



City of Keller

City Council

Meeting Minutes

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

Tuesday, February 7, 2023

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 5:03 P.M.

The following City Council Members were present:

Mayor Armin Mizani

Council Member Shannon Dubberly

Council Member Jessica Juarez

Council Member Chris Whatley arrived at 5:17 P.M.

Council Member Tag Green

Mayor Pro Tem Ross McMullin arrived at 6:45 P.M.

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 Economic Development Mary Culver, Director of Community Development Julie Smith, Assistant Director of Community Development Sarah Hensley, 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 5:17 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

1. **Section 551.072, Texas Government Code - Deliberation Regarding Real Property; Closed Meeting.** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. **541 Keller Parkway**

2. **Section 551.071, Texas Government Code - 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.

1. 1823 Keller Parkway

3. Adjourn into Open Meeting.

Mayor Armin Mizani called the Pre-Council Meeting back to order at 6:42 P.M.

4. Action on Executive Session Items 1 and 2 if necessary.

No action was taken.

D. WORK SESSION

1. [Discuss and receive an update regarding the winter storm.](#)

Mayor Armin Mizani thanked City Staff for their work during the winter weather last week. Director of Public Works Alonzo Liñán, Fire Chief Bobby Tatum Jr., Police Chief Bradley G. Fortune, and Communications and Public Engagement Manager Rachel Reynolds discussed the City's response to the winter weather.

2. [Discuss the littering ordinance and fines associated with littering.](#)

Police Chief Bradley G. Fortune gave an overview of the City Ordinance relating to littering. The City Council discussed raising the fine, and posting permanent signage in the City regarding littering.

Community Services Director Cody Maberry provided information regarding the two community trash pick-up events, and the Council discussed possibly adding more events and advertising to volunteers that there are opportunities to clean trash from the trails and parks.

3. [Tale Trail Project Update](#)

Administrative Services Manager Lupe Orozco gave a presentation relating to the Tale Trail project that will be installed near the Keller Public Library. Ms Orozco showed an image of the mural that will be installed on the Friends of the Library Building, which will serve as the end of the trail.

4. [Consideration of car wash locations in the City of Keller](#)

Director of Community Development Julie Smith discussed possible locations for car washes. Ms. Smith suggested revising which zoning districts allow them. The City Council

directed staff to revise the Unified Development Code to remove car washes from the Retail and Neighborhood Services zoning districts, and to allow them by SUP in the Commercial, Light Industrial, and Katy Road Zoning Districts.

5. [Capital Improvement Projects Update](#)

Director of Community Services Cody Maberry and Director of Public Works Alonzo Liñán discussed current Capital Improvement Projects.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:52 P.M. with the intent to reconvene at the conclusion of the Regular Meeting.

Mayor Mizani reconvened the Pre-Council Meeting at 8:04 P.M, and adjourned the Pre-Council Meeting at 8:49 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 7:01 P.M.

B. INVOCATION

Pastor Keith Sanders, First Baptist Church Keller, 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. [International Angelman Day Proclamation](#)

Mayor Armin Mizani presented a proclamation to the Black Family proclaiming February 15, 2023 as International Angelman Day in the City of Keller.

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 concerns with the Tarrant Appraisal District Board of

Directors and asked the City Council to initiate a recall of the Board Chairperson: Mr. Wes Bullock, 702 Montana Ct, Keller, TX 76248; Mr. Chandler Crouch, 7678 Timkin Trail, Fort Worth, TX 76137; Ms. Beth Wilson, 1924 Highland Springs, Haslet, TX 76052; Mr. Danny Merck, 1301 Penny Lane, Keller, TX 76248; Ms. Kimberly Sain-Owiti, 2424 Arryo Springs Dr., Grand Prairie, TX 75052; Ms. Leota Ritchie, 1829 Wilderness, Grand Prairie, TX 75052; Mr. Scott Klinger, 8821 Trace Ridge Parkway, Fort Worth, TX 76244; Mr. Willem Devijlder, 3145 James Ave., Fort Worth, TX 76110; and Mr. Jeff Corfman, 2108 Trina Drive, Fort Worth, TX 76131.

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 Jessica Juarez, to approve the Consent Agenda. The motion carried by unanimously.

1. [Consider approval of the Minutes of the Tuesday, January 17, 2023 Regular City Council Meeting.](#)

Approved

2. [Consider a resolution approving the bid from Central North Construction, LLC., of Allen, Texas, for the construction of the US 377 Landscape Enhancements Green Ribbon Project, for the Parks and Recreation Department; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4618 approves the bid from Central North Construction, LLC., in the total amount of \$325,000.01; and authorizes the City Manager to execute all documents relating thereto, on behalf of the City of Keller, Texas.

