



City of Keller
City Council
Meeting Minutes

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

Mayor Pro Tem Ross McMullin called the Regular City Council Meeting to order at 5:03 P.M.

The following City Council Members were present:

Mayor Armin Mizani (arrived at 5:10 P.M.)

Council Member Shannon Dubberly

Council Member Jessica Juarez

Council Member Tag Green

Council Member Chris Whatley

Mayor Pro Tem Ross McMullin

Council Member Sean Hicks was absent.

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, Director of Community Development Julie Smith, Assistant Director of Community Development Sarah Hensley, Director of Human Resources Marcia Reyna, 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 5:54 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.

a. 721 Chisholm Trail.

2. **Adjourn into Open Meeting.**

Mayor Armin Mizani called the Pre-Council Meeting back to order at 6:19 P.M.

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

Action was taken in New Business Item H-7.

D. WORK SESSION

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

Police Chief Bradley G. Fortune gave a presentation relating to the feeding of wildlife. Chief Fortune stated that the City Council may choose to pass an Ordinance to prohibit the feeding of certain wildlife, or Keller Public Safety could begin public awareness programs in order to educate residents of the problems associated with the feeding and domesticating of wild animals.

The City Council directed staff to begin with the public awareness programs, and then to return to City Council if the problems still exist.

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

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

Director of Public Works Alonzo Liñán gave a presentation relating to the concept of a parking garage location within Old Town Keller. Mr. Linan gave three options:

1. Maximum ground level occupied/leasable space
2. Balanced Ground Level Occupied/Leasable Space
3. Maximum Ground Level Parking

Each of the options would have the ability to be 4, 5, or 6 levels.

The City Council directed staff to continue exploring the options.

3. [Capital Improvement Projects Update](#)

Director of Public Works Alonzo Liñán gave an update over current Capital Improvements Projects.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:58 P.M. with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Mizani reconvened the Pre-Council Meeting at 10:10 P.M, and adjourned the Pre-Council Meeting at 10:29 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

Mayor Armin Mizani called the Regular City Council Meeting to order at 7:05 P.M.

B. INVOCATION

Dr. Kim Vastine, Ambassador Alliance Ministries Keller, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Cub Scout Pack 88 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

None.

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. Jon-Michael Morrison, 1915 Eagle Pass, expressed his concerns with access to parks that require walking past the residence of a sex offender.

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 Tag Green, to approve Consent Agenda Items 1-5, 7-14, and to consider Item 6 separately. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, November 15, 2022 Regular City Council Meeting.](#)

Attachments: [111522 Minutes](#)

Approved.

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.](#)

Resolution No. 4592 appoints the following persons as members of the Board of Directors for the Keller Crime Control and Prevention District Board for a two-year term ending September 1, 2024: Place 1 - Manny Muriel, Place 2 - Tyra Jordan, Place 3 - Matthew Donaldson, Place 4 - Norm Folger; and the following person is hereby appointed as a member of the Board of Directors for the Keller Crime Control and Prevention District Board for an unexpired term ending September 1, 2023: Place 7 - Trevor Palmeri.

3. [Consider a resolution appointing a member to the Keller Development Corporation.](#)

Resolution No. 4593 approves that the following member shall be appointed to serve on the Board of Directors of the Keller Development Corporation for an unexpired term ending November 30, 2023: Place 7 - Parks Board Chairperson Felix Mira.

4. [Consider a resolution appointing a member to the Planning and Zoning Commission.](#)

Attachments: [120622_P & Z Commission Resolution](#)

Resolution No. 4594 approves that the following member shall be appointed to serve on the Planning and Zoning Commission for an unexpired term ending November 30, 2023: Place 6 - John Baker.

5. [Consider a resolution appointing members to the Zoning Board of Adjustment.](#)

Attachments: [120622 Zoning Board of Adjustment Resolution](#)

Resolution No. 4595 approves that the following member shall be appointed to serve on the Zoning Board of Adjustment for a two-year term ending November 30, 2024: Place 3 - TJ Stack; and that the following member shall be appointed to serve on the Zoning Board of Adjustment for an unexpired term ending November 30, 2023: Alternate 2 - William Thorne.

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](#)

Council Member Shannon Dubberly requested that this item be removed from the consent agenda and considered separately.

Director of Community Services Cody Maberry gave a presentation relating to the proposed pickleball courts. Concerns regarding location and parking were raised.

A motion was made by Council Member Tag Green, seconded by Council Member Chris Whatley, to approve the purchase and installation of park amenities including four lighted pickleball courts, one shade structure, and sidewalk and trail improvements for Bear Creek Park. The motion failed by the following vote:

AYE: 2 - Council Member Tag Green, and Council Member Chris Whatley.

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

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](#)

Resolution No. 4596 approves an Agreement with Baird, Hampton and Brown, of Grapevine, Texas to provide professional engineering services, relating to the engineering needs of the Public Works Department, in the amount of \$100,000.00, in accordance with the terms and conditions set forth in said Agreement for Engineering Services; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

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](#)

Resolution No. 4597 approves an Agreement for Professional Services with Criado and

Associates, Inc. of Dallas, Texas; for the purpose of providing construction inspection services, for the Public Works Department, in the amount not to exceed \$200,000.00; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

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 Location Map](#)

Resolution No. 4598 approves the bid for the Sanitary Sewer Line Extension on Melody Lane, Florence Road and Winter Drive Project, from Canary Construction of Lewisville, Texas for the Public Works Department, in the amount of \$340,415.00; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

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](#)

Resolution No. 4599 approves an agreement with Kimley-Horn and Associates, Inc. of Denton, Texas to provide engineering services relating to the Mt. Gilead Road Reconstruction Project, in the amount of \$2,092,100.00, in accordance with the terms and conditions set forth in said Agreement for Professional Services; and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

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](#)

Resolution No. 4600 cancels the agreement with Green Dream International, LLC of Irving, Texas approved by Resolution No. 4560 on September 20, 2022.

