



# City of Keller

## City Council

### Meeting Minutes

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

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Tuesday, March 1, 2022

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#### PRE-COUNCIL MEETING 5:30 P.M.

##### **A. CALL TO ORDER - Mayor Armin R. Mizani**

Mayor Armin Mizani called the Pre-Council Meeting to order at 5:32 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

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, Police Chief Bradley G. Fortune, and Interim Fire Chief Richard Whitten.

##### **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 Work Session.

##### **D. WORK SESSION**

1. [Receive an update on the Whitley Sidewalk/Trail Costs and Layout.](#)

Director of Public Works Alonzo Liñán gave a presentation relating to the Whitley sidewalk and trail costs and layout. Mr. Liñán identified issues with current proposal and presented the new terms for completing the project.

Three options were presented for discussion:

An entire new trail proposal would cost \$1.2 - \$1.6 million.

A reduced trail proposal with a street crossing on Whitley Road would cost \$350-\$450k.

A reduced trail proposal without the Whitley Road street crossing, with the drainage ditch crossing would cost about \$500k.

Mr. Liñán asked the City Council if they would prefer to issue a Change Order to the current contract and begin the process, or delay the process and complete the project with the 2023 streets projects. Staff recommendation was to issue the Change Order and proceed with the project now.

City Council directed staff to move forward with a Change Order to the current contract and proceed with the reduced trail proposal without the Whitley Road street crossing, but with the drainage ditch crossing.

2. [Discuss the Creation of a Corridor Planning Committee](#)

Mayor Armin Mizani introduced a discussion regarding the possible creation of a Corridor Planning Committee, and invited the City Council to a Corridor Planning Committee meeting held by the City of Southlake, on March 28, 2022 at 5:30 P.M. at the Southlake Town Hall City Council Chambers. The City Council will continue the discussion at a later date.

## **E. ADJOURN**

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:10 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 7:00 P.M.

### **B. INVOCATION**

Pastor Keith Sanders, First Baptist Keller, gave the invocation.

### **C. PLEDGE OF ALLEGIANCE**

Pastor Keith Sanders, First Baptist Keller, 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. [Recognition of Keller High School Varsity Volleyball Team, 6A UIL State Championship Runner-ups](#)

Mayor Armin Mizani and the City Council Members recognized the Keller High School Varsity Volleyball Team for their historic run in the 6A UIL State Championship, finishing as runner-up.

2. [Recognition of Keller Police Officer Bethany Todd](#)

Chief Bradley G. Fortune presented Detective Bethany Todd with a Keller Police Department 2022 Certificate of Merit for her work as lead detective in a case where Keller Police received a report from Keller ISD of a teacher exposing himself to a student. The department and school district immediately began an investigation. A total of three (3) victims were initially identified and the teacher was arrested. As a result of the initial arrest and press release, additional victims were identified. Through further investigation by Detective Todd, seventeen (17) warrants were issued for fifteen (15) felonies and two (2) misdemeanors. Detective Bethany Todd is to be recognized for her outstanding dedication, instincts, and passion to help bring justice to each of the victims.

The Mayor and City Council expressed their gratitude towards Detective Todd and the entire Keller Police Department.

3. [Keller Police Department – 2021 End of Year Presentation](#)

Police Chief Bradley G. Fortune gave the Keller Police Department 2021 End of Year Presentation. The Mayor and City Council thanked Chief Fortune for his leadership with the Keller Police Department.

## 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. Cathy McOmbler and her son Chase McOmbler (CJ), 4524 Hounds Tail Lane Fort Worth 76244; and Ms. Sue Gunnis, 1318 Chase Oaks Drive, expressed their thoughts and concerns with the processes, ordinances, and operations relating the Keller Animal Control and the Keller Dog Park, relating to their dog, Max, recently being attacked at the Keller Dog Park.

## 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 Chris Whatley, seconded by Council Member Sheri Almond, to approve Consent Agenda Items 1-3 and 5-9. The motion carried unanimously.**

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

**Approved.**

2. [Consider a resolution receiving the Keller Quarterly Investment Report for period ending December 31, 2021, and providing an effective date.](#)

**Resolution No. 4486 approves receiving the Keller Quarterly Investment Report for period ending December 31, 2021, and provides an effective date.**

3. [Consider a resolution receiving the Keller Quarterly Financial Report for period ending December 31, 2021, and providing an effective date.](#)

**Resolution No. 4487 approves receiving the Keller Quarterly Financial Report for period ending December 31, 2021, and provides an effective date.**

4. [Consider a resolution approving an amendment to the 2021-22 Keller Fee Schedule adding a Senior Activities Center Membership Fees; and establishing an effective date.](#)

Council Member Ross McMullin stated that he would prefer that the Senior Citizens Advisory Council discuss the fees for the new Senior Activities Center Memberships.

**A motion was made by Mayor Armin Mizani, seconded by Council Member Sheri Almond, to approve Resolution No. 4488 approving an amendment to the 2021-22 Keller Fee Schedule adding a Senior Activities Center Membership Fee of \$10.00 per year for residents and \$20.00 per year for non-residents; and establishing an effective date. The motion carried by the following vote:**

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

**NAY: 1 - Council Member Ross McMullin**

5. [Consider a resolution approving a professional services agreement with Kleinfelder of Irving, Texas to provide professional engineering services related to the Rehabilitation of the Pearson Ground Storage Tank #1; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

**Resolution No. 4489 approves a professional services agreement with Kleinfelder of Irving, Texas to provide professional engineering services related to the Rehabilitation of the Pearson Ground Storage Tank #1 for the Public Works Department, in the amount of \$151,061.00; and authorizes the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.**

6. [Consider a resolution approving the purchase of one \(1\) replacement emergency diesel generator and installation services from Fort Worth Electric of Fort Worth, Texas for the Municipal Service Center, through the interlocal agreement with the Tarrant Regional Water District \(TRWD\), and authorizing the City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

**Resolution No. 4490 approves the purchase of one (1) replacement emergency diesel generator and installation services from Fort Worth Electric of Fort Worth,**

Texas for the Municipal Service Center through the interlocal agreement with the Tarrant Regional Water District (TRWD) in the amount of \$237,756.00; and authorized the City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.

