



City of Keller
City Council
Meeting Minutes

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

Tuesday, August 6, 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 5:04 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Council Member Greg Will
Council Member Tag Green
Mayor Pro Tem Ross McMullin

Council Member Chris Whatley was absent.

The following City staff members were present: Interim City Manager Aaron Rector, City Secretary Kelly Ballard, Director of Community Services Cody Maberry, Director of Community Development Sarah Hensley, Director of Economic Development Mary Culver, Director of Human Resources Marcia Reyna, Public Works Director Alonzo Linan, Police Captain Jared Lemoine, and Fire Chief Bobby 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. [205 S. Elm Street](#)
2. **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 Secretary**

3. Adjourn into Open Meeting.

Mayor Armin Mizani adjourned the Executive Session and reconvened the Pre-Council Meeting at 6:10 P.M.

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

No action was taken.

D. WORK SESSION**1. [Receive a demonstration of a city mobile app.](#)**

Communication & Public Engagement Manager introduced Mr. Kevin Strauss, VP of Regional Sales at GOGov, who provided a demonstration of the proposed municipality mobile app. The app offers a fully integrated citizen reporting solution and information portal, with capabilities for mobile application use, web platform access, and texting. Following the presentation, the City Council directed staff to prepare the proposal for consideration on the August 20th meeting agenda. The proposed contract would cover a three-year period, with an option for two additional one-year renewal periods, resulting in a total of five years. The annual expenditure for the app is \$31,380, totaling \$94,140 over the initial three-year period.

2. [Economic Development Updates](#)

Director of Economic Development Mary Culver provided an update on current economic development projects. She reported the addition of three new businesses in the past month: Agave Azul, a retail gift shop located at 255 S Main St.; City Electric Supply, a wholesale retail business specializing in electrical equipment at 363 Keller Pkwy, Unit B; and James Vandespyker Insurance Agency, a State Farm office at 1738 Keller Pkwy. A total of 62 Certificates of Occupancy (COs) have been issued year-to-date, with 53 of those for new businesses. Additionally, a new lease has been signed for a Mini Golf facility at 1540 Keller Pkwy, the former site of Tuesday Morning. Mrs. Culver also met with Keller Economic Development Board (KEDB) member Steve White to create a personalized recruitment plan for Family Entertainment Uses.

Under recent KEDB activity, it was noted that the Life Safety Grant was discussed at the July KEDB meeting. A draft policy is currently being developed and will be discussed in a work session scheduled for September.

In other economic development updates, Mrs. Culver mentioned ongoing work on business promo videos and preparations for the Keller Restaurant Week event, slated for Summer 2025. Feedback is currently being gathered from local restaurateurs to determine the best ways to promote their businesses. Upcoming trade shows and conferences were also highlighted, including Retail Live in Austin on August 29th, as well as the IEDC conference from September 15th-18th and the TEDC conference from October 23rd-25th.

3. [Discuss league play for Pickleball.](#)

Council Member Shannon Dubberly and Council Member Greg Will addressed the City Council regarding the Special Event Permit application for league play of Pickleball at City of Keller Pickleball courts.

The City Council requested that the applicant revise their Special Event Permit to list the dates they are requesting and submit to staff for review/approval/denial. The City Council directed staff to come back before spring with rules for league play.

4. [Budget Strategic Planning - Tax and Proposed Budget Update](#)

During the presentation on Taxes and the Proposed Budget, the Interim City Manager Aaron Rector reviewed the current and projected tax rates, levy increases, and the impact on the average home tax bill. The City Council directed Staff to move forward with a maximum tax rate lower than the no new revenue and voter approval tax rates. This approach would ensure that the overall revenue remains consistent without raising the average tax bill significantly for residents.

5. [City Council Updates on Boards and Commissions](#)

No updates.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:58 P.M.

Mayor Armin Mizani reconvened the Pre-Council Meeting at 8:19 P.M. and adjourned at 9:48 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Armin R. Mizani

B. INVOCATION - Rev. Sterling Smith, White's Chapel Methodist Church

C. PLEDGE OF ALLEGIANCE

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 Council Member Jessica Juarez](#)

Mayor Armin Mizani presented a plaque of recognition to former City Council Member Jessica Juarez in appreciation of her dedicated service to the City of Keller. The Mayor expressed gratitude for her contributions and commitment to the community during her tenure on the Council.