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](#)

Ordinance No. 2103 approves amendments to Chapter 18, Traffic, Article II, Speed Limits, of the City of Keller Code of Ordinances, by deleting Section 18- 210, School Zone Speed Provisions, in its entirety, and adding a new Section 18- 210.

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](#)

Resolution No. 4601 approves the purchase and installation of replacement flooring from One Source Commercial Flooring, LLC., of Plano, Texas through the Texas Association of School Boards (TASB) BuyBoard Purchasing Cooperative in the total amount of \$114,559.20; and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

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](#)

Resolution No. 4602 approves the purchase of radios from Motorola Solutions Inc. for \$199,541.60; and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

G. OLD BUSINESS

Mayor Armin Mizani recessed the Council Meeting at 8:15 P.M. so that the City Council could meet in an Executive Session in accordance with State Law regarding Old Business Item G-1, relating to the Future Land Use Plan Amendment request for 1816 Johnson Road and 1908 Pearson Crossing.

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; or
 - (B) a settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Adjourn into Open Meeting.

Mayor Armin Mizani called the Council Meeting back to order at 8:54 P.M.

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](#)

Planner Katasha Smithers gave a presentation relating to the request for a FLUP Amendment for properties located at 1816 Johnson Road and 1908 Pearson Crossing.

Mayor Armin Mizani opened the public hearing.

The following individuals express their concerns with the FLUP Amendment: Ms. Kathy May, 1846 Pearson Crossing; and Mr. Tod Corrin, 1850 Pearson Crossing.

Mr. and Mrs. Arafat, 1738 Blevins, expressed their support of the proposal.

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Tag Green, to close the public hearing. The motion carried unanimously.

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin, to approve 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, The motion failed due to the lack of a Super Majority by following vote:

AYE: 4 - Mayor Armin Mizani, Council Member Shannon Dubberly, Council Member Chris Whatley, and Mayor Pro Tem Ross McMullin.

NAY: 2 - Council Member Jessica Juarez, and Council Member Tag Green.

H. NEW BUSINESS

1. [Administer the Oath of Office to Boards and Commission Members](#)

Mayor Armin Mizani administered the Oath of Office to the newly appointed 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](#)

Planner Amber Washington gave a presentation relating to the request for a Final Plat with variances for Lots 1R and 2, Block A, Hinds Addition, addressed as 1241 Village Trail.

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 Mayor Pro Tem Ross McMullin, to approve Resolution No. 4603 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), with the following variances:

- 1. A variance to UDC Section 5.13(B) shall be allowed to permit the front building setback on Lot 2 to be approximately 60 feet from the front (south) property line.**
- 2. A variance to UDC Section 5.13(B) shall be allowed to permit the existing access easement to remain 30 feet wide in lieu of the UDC requirement of 60 feet.**

The motion carried unanimously.

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 Information.pdf](#)

[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](#)

Planner Katasha Smithers gave a presentation relating to the request for a Zoning Change for properties located at 1816 Johnson Road, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway.

Mayor Armin Mizani opened the public hearing.

Mr. Tod Corrin, 1850 Pearson Crossing, expressed his concerns with the Zoning Change request.

A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to close the public hearing. The motion carried unanimously.

A motion was made by Mayor Armin Mizani, seconded by Council Member Chris Whatley, to approve 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. The motion failed by the following vote:

AYE: 2 - Mayor Armin Mizani, and Council Member Chris Whatley.

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

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](#)

No Action was taken on this item due to the zoning change for this property not being approved.

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](#)

No Action was taken on this item due to the zoning change for this property not being approved.

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](#)

Assistant Director of Community Development Sarah Hensley gave a presentation relating to amendments to the Unified Development Code.

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. 2104 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) The motion carried unanimously.

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.](#)

Attachments: [Penguin Patch CC Memo 20221206](#)

[Exhibit A - Chapter 380 Program Agreement R&K Sales \(draft\)](#)

[Exhibit A.1 - Resolution - R&K Sales](#)

[Exhibit A.2 - 721 Chisholm Trl Survey](#)

[Item H-7 - 721 Chisholm Trl Penguin Patch Presentation](#)

Director of Economic Development Mary Culver gave a presentation relating to a request for a Chapter 380 Economic Development Program Agreement, Penguin Patch, who is relocating their business to 721 Chisholm Trail.

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Jessica Juarez, to approve Resolution No. 4604 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. The motion carried unanimously.

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](#)

Director of Economic Development Mary Culver gave a presentation relating to a Chapter 380 Economic Development Agreement for a Façade Improvement Grant, with Brian Palfrey owner of property located at 207 South Elm Street.

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4605 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. The motion carried by the following vote:

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

NAY: 2 - Council Member Tag Green, and Council Member Chris Whatley.

J. ADJOURN

Mayor Armin Mizani adjourned the Regular City Council Meeting at 10:03 P.M.

Mayor

City Secretary