7. [Consider a resolution approving the purchase of concrete construction services from CI Pavement of Grand Prairie, Texas; through the TIPS Purchasing Cooperative, for the MSC Asphalt Replacement project for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4491 approves the purchase of Concrete Construction Services from CI Pavement of Grand Prairie, Texas, through the TIPS purchasing cooperative in the amount of \$89,560.35, and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

8. [Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with the City of Southlake to make improvements to the intersection of Pearson Road and FM1709/Keller Parkway/Southlake Boulevard](#)

Resolution No. 4492 authorizes the City Manager to execute an Interlocal Agreement with the City of Southlake for the funding of intersection improvements at the intersection of Pearson Road and FM1709 / Keller Parkway / Southlake Boulevard.

9. [Consider a resolution approving a payment to North Texas Contracting of Keller, Texas for the emergency repair of the 24-inch transmission waterline owned by the City of Keller at the intersection of Pearson Road and Florence Road.](#)

Resolution No. 4493 approves a payment of \$102,537.00 to North Texas Contracting of Keller, Texas for the emergency repair of the 24-inch transmission waterline owned by the City of Keller at the intersection of Pearson Road and Florence Road.

## G. OLD BUSINESS - None

## H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits \(SUPs\) to allow the use of a pharmacy and light manufacturing, wholly enclosed in a building, for Vital Care Pharmacy in an existing 3,237 square-foot lease space, within a 38,975 square-foot, multi-tenant building on the property legally described as Lot 1, Block A of the Baylor Medical Plaza Addition, being 3.595-acres, approximately 500 feet northeast from the intersection of Bear Creek Parkway and South Main Street \(US HWY 377\), zoned Old Town Keller \(OTK\), and addressed as 601 South Main Street, Suite 110. David Alvarez, Precise Elite Services, Applicant. PMAK Keller 601, LLC., Owner. \(SUP-22-0002\)](#)

Community Development Director Julie Smith gave a presentation relating to the request for two SUPs for Vital Care Pharmacy at 601 South Main Street, Suite 110.

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 Shannon Dubberly, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Sheri Almond, seconded by Council Member Chris Whatley, to approve Ordinance No. 2057 approving two Specific Use Permits (SUPs) to allow the use of a pharmacy and light manufacturing, wholly enclosed in a building, for Vital Care Pharmacy in an existing 3,237 square-foot lease space, within a 38,975 square-foot, multi-tenant building on the property legally described as Lot 1, Block A of the Baylor Medical Plaza Addition, being 3.595-acres, approximately 500 feet northeast from the intersection of Bear Creek Parkway and South Main Street (US HWY 377), zoned Old Town Keller (OTK), and addressed as 601 South Main Street, Suite 110. The motion carried unanimously.

2. [Consider a resolution approving a Site Plan Amendment for Specs, located on a 1.676-acre property, located on the east side of Keller Smithfield Road, approximately 425-feet northeast of the intersection of Keller Parkway and Keller Smithfield Road, being Lot 1, Block A of Spec's Keller Addition, and addressed as 101 Keller Smithfield Road. John McClure, McClure Partners, Applicant; 1 Emerald Point LLC., Owner. \(SP-22-0005\)](#)

Community Development Director Julie Smith gave a presentation relating to the request for a Site Plan Amendment for Specs, located at 101 Keller Smithfield Road.

A motion was made by Council Member Sheri Almond, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4494 approving a Site Plan Amendment for Specs, located on a 1.676-acre property, located on the east side of Keller Smithfield Road, approximately 425-feet northeast of the intersection of Keller Parkway and Keller Smithfield Road, being Lot 1, Block A of Spec's Keller Addition, and addressed as 101 Keller Smithfield Road. The motion carried unanimously.

3. [Consider a resolution approving a Site Plan Amendment for Messiah Lutheran Church of Keller, located on an approximately 4.45-acre tract of land, situated on the west side of Whitley Road, approximately 110 feet southwest of the Whitley Road and Rapp Road intersection, being Lot 1, Block 1 of Messiah Church Addition, and Abstract 457, Tract 21A of John Edmonds Survey, addressed as 1300 and 1308 Whitley Road. William P. Brandt, Applicant. Messiah Lutheran Church of Keller, Owner. \(SP-22-0006\).](#)

Community Development Director Julie Smith gave a presentation relating to the request for a Site Plan Amendment for Messiah Lutheran Church of Keller, located at 1300 and 1308 Whitley Road.

A motion was made by Council Member Ross McMullin, seconded by Council Member Chris Whatley, to approve Resolution No. 4495 approving a Site Plan Amendment for Messiah Lutheran Church of Keller, located on an approximately 4.45-acre tract of land, situated on the west side of Whitley Road, approximately 110 feet southwest of the Whitley Road and Rapp Road intersection, being Lot 1, Block 1 of Messiah Church Addition, and Abstract 457, Tract 21A of John Edmonds Survey, addressed as 1300 and 1308 Whitley Road. The motion carried

unanimously.

**I. EXECUTIVE SESSION**

Executive Session was not held during the Regular Meeting.

**J. ADJOURN**

A motion was made by Council Member Chris Whatley, seconded by Council Member Ross McMullin, to adjourn the Regular City Council Meeting at 8:07 P.M. The motion carried unanimously.

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Mayor

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City Secretary

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