



City of Keller
City Council
Meeting Minutes

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

Tuesday, January 16, 2024

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 5:02 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Council Member Sean Hicks
Council Member Jessica Juarez
Council Member Tag Green
Council Member Chris Whatley
Mayor Pro Tem Ross McMullin

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, Director of Administrative Services Aaron Rector, Director of Community Services Cody Maberry, Director of Community Development Sarah Hensley, Director of Public Works Alonzo Liñán, Director of Human Resources Marcia Reyna, Fire Chief Bobby Tatum Jr., and Police Chief Bradley G. Fortune.

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 5:06 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

- 1. Section 551.074, Texas Government Code - Personnel Matters. (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager**
- 2. Adjourn into Open Meeting.**
- 3. Action on Executive Session Item 1 if necessary.**

Mayor Armin Mizani adjourned the Executive Session and reconvened the Pre-Council Meeting at 5:55 P.M.

D. WORK SESSION

1. [Discuss S. Elm St. wayfinding options.](#)

Attachments: [20240116-FINAL_S Elm St Work Session Presentation](#)

Director of Public Works Alonzo Liñán and Mrs. Sam Fries, Kimley Horn, presented options for S. Elm Street wayfinding signage to the City Council. The City Council directed City Staff to move forward with the wayfinding signage option that shows a child reading, without the polycarbonate background.

2. [Mount Gilead Road Discussion](#)

Director of Public Works Alonzo Liñán gave an update on the Mt. Gilead Road reconstruction project. The City Council directed City staff to redefine the project scope to three lanes undivided on the West, two lanes undivided on the East (as it currently exists), and to include a roundabout at Bourland Road.

3. [Capital Improvement Projects Update](#)

Director of Public Works Alonzo Liñán and Director of Community Services Cody Maberry gave an update on current Capital Improvement Projects.

4. [Discuss Joint Meetings with the Planning and Zoning Commission and the Parks and Recreation Board.](#)

Mayor Armin Mizani presented the idea of conducting a joint work session with the Parks and Recreation Board and with the Planning and Zoning Commission. The City Council agreed to scheduling these meetings on Regular City Council Meetings that do not have a heavy work session agenda. The Mayor and City Secretary will work out the scheduling.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 7:00 P.M., reconvened at 9:36 P.M., and adjourned the Pre-Council Meeting at 9:58 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

Council Member Shannon Dubberly gave the invocation.

C. PLEDGE OF ALLEGIANCE - Cub Scout Pack 175, Den 8

Cub Scout Pack 175, Den 8 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. PRESENTATIONS

1. [Recognition of Keller High School Volleyball Team](#)

Mayor Armin Mizani presented certificates to the Keller High School Volleyball Team in recognition of their accomplishments.

2. [Kids Matter International - Marti Conner](#)

Ms. Marti Conner, President, Kids Matter International, addressed the City Council regarding the organization and recent accomplishments.

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. Kyle Lawrence, 2906 Ownen Lane, Mesquite, TX 75150; Ms. Safa Elshanshory, 607 Hays Drive, Keller; and Sama Rhima, 607 Hays Drive, Keller, addressed the City Council requesting consideration of a resolution calling for a cease fire in the Israel-Hamas war.

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 Mayor Pro Tem 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, December 19, 2023 Regular City Council Meeting.](#)

Attachments: [121923 Minutes](#)

Approved.

2. [Consider a resolution approving a professional services agreement with HR Green, Inc. of Plano, Texas; to provide professional engineering services related to the 2024 Pavement Marking Program, and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [011624 PavementMarkings ProposedResolution](#)
[011624 PavementMarkings StaffAttachment](#)

Resolution No. 4749 approves an Agreement for Professional Services with HR Green, Inc., of Plano, Texas to provide professional engineering services related to the 2024 Pavement Marking Program, for the Public Works Department, in the amount of

\$70,000.00, 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.

3. [Consider a resolution authorizing the City Manager to execute a Landscape Maintenance Agreement \(LMA\) with the Texas Department of Transportation \(TxDOT\), for the Green Ribbon Program Off-Set, relating to the FM 1709 Median Landscape Improvement Project.](#)

Attachments: [011624 TxDOT Green Ribbon Program 2024 Landscape Maintenance Agreement Resolution](#)
[011624 City of Keller Landscape Maintenance Agreement](#)

Resolution No. 4750 approves entering a Landscape Maintenance Agreement (LMA) with the Texas Department of Transportation (TxDOT), for the Green Ribbon Program Off-Set, relating to the maintenance of the FM1709 Landscape Improvements from College Avenue to Meadowlands Boulevard; and further authorizes the City Manager to execute said agreement on behalf of the City of Keller, Texas.

