



City of Keller

City Council

Meeting Minutes

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

Tuesday, May 4, 2021

PRE-COUNCIL MEETING 5:00 P.M.

A. CALL TO ORDER - Mayor Armin R. Mizani

Mayor Armin Mizani called the meeting to order at 5:04 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Mayor Pro Tem Sean Hicks
Council Member Sheri Almond
Council Member Beckie Paquin
Council Member Chris Whatley
Council Member Ross McMullin

Council Member Mitch Holmes was absent.

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Director of Information Technology Sean Vreeland, Director of Economic Development Mary Culver, Police Chief Bradley G. Fortune, Deputy Fire Chief Shane Gainer, and Interim Fire Chief Richard Whitten.

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 5:19 P.M. so that the City Council could meet in Executive Session in accordance with State Law.

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

1. 137 E. Hill Street.

2. Adjourn into Open Meeting.

Mayor Armin Mizani adjourned the Executive Session and called the Open Meeting back to order at 6:43 P.M.

3. Action on Executive Session Item 1 if necessary.

No action was taken.

D. WORK SESSION

1. [Budget Strategic Planning - Economic Development, Sales Tax, Permit Revenue](#)

Attachments: [Item D-1 Budget - Econ Dev, Sales Tax, Permit](#)

Director of Administrative Services Aaron Rector gave a presentation relating to Economic Development, Sales Tax, Permit Revenue. Topics discussed were: current economic development incentives, economic development incentive budget, economic development projects, sales tax growth, development analysis, and various permit analysis and revenue. Discussion was held by the City Council.

2. [Discuss garage conversions.](#)

Attachments: [Item D-2 Garage Conversion Presentation](#)

Director of Community Development Julie Smith gave a presentation relating to garage conversions, per the request of Council Member Ross McMullin. Ms. Smith stated that Keller's Unified Development Code addresses parking regulations set forth in the single-family residential zoning districts (SF-8.4, SF-10, SF-12, SF-15, SF-20, SF-25, SF-30, and SF-36) as follows: A garage with a minimum of two cars shall be constructed on the same lot as the primary dwelling unit; and The garage shall be maintained for parking and shall not be converted to living space. Discussion was held by the City Council relating to enclosed garages, and the permitting of garage conversions by neighboring cities. The City Council directed staff to place this topic on another work session in the future for further discussion.

3. [Discuss flag lots.](#)

Attachments: [Item D-3 Flag Lots - 2021 Revision Proposal Presentation](#)

No discussion was held on this Work Session item.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:59 P.M. to continue after the conclusion of the Regular Meeting.

Mayor Armin Mizani adjourned the Pre-Council Meeting at 9:52 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 7:04 P.M.

B. INVOCATION

Father Andrew, Saint Barnabas Anglican Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Armin Mizani led the pledges to the United States Flag and 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. 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.

No public comments were received.

F. CONSENT

The next order of business was for the City Council to consider the consent agenda items, which were deemed to need little to no discussion, and were acted upon as one business item.

A motion was made by Council Member Sheri Almond, seconded by Council Member Beckie Paquin, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, April 20, 2021 Regular City Council Meeting.](#)

Attachments: [042021 Minutes.pdf](#)

Approved

2. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement between the Cities of Keller, Southlake, Grapevine and Colleyville, Texas, for participation in the Metroport Teen Court Program, effective October 1, 2020.](#)

Attachments: [050421_TeenCourt_Resolution](#)
[050421_TeenCourt_Exhibit A](#)

Resolution No. 4355

3. [Consider a resolution of the City of Keller, Texas finding that Oncor Electric Delivery Company LLC's \("Oncor" or "Company"\) application for approval to amend its Distribution Cost Recovery Factor pursuant to 16 Tex. Admin. Code § 25.243 to increase distribution rates within the City of Keller should be denied; authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel.](#)

Attachments: [050421 Oncor DCRF Resolution](#)

Resolution No. 4356

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [Consider a resolution approving the proposal to develop a Feasibility Report for the Town of Westlake and the City of Keller for consolidated Fire and EMS services by Matrix Consulting Group; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [050421 Westlake Fire Feasibility Resolution](#)

[050421 Westlake Fire Feasibility Exhibit A](#)

[Item H-1 Westlake Fire Presentation](#)

City Manager Mark Hafner gave a presentation relating to a Feasibility Report for the Town of Westlake and the City of Keller for consolidated Fire and EMS services by Matrix Consulting Group.

Mr. Robert Finn, Matrix Consulting Group addressed the City Council regarding the proposal.

Discussion was held by the City Council.

