texas, for the purchase and installation of new flooring for the jail and animal shelter facilities, through the Texas Association of School Boards \(TASB\) BuyBoard Cooperative Purchasing Program, for the Police Department; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_KPD_New_Flooring_Resolution](#)
 [120622_Flooring_Proposal.pdf](#)

14. [Consider a resolution approving the proposal from Motorola Solutions Inc. for the purchase of Police Department radios through the Houston-Galveston \(H-GAC\) Cooperative Purchasing Program, and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120622_KPD_Radios_Resolution](#)
 [120622_Radio_Quote.pdf](#)

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

Attachments: [120622_Landscape_Systems_LUP_Resolution](#)
 [120622_Landscape_Systems_Maps](#)
 [120622_Landscape_Systems_Staff_Attachment](#)
 [120622_LS_Staff_Attachment_Opposition_Letters_&_Emails.pdf](#)
 [Item_G-1_LS_FLUP_Presentation](#)

H. NEW BUSINESS

1. [Administer the Oath of Office to Boards and Commission Members](#)
2. [PUBLIC HEARING: Consider a resolution approving a Final Plat with variances for Lots 1R and 2, Block A, Hinds Addition, being a replat of Lot 1, Block A, Hinds Addition, located on 5.62 acres, at the intersection of Village Trail and Sarah Brooks Drive, addressed as 1241 Village Trail and zoned Single Family Residential - 36,000-square-foot minimum \(SF-36\). Douglas Hinds, Owner/Applicant. \(P-22-0021\)](#)

Attachments: [120622 Village Trail Plat RESOLUTION](#)
[120622 Village Trail Replat Maps.pdf](#)
[120622 Village Trail Replat Staff Attachment](#)
[120622 Village Trail Replat Proposed Plat.pdf](#)
[120622 VillageTrailReplat_OppositionLetters.pdf](#)
[Item H-2 - Village Trail Plat Presentation](#)

3. [PUBLIC HEARING: Consider an ordinance approving a rezone from Single Family - 36,000 square-foot minimum lot size \(SF-36\) to Retail \(R\), for approximately 16.62 acres, legally described as Tract 1D01B and Tract 1D01A1 of the John Martin Survey, Abstract 1153 \(account # 42818999 and 42819014\), a portion of Lot 7, Block 1, Pearson Crossing, and Tract 1F, Abstract 1153 \(account #: 04069838\) of the John Martin Survey, and addressed as 1816 Johnson Road, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway. Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner; James Neill, Owner \(Z-22-0001\)](#)

Attachments: [120622 LS Zoning ORDINANCE](#)
[120622 Landscape Systems Rezone MAPS](#)
[120622 Landscape Systems Rezone Staff Attachment-Application and Informa](#)
[120622 Staff Attachment A - Narrative and Proposed Site Plan](#)
[120622 Staff Attachment B - Proposed Site Plan and Elevations](#)
[120622 Staff Attachment C - Retail Use Table](#)
[120622 Staff Attachment D Opposition Letters & Emails.pdf](#)
[Item H-3 LS Rezone Presentation](#)

4. [PUBLIC HEARING: Consider an ordinance approving three Specific Use Permits \(SUPs\) for Landscape Systems and B & M Tree Service, for Light Manufacturing, Greenhouses and Nurseries, and outside storage for plant material and vehicles on approximately 17.52 acres, legally described as Tract 1D01B and Tract 1D01A1 of the John Martin Survey, Abstract 1153 \(account # 42818999 and 42819014\), a portion of Lot 7, Block 1, Pearson Crossing, and Tract 1F, Abstract 1153 \(account #: 04069838\) of the John Martin Survey, and addressed as 1816 Johnson Road, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway. Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner; James Neill, Owner \(SUP-22-0032\)](#)

Attachments: [120622 LS SUP ORDINANCE](#)
[120622 Maps](#)
[120622 Staff Attachment - Narrative and Proposed Site Plan](#)
[120622 LS SUP Opposition Letters.pdf](#)
[Item H-4 LS SUP Presentation](#)

5. [Consider a resolution approving a Site Plan Amendment with Variances for Landscape Systems on approximately 17.52 acres, legally described as Tract 1D01B and Tract 1D01A1 of the John Martin Survey, Abstract 1153 \(account # 42818999 and 42819014\), a portion of Lot 7, Block 1, Pearson Crossing, and Tract 1F, Abstract 1153 \(account #: 04069838\) of the John Martin Survey, and addressed as 1816 Johnson Road, 1850](#)

[Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway. Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner; James Neill, Owner. \(SP-22-0033\)](#)

Attachments: [120622 LS Site Plan Amendment RESOLUTION](#)
[120622 LS Maps](#)
[120622 LS Exhibit A - Site Plan](#)
[Item H-5 LS SP Amendment Presentation](#)

6. [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 replacing Article Eight - Zoning Districts, Development Standards, Tree Preservation, with a new Article Eight - Zoning Districts; by replacing Article Nine - Appendices, with a new Article Nine - Development Standards; and by adding a new Article Ten - Tree Preservation; and a new Article Eleven - Appendices; authorizing publication; providing a penalty; and establishing an effective date. \(UDC-22-0010\)](#)

Attachments: [120622 UDC Amendment - Reorganization ORDINANCE](#)
[120622 UDC Amendment - Reorganization Exhibit A](#)
[120622 UDC Amendment - Reorganization Staff Attachment \(REDLINE\)](#)
[Item H-6 UDC Amendment Reorganization Presentation](#)

7. [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 R & K Sales, Inc. dba Penguin Patch, who is relocating their business to 721 Chisholm Trail on 4.07 acres legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, Keller, Texas; and authorizing the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)
8. [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 Brian Palfrey owner of property located at 207 South Elm Street, Keller, TX 76248 for a City of Keller Façade Improvement Grant.](#)

Attachments: [Exhibit A - 207 S Elm \(380 Agreement\)](#)
[Exhibit A.1 Resolution - 207 S Elm](#)
[Exhibit A.2 - 207 S Elm FIG application.pdf](#)
[Exhibit A.3 - Resolution No. 4371](#)
[Item H-8 - 207 S Elm Street FIG Presentation](#)

I. EXECUTIVE SESSION

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

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(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

a. 721 Chisholm Trail.

2. Adjourn into Open Meeting.

3. Action on Executive Session Item 1 if necessary.

J. ADJOURN

**CITY OF KELLER
MISSION STATEMENT**

We commit to preserving a safe, informed and vibrant community of quality neighborhoods, thriving businesses and natural beauty by setting the standard for municipal engagement, collaboration, service and innovation.

CERTIFICATE

I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, December 1, 2022 at 5:00 P.M.

Kelly Ballard, TRMC, CMC
City Secretary

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.