4. [Consider an ordinance appointing a Municipal Court Judge and Associate Judge for the Municipal Court of Record for the City of Keller, Texas, for a term of three \(3\) years, effective January 1, 2024.](#)

Attachments: [011624 Judge Appointment Ordinance](#)
[011624 Exhibit A Municipal Judge Agreement](#)

Ordinance No. 2149 hereby appoints Carol Montgomery to serve as the Presiding Municipal Court Judge and Lindsay Kinzey as an Associate Municipal Court Judge for the Keller/ Regional Municipal Court of Record to serve from January 1, 2024 through December 31, 2026. Accordingly, the City Council also approves the Regional Municipal Court Judge Agreement with Carol Montgomery.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [Consider a resolution calling the General Election for City Council Place 1 and City Council Place 2 for the City of Keller, to be held on May 4, 2024, as set forth by the City Charter and Texas Election Code.](#)

Attachments: [011624 Order Election 050424](#)

A motion was made by Council Member Tag Green, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4751 calling the General Election for City Council Place 1 and City Council Place 2 for the City of Keller, to be held on May 4, 2024, as set forth by the City Charter and Texas Election Code. The motion carried unanimously.

2. [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 Danny Eldridge of BEN Investments LLC, owner of the property located at 147 S Elm Street, Keller, TX 76248 for a City of Keller Façade](#)

Improvement Grant.

Attachments: [011624 Exhibit A.1 Resolution 147 S Elm](#)
[011624 Exhibit A Proposed 380 Agreement 147 S Elm](#)
[011624 Exhibit A.2 147 S Elm FIG Application](#)
[011624 Exhibit A.3 Resolution No. 4371](#)
[H-2 Presentation 147 S Elm Façade Grant Request](#)

Economic Development Specialist Siale Langi gave a presentation relating to the request for an Economic Development Agreement with Danny Eldridge of BEN Investments LLC, owner of the property located at 147 S Elm Street, Keller, TX 76248 for a City of Keller Façade Improvement Grant.

A motion was made by Mayor Armin Mizani, seconded by Mayor Pro Tem Ross McMullin to approve Resolution No. 4752 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 Danny Eldridge of BEN Investments LLC, owner of the property located at 147 S Elm Street, Keller, TX 76248 for a City of Keller Façade Improvement Grant. The motion carried unanimously.

3. [Consider a resolution approving a Site Plan with variances for a new 4,500 square-foot restaurant, on .11 acre, located on the west side of South Main Street, approximately 100 feet southwest of the Bates and South Main Street intersection, legally described as a portion of Lots 2 and 3, Block 5, Keller, City Addition and addressed as 228 South Main Street. Keller Main 222, LLC, Owner/Applicant. \(SP-23-0024\)](#)

Attachments: [011624 228 S Main SP Resolution](#)
[011624 228 S Main SP Application](#)
[011624 228 S Main SP Site Plan](#)
[0101624 228 S Main SP Elevations](#)
[011624 228 S Main SP MAPS](#)
[Section 8.19 OTK Old Town Keller](#)
[H-3 Presentation 228 S Main Site Plan](#)

A motion was made by Council Member Sean Hicks, seconded by Mayor Armin Mizani, to approve Resolution No. 4753 approving a Site Plan with variances for a new 4,500 square-foot restaurant, on .11 acre, located on the west side of South Main Street, approximately 100 feet southwest of the Bates and South Main Street intersection, legally described as a portion of Lots 2 and 3, Block 5, Keller, City Addition and addressed as 228 South Main Street, with the following variances:

1. A variance request to provide no on-site parking, in lieu of the 30 regular and 2 accessible spaces required.
2. A variance request to allow the 500 square-feet of landscaped area along the front façade to satisfy all landscape requirements.

The motion carried unanimously.