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Beckie Paquin, to approve Resolution No. 4357 approving the proposal to develop a Feasibility Report for the Town of Westlake and the City of Keller for consolidated Fire and EMS services by Matrix Consulting Group; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for The Tiki Hut of Keller to operate a temporary vendor business \(snow cones\), located on an approximately 0.64-acre lot, on the south side of Keller Parkway, approximately 600 feet east of Keller Smithfield Road South, being Lot 9R2, Block A, Keller Crossing Addition, at 1570 Keller Parkway, and zoned Planned Development-Retail \(PD-R\). JAHCO Keller Kiosk LLC, Owner. Cathy Smith, Applicant. \(SUP-21-0005\)](#)

Attachments: [050421_TikiHut SUP Proposed Ordinance](#)
[050421_TikiHut SUP Maps.pdf](#)
[050421_TikiHut SUP Staff attachment - Application and information.pdf](#)
[Item H-2 Tiki Hut Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit for The Tiki Hut of Keller to operate a temporary vendor business (snow cones), at 1570 Keller Parkway.

Mayor Armin Mizani opened the public hearing. No public comments were received.

A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Sheri Almond, seconded by Council Member Ross McMullin, to approve Ordinance No. 2009 approving a Specific Use Permit (SUP) for The Tiki Hut of Keller to operate a temporary vendor business (snow cones), located on an approximately 0.64-acre lot, on the south side of Keller Parkway, approximately 600 feet east of Keller Smithfield Road South, being Lot 9R2, Block A, Keller Crossing Addition, at 1570 Keller Parkway, and zoned Planned Development-Retail (PD-R). The motion carried unanimously.

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow Liberty Senior Residential, an existing assisted living facility, to continue with two \(2\) additional residents up to a total of eight \(8\) residents within a 3,500 square-foot building, located on a 1.0-acre lot on the southeast corner of the N. Pearson Road and Meadowview Drive intersection, at 2000 Meadowview Drive, being Tract 1B01Q out of the Josiah Walker Survey, Abstract No. 1604, and zoned Single Family Residential-20,000 square foot minimum \(SF-20\). Liberty Senior Residential Care Homes, LLC, Owner/Applicant. \(SUP-21-0008\)](#)

Attachments: [050421_Liberty Senior SUP Proposed Ordinance.docx](#)
[050421_Liberty Senior SUP Maps.pdf](#)
[050421_Liberty Senior Staff Attachment A - Application, narrative and letter sent by Owner.pdf](#)
[050421_Liberty Senior SUP Staff Attachment B - 2016 SUP Exhibits.pdf](#)
[Item H-3 Liberty Senior Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit for Liberty Senior Residential, an existing assisted living facility, at 2000 Meadowview Drive.

Mayor Armin Mizani opened the public hearing.

Ms. Mary Pittman, 2001 Fawkes Lane, spoke in support of the proposal.

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member

Beckie Paquin, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Chris Whatley, seconded by Council Member Ross McMullin, to approve Ordinance No. 2010 approving a Specific Use Permit (SUP) to allow Liberty Senior Residential, an existing assisted living facility, to continue with two (2) additional residents up to a total of eight (8) residents within a 3,500 square-foot building, located on a 1.0-acre lot on the southeast corner of the N. Pearson Road and Meadowview Drive intersection, at 2000 Meadowview Drive, being Tract 1B01Q out of the Josiah Walker Survey, Abstract No. 1604, and zoned Single Family Residential-20,000 square foot minimum (SF-20). The motion carried unanimously.

4. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow the use of a Spa, for Bliss Nails and Spa, in an existing 2,450 square-foot suite, within a multi-tenant building of 11,900 square-feet, on 0.273-acres, located on the east side of Rufe Snow Drive, approximately 450 feet southeast of North Tarrant Parkway and Rufe Snow Drive, located at 2041 Rufe Snow Drive, Suite 315, legally described as Lot 4, Block A, Keller Place Addition and zoned R \(Retail\). Whitestone Keller Place, LLC owner. Kien Nguyen, Bliss Nail Salon, applicant. \(SUP-21-0006\)](#)

Attachments: [050421 Bliss Nails SUP Proposed Ordinance](#)

[050421 Bliss Nails SUP Maps](#)

[050421 Bliss Nails SUP Application](#)

[Item H-4 Bliss Nails SUP Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit to allow the use of a Spa, for Bliss Nails and Spa, at 2041 Rufe Snow Drive, Suite 315.

Mayor Armin Mizani opened the public hearing. No public comments were received.

A motion was made by Council Member Sheri Almond, seconded by Council Member Chris Whatley, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Chris Whatley, seconded by Council Member Beckie Paquin, to approve Ordinance No. 2011 approving a Specific Use Permit (SUP) to allow the use of a Spa, for Bliss Nails and Spa, in an existing 2,450 square-foot suite, within a multi-tenant building of 11,900 square-feet, on 0.273-acres, located on the east side of Rufe Snow Drive, approximately 450 feet southeast of North Tarrant Parkway and Rufe Snow Drive, located at 2041 Rufe Snow Drive, Suite 315, legally described as Lot 4, Block A, Keller Place Addition and zoned R (Retail). The motion carried unanimously.