2. [Recognition of Keller High School Softball Team](#)

Mayor Armin Mizani recognized the following players and coaches of the 2023-24 Keller High School Softball Team: Annsley Groce, Tinslee Cribbs, Preslie Olbrish, Madison Eads, Maggie Crowe, Landry Beaman, Sadie Beck, Mackenna Jackson, Addi Clark, Gracie Johnson, Brooke Eggleton, Sydona Meiser, Cambree Cribbs, Kaiya Fabela, Carley Genzer, Elise Whetstine, Lauren Kavanaugh, Claire Boggs, and Manager: Kyra D'Amico. Coaches: Jessica Pauls, Jason Bardin, Kris Keller, Brandon Bowen, and Chad Cribbs were also recognized.

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

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Consent Agenda Items 1 - 8 and . The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, July 16, 2024, Regular City Council Meeting.](#)

Approved.

2. [Consider a resolution approving a professional services agreement with Front Line Mobile Health, of Georgetown, Texas, for the purpose of providing annual physicals to fire and police department personnel, physicals and psychological evaluations to new hires, and a fit-for-duty program for a one \(1\) year period with four \(4\) additional one \(1\) year renewal periods, not to exceed five \(5\) years; and authorizing the City manager to execute all documents related thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4816 approves a Professional Services Agreement with Front Line Mobile Health, of Georgetown, Texas, for the purpose of providing annual physicals to fire and police department personnel, physicals and psychological evaluations to new hires, and a fit-for-duty program; for a one (1) year period with four (4) additional one (1) year renewal periods, not to exceed five (5) years, 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 approving an Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller Special Election, for the purpose of filling the unexpired term of City Council Place 3, to be held on Saturday, August 31, 2024, and authorizing the Mayor to execute said Agreement and Contract.](#)

Resolution No. 4814 approves an Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller Special Election, for the purpose of filling the unexpired term of City Council Place 3, to be held on Saturday, August 31, 2024, in accordance with the terms and conditions set forth in said

Agreement and Contract.

4. [Consider a resolution approving the purchase of replacement traffic signal detection equipment from Paradigm Traffic Systems, Inc., of Arlington, Texas through the Buyboard Purchasing Cooperative and authorizing the Interim City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

Resolution No. 4817 approves the purchase of replacement traffic signal detection equipment from Paradigm Traffic Systems, Inc., of Arlington, Texas through the Buyboard Purchasing Cooperative in the amount of \$164,500.00; and further authorizes the Interim City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

5. [Consider a resolution approving the purchase of a replacement 2025 Tymco Street Sweeper, from TYMCO, Inc., of Waco, Texas through the Buyboard Purchasing Cooperative and authorizing the Interim City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

Resolution No. 4818 approves the purchase of a 2025 Tymco Street Sweeper from TYMCO, Inc., of Waco, Texas through the Buyboard Purchasing Cooperative in the amount of \$332,846.60; and further authorizes the Interim City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

6. [Consider a resolution approving the purchase of a replacement 2025 Volvo VNR Dump Truck ahead of the Fiscal Year 2024-25 budget adoption from Volvo & Mack Trucks of Waco, of Hewitt, Texas through the Buyboard Cooperative Purchasing Program and authorizing the Interim City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

Resolution No. 4819 approves the purchase of a replacement dump truck from Volvo & Mac Trucks of Waco, of Hewitt, Texas through the Buyboard Purchasing Cooperative in the amount of \$192,600.00; and further authorizes the Interim City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

7. [Consider a resolution approving the purchase of a replacement 2025 Sewer Camera Van with Chevrolet chassis and upfitting services ahead of the Fiscal Year 2024-25 budget adoption from Caldwell Country Chevrolet, of Caldwell, Texas through the Buyboard Purchasing Cooperative and authorizing the Interim City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

Resolution No. 4820 approves the purchase of a 2025 Sewer Camera Van with Chevrolet chassis and upfitting services from Caldwell Country Chevrolet, of Caldwell, Texas through the Buyboard Purchasing Cooperative in the amount of \$370,225.00; and further authorizes the Interim City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

8. [Consider a resolution authorizing a payment to North Texas Contracting, Inc. of Keller, Texas; for the emergency repair of a 10" sanitary sewer line failure adjacent to 811 Barbara Lane, for the Public Works Department; and authorizing the Interim City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4821 approves the payment for the emergency repair of a 10" sanitary sewer line with North Texas Contracting, Inc., of Keller, Texas; and the cost of the said

project shall be paid from the Wastewater Collection operations budget, with funding provided by the Water & Wastewater Utility Fund in the amount of \$164,237.00, budgeted therefore.