3. [Consider a resolution with Metro Fire Apparatus, Inc. for replacement of the suspension system on a ladder truck, and authorizing the City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

Resolution No. 4619 approves repairs to Ladder Truck Unit 5311 from Metro Fire Apparatus, Inc. in the amount not to exceed \$125,000.00, and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

G. OLD BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for fuel pumps/sales as an accessory use to a grocery store on 6.6 acres located on the east side of Rufe Snow Drive, approximately 440 feet southeast from the intersection of North Tarrant Parkway and Rufe Snow Drive, legally described as Lot 2R1, Block A of Keller Place Addition, zoned Retail \(R\) and addressed 2061 Rufe Snow Drive. Whitestone Keller Place, LLC, Owner; Kroger Texas - Richard Binkley, Applicant. \(SUP-22-0038\)](#)

Mayor Armin Mizani announced that the applicant has requested to withdraw the agenda item. He asked anyone in the public wanting to address the City Council to come forward.

No public comments were received. No action was taken.

H. NEW BUSINESS

1. [Consider a resolution calling the General Election for Mayor, City Council Place 5, and City Council Place 6 for the City of Keller, to be held on May 6, 2023, as set forth by the City Charter and Texas Election Code.](#)

A motion was made by Council Member Chris Whatley, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4620 calling the General Election for Mayor, City Council Place 5, and City Council Place 6 for the City of Keller, to be held on May 6, 2023, as set forth by the City Charter and Texas Election Code. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for a grocery store/restaurant on 1.25 acres located on the south side of Keller Parkway, approximately 160 feet east of the intersection of Keller Parkway and Town Center Lane, legally described as Lot 3, Block B of Keller Town Center Addition, zoned Town Center \(TC\) and addressed 1110 Keller Parkway. VC Keller Parkway LLC, Owner: Srinivas Chigullapalli, Applicant. \(SUP-22-0036\)](#)

Assistant Director of Community Development Sarah Hensley gave a presentation relating to the request for a Specific Use Permit (SUP) for a grocery store/restaurant at 1110 Keller Parkway.

Mayor Armin Mizani opened the public hearing.

Ms. Brenda Daily, 1208 Fowler Street expressed concerns with safety; and Dr. Gregory Garlett expressed concerns with parking

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

Discussion was held by the City Council regarding parking.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2107 approving a Specific Use Permit (SUP) for a grocery store/restaurant on 1.25 acres located on the south side of Keller Parkway, approximately 160 feet east of the intersection of Keller Parkway and Town Center Lane, legally described as Lot 3, Block B of Keller Town Center Addition, zoned Town Center (TC) and addressed 1110 Keller Parkway with the following condition:

1. **A Specific Use Permit to operate a grocery store/restaurant in the Town Center Zoning District with the hours of operation being 10 AM to 10 PM Monday through Sunday, shall be allowed.**

The motion carried unanimously.

3. [Consider a resolution approving a Detailed Site Plan for the retail building that includes](#)

[Black Rock Coffee, as part of the Center Stage Planned Development on approximately 1.18-acres of property, legally described as Lot 1, Block A of Center Stage Addition, located at the southeast corner of the intersection of Ridge Point Parkway and North Main Street, zoned Planned Development - Commercial \(PD-C\), and addressed as 1600 North Main Street. Realty Capital Management, LLC, owner/applicant/developer. Middleton and Associates, engineer/architect. \(SP-22-0040\)](#)

Community Development Director Julie Smith gave a presentation relating to the request for approval of a detailed site plan for the retail building that includes Black Rock Coffee at 1600 North Main Street.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Jessica Juarez, to approve Resolution No. 4621 approving a Detailed Site Plan for the retail building that includes Black Rock Coffee, as part of the Center Stage Planned Development on approximately 1.18-acres of property, legally described as Lot 1, Block A of Center Stage Addition, located at the southeast corner of the intersection of Ridge Point Parkway and North Main Street, zoned Planned Development - Commercial (PD-C), and addressed as 1600 North Main. The motion carried unanimously.

I. EXECUTIVE SESSION

Executive Session was not held during the regular meeting.

- 1. Section 551.072, Texas Government Code - Deliberation Regarding Real Property; Closed Meeting. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

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1. 1823 Keller Parkway

- 3. Adjourn into Open Meeting.**
- 4. Action on Executive Session Items 1 and 2 if necessary.**

J. ADJOURN

Mayor Armin Mizani adjourned the Regular City Council Meeting at 7:58 P.M.

Mayor

City Secretary

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