



City of Keller

City Council

Meeting Minutes

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

Tuesday, April 5, 2022

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 5:00 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Council Member Sheri Almond
Council Member Beckie Paquin
Council Member Chris Whatley
Council Member Ross McMullin (arrived at 5:02 P.M.)

Mayor Pro Tem Sean Hicks was absent.

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry (teleconference), Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Director of Information Services Sean Vreeland, Director of Human Resources Marcia Reyna, Director of Community Development Julie Smith, Assistant Director of Community Development Sarah Hensley, Communication & Public Engagement Manager Rachel Reynolds, Administrative Services Manager Lupe Orozco, Police Chief Bradley G. Fortune, and Deputy Fire Chief Shane Gainer.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. EXECUTIVE SESSION

Executive Session was not held during the Pre-Council Meeting.

D. WORK SESSION

1. [Budget Strategic Planning - Annual Financial Report Presentation and Fund Types.](#)

Attachments: [040522_FY 2020-21 City of Keller ACFR](#)
[D-1 Work Session Presentation FY21 Audit Results](#)

Mr. John DeBurro, Weaver, gave a presentation relating to the Annual Financial Report,

and stated that the City's financial statements resulted in an unmodified opinion, and that there were no findings noted regarding the Internal Control over financial reporting and on compliances and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards.

Mr. Aaron Rector, Director of Administrative Services, gave a presentation relating to the City's fund types and balances.

2. [Discuss proposed North Main Overlay District](#)

The City Council discussed next steps relating to developing a North Main Overlay District, and directed staff to identify specific issues and craft a roadmap for future City Council conversations. The Council also tasked staff with addressing the current concerns of specific businesses in the proposed overlay district area while continuing visionary discussions, and to hold off on scheduling another joint work session with the Planning and Zoning Commission until the Council has the opportunity to have further dialogue on the topic.

3. [Discussion regarding the formation of a Corridor Ad Hoc Committee.](#)

The City Council discussed creating a Corridor Ad Hoc Committee, and directed staff to create the committee with 2 City Council Members, 2 Planning and Zoning Commission Members, 1 Zoning Board of Adjustment Member, and 1 Parks and Recreation Board Member. The City Council directed the City Secretary to work out a rotation for the members of the committee. The Council decided that the meetings of this committee will be open to the public, but will not allow for public comments. This committee will not give any direction or make any recommendations, and will be optional for the applicant.

4. [Capital Improvement Projects Update](#)

City Staff answered questions relating to current Capital Improvement Projects.

E. ADJOURN

Mayor Armin Mizani adjourned the Pre-Council Meeting at 6:44 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Mayor Armin Mizani called the Regular City Council Meeting to order at 7:00 P.M.

B. INVOCATION

Council Member Ross McMullin 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 - 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.

Ms. Carol Rubino, 1300 Keller Parkway Apartment 1312, expressed her disappointment and frustration with the City Council regarding topics relating to the Keller Senior Activities Center, the Keller Senior Citizens Advisory Board, and Keller seniors.

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 Ross McMullin, seconded by Council Member Chris Whatley, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, March 22, 2022 Regular City Council Meeting.](#)

Attachments: [032222 Minutes.pdf](#)

Approved.

2. [Consider a resolution approving the purchase of seasonal lifeguard services for the Outdoor Pool, from Bearfoot Companies, LLC., of Corinth, Texas, for The Keller Pointe Recreation and Aquatic Center; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [040522 22-012 OutdoorPoolLifeguardServices Resolution](#)
[040522 22-012 LifeguardServices Proposal Document](#)
[040522 22-012 LifeguardServices Bid Tab](#)

Resolution No. 4503 approves the bid from Bearfoot Companies LLC., of Corinth, Texas, in the total amount of \$137,442.00 for the purchase of outdoor pool seasonal lifeguard services for The Keller Pointe Recreation and Aquatic Center; and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

3. [Consider a resolution approving the purchase and installation of replacement carpet for Keller Town Hall, from One Source Commercial Flooring, LLC., of Plano, Texas, through the Texas Association of School Boards \(TASB\) BuyBoard Cooperative Purchasing](#)

Program, for the Facilities Department; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

Attachments: [040522_CarpetReplacement_ProposedResolution](#)
[040522_CarpetReplacement_Bid](#)

Resolution No. 4504 approves the purchase and installation of replacement carpet 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 \$126,996.94; and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

4. Consider a resolution acknowledging receipt of the Annual Comprehensive Financial Report for the fiscal year ending September 30, 2021.

Attachments: [040522_FY20-21_ACFR_ProposedResolution](#)
[040522_FY20-21_ACFR_Final](#)

Resolution No. 4505 acknowledges receipt of the Annual Comprehensive Financial Report for the fiscal year ending September 30, 2021.