9. [Consider a resolution approving Contract Amendment # 5 to an Agreement for Design Services and Contract Administration with Parkhill, of Arlington, Texas, for design services related to the increased scope for the Materials Storage Screening Wall at the Keller Sports Park for the Public Works and Parks and Recreation Departments; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Director of Public Works Alonzo Linan gave a presentation relating to materials storage at Keller Sports Park.

A motion was made by Council Member Tag Green, seconded by Council Member Gregory Will, to approve Resolution No. 4826 approving Contract Amendment # 5 to the Design Services and Contract Administration for the increased scope for the Materials Storage Screening Wall at Keller Sports Park with Parkhill, of Arlington, Texas; in the total amount of \$95,565.00, for the Recreation Department, and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas. The motion carried unanimously.

10. [Consider a resolution rejecting all proposals received for the Elm Street Reconstruction Project, for the Public Works Department; and authorizing the Interim City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

Resolution No. 4822 rejects all proposals for the Elm Street Reconstruction Project .

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [Consider a resolution approving a Site Plan Amendment for Chick-Fil-A, an existing 4,700 square-foot drive-thru restaurant on an approximately 11.960-acre tract of land, located on the south side of Keller Parkway \(F.M. 1709\), situated at the intersection of Rufe Snow Drive and Keller Parkway, being Lot 1R, Block A, Keller Town Center, zoned Town Center \(TC\) and addressed 1002 Keller Parkway. Regency Centers, LP, Owner. Stephen Cheng/Page Southerland Page, Inc., Applicant.](#)

Planner Amber Washington gave a presentation relating to the request for a Site Plan Amendment for Chick-Fil-A, at 1002 Keller Parkway.

A motion was made by Council Member Shannon Dubberly, seconded by Mayor Pro Tem Ross McMullin, to approve Resolution No. 4823 approving a Site Plan Amendment for Chick-Fil-A, an existing 4,700 square-foot drive-thru restaurant on an approximately 11.960-acre tract of land, located on the south side of Keller Parkway (F.M. 1709), situated at the intersection of Rufe Snow Drive and Keller Parkway, being Lot 1R, Block A, Keller Town Center, zoned Town Center (TC) and addressed 1002 Keller Parkway. The motion carried unanimously.

2. [PUBLIC HEARING: Consider a resolution approving a final plat with a variance, being a](#)

replat of Lot 1, Block 1 Allied Bank Addition and Tract A, Block 2, Indian Meadows Section 1, approximately 3.34 acres, on the south side of Keller Parkway, at the intersection of Keller Parkway and Anita Avenue, zoned Retail (R), and addressed 600 and 640 Keller Parkway, and 113 Navajo Drive. Office Equity Solutions, Applicant. Bank of the Ozarks; TOC Keller, Owners. (P-24-0014)

Planner Amber Washington gave a presentation relating to the request for a final plat with a variance, for 600 and 640 Keller Parkway, and 113 Navajo Drive.

Mayor Armin Mizani opened the public hearing.

Mr. Omar , application addressed the City Council regarding the proposal.

A motion was made by Council Member Gregory Will, seconded by Council Member Tag Green, to close the public hearing. The motion carried unanimously.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Gregory Will, to approve Resolution No. 4824 approving a final plat, being a replat of Lot 1, Block 1 Allied Bank Addition and Tract A, Block 2, Indian Meadows Section 1, approximately 3.34 acres, on the south side of Keller Parkway, at the intersection of Keller Parkway and Anita Avenue, zoned Retail (R), and addressed 600 and 640 Keller Parkway, and 113 Navajo Drive, with the following variance:

1. **A variance to allow Lot 1R-3 to be 123.46' wide in lieu of the required 150' width required of Retail-zoned lots in the City of Keller shall be allowed.**

The motion carried by the following vote:

AYE: 4 - Council Member Shannon Dubberly, Mayor Armin Mizani, Mayor Pro Tem Ross McMullin, and Council Member Gregory Will.