5. [PUBLIC HEARING: Consider two Specific Use Permits \(SUP\) to allow the use of an approximately 1,794 square-foot detached garage, on an approximately 1.22-acres, located on the east side of Hillside Drive, approximately 100 feet northwest of the Hillside Drive and Bancroft Road intersection, located at 1000 Hillside Drive, legally described as BARCROFT, DANIEL SURVEY Abstract 141 Tract 12015 AKA TR 27 and zoned](#)

[Single-Family 36,000 square-foot lots or greater \(SF-36\). Michael Short owner/applicant. \(SUP-21-0007\)](#)

Attachments: [050421 Hillside SUP Proposed Ordinance](#)
[050421 Hillside SUP Maps](#)
[050421 Hillside SUP Application](#)
[050421 Hillside SUP Garage Building Plans](#)
[050421 Hillside SUP Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit for approximately 1,794 square-foot detached garage at 1000 Hillside Drive.

Mayor Armin Mizani opened the public hearing.

Mr. Michael Costanza, builder, and Mr. Michael Short, owner, addressed the City Council regarding the proposal.

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Ross McMullin, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Sheri Almond, seconded by Mayor Pro Tem Sean Hicks, to Ordinance No. 2012 approving two Specific Use Permits (SUP) to allow the use of an approximately 1,794 square-foot detached garage, on an approximately 1.22-acres, located on the east side of Hillside Drive, approximately 100 feet northwest of the Hillside Drive and Bancroft Road intersection, located at 1000 Hillside Drive, legally described as BARCROFT, DANIEL SURVEY Abstract 141 Tract 12015 AKA TR 27 and zoned Single-Family 36,000 square-foot lots or greater (SF-36) with the following condition:

1. The proposed structure will not be utilized for any non-residential activity.

The motion carried unanimously.

- [6. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow the use of a Liquor Store \(10,000 square-feet or greater\), for Goody Goody Liquor Store, in an approximately 15,742 square-foot building, on 1.41-acres, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C \(Commercial\). Garland All Storage Associates, owner. R.L. Johnson Construction INC., applicant. \(SUP-21-0009\)](#)

Attachments: [050421_GoodyGoody_SUP_Proposed_Ordinance](#)
[050421_GoodyGoody_SUP_Maps](#)
[050421_GoodyGoody_SUP_Application](#)
[050421_GoodyGoody_SUP_Elevations](#)
[050421_GoodyGoody_SUP_Trip_Generation_Form](#)
[050421_GoodyGoody_SUP_Support_Letters](#)
[050421_GoodyGoody_Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Specific Use Permit to allow the use of a Liquor Store for Goody Goody Liquor Store at 730 South Main Street.

Mayor Armin Mizani opened the public hearing. No public comments were received.

Discussion was held by the City Council regarding the western elevation, windows, signage, colors, and the possibility that this will be one of only a few liquor stores in the city, therefore the standards need to be the highest.

Mayor Armin Mizani stated that he would like to table the agenda item on order to work out the details on changes to the building's exterior prior to approval.

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Sean Hicks, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Chris Whatley, seconded by Council Member Sheri Almond, to approve Ordinance No. 2013 approving a Specific Use Permit (SUP) to allow the use of a Liquor Store (10,000 square-feet or greater), for Goody Goody Liquor Store, in an approximately 15,742 square-foot building, on 1.41-acres, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C (Commercial) with the following conditions:

- 1. The western elevation to be 100% brick.**
- 2. The "Beer, Wine, Liquor" sign to be removed.**
- 3. The "Goody Goody" sign is the only sign to be permitted and must be located above the doors.**

The motion carried by the following vote:

AYE-5: Mayor Armin Mizani, Mayor Pro Tem Sean Hicks, Council Member Sheri Almond, Council Member Beckie Paquin, and Council Member Chris Whatley.

NAY-1: Council Member Ross McMullin.

- 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 Leslie Faris of Pickled Picasso, owner of property located at 110 Taylor Street, Keller, Texas, for a City of Keller Façade Improvement Matching Grant; and authorizing the City Manager to execute documents relating thereto on behalf of the City of Keller, Texas..

Attachments: [050421 Pickled Picasso Façade Grant Exhibit A \(Chapter 380 Agreement\)](#)
[050421 Pickled Picasso Façade Grant Exhibit A.1 \(Council Resolution\)](#)
[050421 Pickled Picasso Façade Grant Exhibit A.2 \(Façade Improvement Grant Application\)](#)
[050421 Pickled Picasso Façade Grant Exhibit A.3 \(Resolution No 4037\)](#)
[Item H-7 110 Taylor Presentation](#)

No action was taken on this agenda item.

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

- 1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**
 - 1. 137 E. Hill Street.**
 - 2. Adjourn into Open Meeting.**
 - 3. Action on Executive Session Item 1 if necessary.**

J. ADJOURN

Mayor Armin Mizani adjourned the Regular Meeting at 8:27 P.M. and reconvened the Work Session. The Work Session then adjourned at 9:52 P.M.

Mayor

City Secretary