4. [PUBLIC HEARING: Consider an ordinance approving a Planned Development \(PD\) amendment for Milestone Church, being 54.28 acres on the north side of Mount Gilead Road, approximately 1,000 feet east of U. S. Hwy. 377, zoned Planned Development 1724-Single Family Residential-15,000 square foot minimum and Planned Development 1724-Patio Homes 6,500 square foot minimum, on the property legally described as Lot 1R, Block A of the Milestone Church Addition and addressed 201 Mount Gilead Road. Andrew Oxley, Oxley Architects, Applicant. Milestone Church, Owner. \(Z-23-0007\)](#)

Attachments: [011624 Milestone Church PD Amendment Ordinance](#)
[011624 Milestone Church PD Amendment Chapel Rendering](#)
[011624 Milestone Church PD Amendment MAPS](#)
[011624 Milestone Church PD Amendment Chapel Elevations](#)
[011624 Milestone Church PD Amendment Application-Narrative-Correspondence](#)
[011624 Milestone Church PD Amendment Future Development Concept](#)
[011624 Milestone Church PD Amendment Chapel - Topography and FFE](#)
[011624 Milestone Church PD Amendment Existing Conditions](#)
[011624 Milestone Church PD Amendment Site Plan](#)
[011624 Milestone Church PD Amendment Opposition Letters](#)
[H-4 Presentation Milestone Church PD Amendment](#)

Community Development Director Sarah Hensley gave a presentation relating to the request for a Planned Development amendment for Milestone Church, at 201 Mount Gilead Road.

Mayor Armin Mizani opened the public hearing.

The following individuals spoke in opposition to the Planned Development amendment for Milestone Church: Ms. Shannon Robb, 329 Mt. Gilead Road; Ms. Lily Alexander, 325 Mt. Gilead Road; Ms. Debbie Smith, 407 Mt. Gilead Road, Mr. Kyle Alexander, 325 Mt. Gilead Road; Mr. Daniel Zrna, 333 Mt. Gilead Road, Ms. Lori Zrna, 333 Mt. Gilead Road, Ms. Paula Merrell, 321 Mt. Gilead Road; and Mr. Patrick Hart, 1504 Emerald Knoll Drive.

The following individuals spoke in support to the Planned Development amendment for Milestone Church: Mr. John Delin, 316 W Byron Nelson Blvd, Roanoke; Mr. Steve Mathias, 734 Settlers Ridge, Dr. Linda Lohr, 1701 Clark Lake Circle, Dr. Michael Dotti, 1310 Tinker Road, Colleyville; Mr. Bryan Clintsman, 912 Dove Creek Court, Bartonville; and Mr. Chris Courson, 1320 Carriage Lane.

The following individuals did not speak, but requested that their support of the Planned Development amendment for Milestone Church be recorded: Ms. Ashley Stuhr, Mr. Ed Hardy, Mr. Charles Adetiloye, Ms. Mary Ann Rebel, Ms. Nancy Dotti, Mr. Gordon Lohr, Mr.

Jerry Rebel, Mr. Chris Irizerry, Mr. Mike Browning, Mr. Mike Banas, Mr. Ronnie Moreno, Ms. Heather Moreno, Ms. Amanda Courson, Ms. Cari Bray, Ms. Angela Mathews, Mr. Fabian Smith, Mr. Steve Chesnut, Mr. Rodney Black, Mr. Patrick Stuhr, and Mr. Samik Omar.

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

Pastor Jeff Pelletier, Milestone Church, Mr. Andrew Oxley, Oxley Architects, and Mr. Mark Mathews, Milestone Church project representative addressed the City Council regarding the proposal.

Discussion was held by the City Council.

A motion was made by Council Member Chris Whatley, seconded by Mayor Pro Tem Ross McMullin, to table the agenda item to the February 20, 2024 Regular City Council Meeting. The motion carried unanimously.

I. EXECUTIVE SESSION

- 1. Section 551.074, Texas Government Code - Personnel Matters. (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager**

Mayor Armin Mizani recessed the Regular City Council Meeting at 9:29 P.M. and reconvened the Work Session at 9:36 P.M.

The Work Session was adjourned and Regular Meeting reconvened at 9:53 P.M. so that the City Council could meet in an Executive Session in accordance with State Law.

- 2. Adjourn into Open Meeting.**

Mayor Armin Mizani adjourned the Executive Session at 11:30 P.M.

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

No action was taken.

J. ADJOURN

Mayor Armin Mizani adjourned the Regular City Council meeting at 11:30 P.M.

Mayor

City Secretary