NAY: 1 - Council Member Tag Green.

3. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an existing 1,200 square-foot detached garage with an average height of 19 feet, 8 inches on 1.15 acres, approximately 475 feet north of the Florence Road and Blackwood Drive intersection, legally described as Lot 1, Block A of the Draper Place Addition, zoned Single-Family 36,000 minimum square-foot lots (SF-36), and addressed 1141 Blackwood Drive. Max Draper, Applicant/Owner. (SUP-2406-0001)

Director of Community Development Sarah Hensley gave a presentation related to the request for a Specific Use Permit (SUP) for an existing 1,200 square-foot detached garage at 1141 Blackwood Drive.

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

Mr. Max Draper, owner/applicant, addressed the City Council regarding the proposal.

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.

A motion was made by Mayor Pro Tem Ross McMullin, seconded by Council Member Gregory Will, to approve Ordinance No. 2182 approving a Specific Use Permit (SUP) for an existing 1,200 square-foot detached garage with an average height of 19 feet, 8 inches on 1.15 acres, approximately 475 feet north of the Florence Road and Blackwood Drive intersection, legally described as Lot 1, Block A of the Draper Place Addition, zoned Single-Family 36,000 minimum square-foot lots (SF-36), and addressed 1141 Blackwood Drive. The motion carried unanimously.

4. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for an approximately 2,400 square-foot accessory structure, on approximately 0.96 acres, on the east side of Bourland Road, approximately 385 feet southeast from the intersection of Mount Gilead Road and Bourland Road, legally described as Lot 5 of the Keller Heights North Addition, zoned Single-Family 36,000 square-foot lot size or greater \(SF-36\) and addressed 1265 Bourland Road. Christian Lundgren, Applicant/Owner. \(SUP-24-0020\)](#)

Planner Alexis Russell gave a presentation related to the request for a a Specific Use Permit (SUP) for an approximately 2,400 square-foot accessory structure, at 1265 Bourland Road.

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

A motion was made by Mayor Armin Mizani, seconded by Council Member Tag Green, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Tag Green, seconded by Council Member Gregory Will, to approve Ordinance No. 2183 approving a Specific Use Permit (SUP) for an approximately 2,400 square-foot accessory structure, on approximately 0.96 acres, on the east side of Bourland Road, approximately 385 feet southeast from the intersection of Mount Gilead Road and Bourland Road, legally described as Lot 5 of the Keller Heights North Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1265 Bourland Road, with the following conditions:

1. A Specific Use Permit for an accessory structure in excess of 1,200 square-feet in the SF-36 zoning district shall be allowed.
2. A Specific Use Permit for maximum height of the accessory structure to exceed an average of 15 feet shall be allowed.
3. A Specific Use Permit to allow the total square-footage of all accessory structures on the property to exceed 50% of the square-footage of the existing home shall be allowed.

The motion carried by the following vote:

AYE: 4 - Council Member Shannon Dubberly, Council Member Tag Green, Mayor Pro Tem Ross McMullin, and Council Member Gregory Will

NAY: 1 - Mayor Armin Mizani

5. [Consider a resolution authorizing the use of the power of Eminent Domain to acquire Permanent Utility Easement at 200 Keller Pkwy, S. Needham Survey, Abstract No. 1171, Lot 2R, Block A, Elm Keller Parkway Addition as necessary for the South Elm Street Reconstruction Project; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to approve Resolution No. 4825 authorizing the use of the power of Eminent Domain to acquire Permanent Utility Easement at 200 Keller Pkwy, S. Needham Survey, Abstract No. 1171, Lot 2R, Block A, Elm Keller Parkway Addition as necessary for the South Elm Street Reconstruction Project; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas. The motion carried by the following vote:

AYE: 4 - Council Member Shannon Dubberly, Council Member Tag Green, Mayor Armin Mizani, and Council Member Gregory Will

NAY: 1 - Mayor Pro Tem Ross McMullin

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.
 - a. [205 S. Elm Street](#)
2. **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 Secretary
3. **Adjourn into Open Meeting.**
4. **Action on Executive Session Items 1 and 2 if necessary.**

J. ADJOURN

Mayor Armin Mizani adjourned the Regular Meeting and at 8:13 p.m. and returned to the

Work Session.

Rollcall

Mayor

City Secretary

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