5. Consider a resolution approving an agreement with Wells Fargo Bank, N.A. for depository services for the City of Keller, Texas, for three years, beginning July 1, 2022 through June 30, 2025, with a provision for two (2) one-year extensions under the same terms and conditions, with the mutual agreement of both parties, not to exceed a total of five (5) years; and further authorizes the City Manager to execute said Agreement on behalf of the City of Keller, Texas.

Attachments: [040522_WellsFargoDepositoryServices_Proposed Resolution](#)
[040522_RFA Analysis Initial](#)
[040522_RFA Analysis_Best and Final](#)

Resolution No. 4506 approves an Agreement with Wells Fargo Bank N.A. for depository services for the City of Keller, Texas, for three years, beginning July 1, 2022 through June 30, 2025, with a provision for two (2) one-year extensions under the same terms and conditions, with the mutual agreement of both parties, not to exceed a total of five (5) years; and further authorizes the City Manager to execute said Agreement on behalf of the City of Keller, Texas.

6. Consider a resolution approving a Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller General Election, for the purpose of electing City Council Place 3 and City Council Place 4, to be held on Saturday, May 7, 2022, and authorizing the Mayor to execute said Agreement and Contract.

Attachments: [040522_050722_Election Contract Resolution](#)
[040522_050722_ElectionContract](#)
[040522_050722_ElectionContract_ATTACHMENT A](#)
[040522_050722_ElectionContract_ATTACHMENT B](#)

Resolution No. 4507 approves a Joint Election Agreement and Contract for Election

Services with the Tarrant County Elections Administrator, to conduct the City of Keller General Election, for the purpose of electing City Council Place 3 and City Council Place 4, to be held on Saturday, May 7, 2022, in accordance with the terms and conditions set forth in said Agreement and Contract.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits \(SUPs\) for Dutch Bros, a proposed 1,270 square-foot restaurant with drive-thru \(including a 320 square-foot covered patio with no patio seating and no interior seating\), on an approximately 1-acre tract of land, located on the north side of Keller Parkway \(F.M. 1709\), approximately 150 feet northwest of Country Brook Drive and Keller Parkway \(F.M. 1709\) intersection, at 1241 Keller Parkway, being a portion of Tract 2E out of the Pamela Allen Survey, Abstract No. 28, and zoned Town Center \(TC\). Greenway-Keller, L.P., Owner. BB Holdings TX LLP., Applicant. \(SUP-22-0001\)](#)

Attachments: [040522 Dutch Bros SUP ORDINANCE](#)

[040522 Dutch Bros SUP Maps](#)

[040522 Dutch Bros SUP Staff Attachment A - Application and narrative](#)

[040522 Dutch Bros SUP Staff Attachment B - Proposed elevations and conceptual plan](#)

[040522 Dutch Bros SUP Staff Attachment C - Establishment Map](#)

[040522 Dutch Bros SUP Staff Attachment D - Opposition email.msg](#)

[Item H-1 Presentation Dutch Bros SUPs](#)

Mayor Armin Mizani announced that the applicant is requesting to table this item to the April 19, 2022 Regular City Council Meeting, and then 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 continue the Public Hearing and to Table the item to the April 19, 2021 Regular City Council Meeting. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 3 - Definitions and Article 8 - Zoning Districts, Development Standards, Tree Preservation, related to food trucks, food truck courts and mobile vendors; authorizing publication; providing a penalty; and establishing an effective date. City of Keller, applicant. \(UDC-22-0001\)](#)

Attachments: [040522 UDC Food Trucks ORDINANCE](#)

[040522 Food Truck Exhibit A](#)

[Item H-2 Food Trucks](#)

[040522 Food Truck Staff Attachment A](#)

Community Development Director Julie Smith gave a presentation relating to the request for amendments to the UDC relating to Food Trucks.

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

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Chris Whatley, to approve Ordinance No. 2058 approving an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 3 - Definitions and Article 8 - Zoning Districts, Development Standards, Tree Preservation, related to food trucks, food truck courts and mobile vendors; authorizing publication; providing a penalty; and establishing an effective date, with the amendments proposed by City Staff, the Planning and Zoning Commission, and the following additional amendments:

1. The Food Truck Court Definition shall be amended to read, "Food Truck Court means a property used or developed to accommodate one or more food trucks and/or mobile vendor units as one of the uses of the property while accommodating areas on the property for entertainment or recreational opportunities. Food Truck Courts must have a valid certificate of occupancy, in addition to all other applicable permits and inspections."

2. In the General Operating Requirements section, Number 3. shall be amended to read, "Food trucks and mobile vending units may operate for up to 8 days per month at the same location unless approved by a Specific Use Permit to operate longer."

The motion carried by the following vote:

AYE: 5 - Council Member Shannon Dubberly, Council Member Sheri Almond, Council Member Beckie Paquin, Council Member Chris Whatley, and Mayor Armin Mizani.

NAY: 1 - Council Member Ross McMullin.

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

J. ADJOURN

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Chris Whatley, to adjourn the Regular Meeting at 7:40 P.M. The motion carried unanimously.

Mayor

City Secretary