



City of Keller
City Council
Meeting Minutes

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

Tuesday, December 7, 2021

PRE-COUNCIL MEETING 5:30 P.M.

A. CALL TO ORDER - Mayor Armin R. Mizani

Mayor Armin Mizani called the Regular Meeting to order at 5:30 P.M.

The following City Council Members were present:

Mayor Armin Mizani
Council Member Shannon Dubberly
Mayor Pro Tem Sean Hicks
Council Member Sheri Almond
Council Member Beckie Paquin
Council Member Chris Whatley
Council Member Ross McMullin

The following City staff members were present: City Manager Mark Hafner, City Secretary Kelly Ballard, City Attorney Stan Lowry, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Community Development Julie Smith, City Engineer Chad Barte, Director of Economic Development Mary Culver, Director of Information Technology Sean Vreeland, Director of Human Resources Marcia Reyna, Administrative Services Manager Sarah Hensley, Deputy Fire Chief Shane Gainer, Interim Fire Chief Richard Whitten, and Police Chief Bradley G. Fortune.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. EXECUTIVE SESSION - None

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

D. WORK SESSION

1. [International Code Council \(ICC\) updates \(building codes, fire codes, etc.\)](#)

Attachments: [Work Session - ICC Code Update 2021](#)

Director of Community Development Julie Smith, Building Official Payne Randell, and Fire Marshal Debra Crafton gave a presentation relating to updates to the International Building Codes. This item will come forward for a formal vote in early 2022.

2. [Discuss Keller Public Arts Master Plan updates.](#)

Attachments: [PA Master Plan - Policy DRAFT 120121 CLEAN](#)
[PA Master Plan - Policy DRAFT 120121 REDLINE](#)
[Work Session - PA Master Plan and Policy Updates](#)

Administrative Services Manager Sarah Hensley gave a presentation relating to updates to the Keller Public Arts Master Plan. Ms. Hensley gave a brief history of the Public Arts Board and the Master Plan.

Council Member Sheri Almond asked if there is a possibility for the Keller Gallery Walks to come back. Ms. Hensley explained that this was an event that took place when there were several galleries that were located in Keller Town Center.

Council Member Ross McMullin asked if any methods have been discussed regarding funding for outdoor amphitheater/performing arts center. Ms. Hensley stated that detailed discussion has not been held. Council Member McMullin asked for the word "pursue" to "explore" regarding the amphitheater/performing arts center.

Council Member Shannon Dubberly asked about City History. Ms. Hensley directed him to the Wild Rose Heritage Center.

Mayor Armin Mizani asked Ms. Hensley to describe what the Public Arts Board was saying with the following statement on page 19: "Reflect diversity in the community and the human family as a whole." Ms. Hensley explained that the Board is passionate about all types of diversity, but the individual Board Members would be better at answering this. Mayor Mizani asked for the Board to rework this statement.

This item will come to City Council for a formal vote in early 2022.

3. [Old Town Keller \(OTK\) zoning district discussion.](#)

Attachments: [Work Session - OTK Zoning District Boundary Discussion](#)

Community Development Director Julie Smith gave a presentation relating to the Old Town Keller zoning district. Ms. Smith suggested that the portion of Old Town Keller located south of Bear Creek Parkway and the portion of Old Town Keller located north of Keller Parkway could have their zoning restrictions loosened to have more flexibility with development. Ms. Smith clarified that these two areas would still be considered Old Town Keller regardless of zoning changes. The City Council directed staff to move forward with a draft of the zoning change.

E. ADJOURN

Mayor Armin Mizani adjourned the Pre-Council Meeting at 6:55 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 Cody Bailey, Alliance Community Church**C. PLEDGE OF ALLEGIANCE**

Mayor Armin Mizani led the pledge to the United States Flag and 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. [Administer the Oath of Office to Boards and Commission Members](#)

Mayor Armin Mizani administered the Oath of Office to the newly appointed and reappointed Boards and Commission Members.

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 Tarrant Appraisal District Board nominees addressed the City Council and asked for their votes: Mr. Tony Pompa, 5101 Forest Lake Court, Arlington, TX 76067; Ms. Kathryn Wilemon, 1318 Viridion Park, Arlington, TX; and Mr. Richard DeOtte, 112 Keystone Drive, Southlake, TX.

Mr. David Tashman, 1705 Everest Road, thanked the City Council for their dedication and presented the Council with chocolate coins.

Mr. Jeff Avery, 1306 Worthington, Grapevine, TX, expressed his support of New Business Item 4, and thanked the City Council for their hard work and dedication towards the Highland Terrace Development.

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 Mayor Pro Tem Sean Hicks, seconded by Council Member Shannon Dubberly, to approve the Consent Agenda Items 1, 3, 4, 5, 6, and to consider Item 2 separately. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, November 16, 2021 Regular City Council Meeting.](#)

Attachments: [111621 Minutes.pdf](#)

Approved.

2. [Consider a resolution casting votes for nominee\(s\) for the Board of Directors of the Tarrant Appraisal District for a two-year term beginning January 1, 2022.](#)

Attachments: [120721 Resolution Nominees for Board of Directors of Tarrant Appraisal District](#)
[120721 Ballot Nominees for Board of Directors of Tarrant Appraisal District](#)

A motion was made by Council Member Ross McMullin, seconded by Mayor Pro Tem Sean Hicks, to approve Resolution No. 4454 casting votes for the following nominees for the Board of Directors of the Tarrant Appraisal District for a two-year term beginning January 1, 2022:

13 votes for Richard DeOtte

4 votes for Gary Losada

4 votes for Tony Pompa

4 votes for Kathryn Wilemon

The motion carried unanimously.

3. [Consider a resolution approving the agreement for City Towing and Recovery Service with AA Wrecker Service of Haltom City, Texas, relating to non-consent police tows; and further authorizes the City Manager to execute said contract on behalf of the City of Keller.](#)

Attachments: [120721 City Towing Resolution](#)
[120721 Towing Contract Attachments.pdf](#)
[2021 Towing Contract.pdf](#)

Resolution No. 4455 approves the Contract for City Towing and Recovery Service Agreement with AA Wrecker Service of Haltom City, Texas, relating to non-consent police tows.

4. [Consider a resolution approving the purchase and installation of a replacement playground structure for the Chase Oaks Activity Node, from The Playground, Shade and Surfacing Depot, LLC., of Keller, Texas, through the Texas Association of School Boards \(TASB\) BuyBoard Cooperative Purchasing Program, for the Parks and Recreation Department; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120721 Chase Oaks Playground Resolution](#)
[120721 Chase Oaks Playground Proposal](#)
[120721 Chase Oaks Playground Design Pkg](#)
[120721 Chase Oaks Playground Drawing](#)
[120721 Chase Oaks Playground Concept Aerial Layout](#)
[Playground: Chase Oaks Activity Node Playground Replacement](#)

Resolution No. 4456 approves the purchase and installation of a replacement playground from The Playground, Shade and Surfacing Depot, LLC., of Keller, Texas through the Texas Association of School Boards (TASB) BuyBoard Purchasing Cooperative in the amount of \$109,787.00.

5. [Consider a resolution approving a professional services agreement with O'Brien Engineering, Inc. of Carrollton, Texas; to provide professional engineering services related to the Citywide Streambank Erosion; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [120721_StreambankErosionStudy_Resolution](#)
[120721_Streambank Erosion Study_proposal](#)

Resolution No. 4457 approves an Agreement with O'Brien Engineering, Inc., of Carrollton, Texas to provide professional engineering services, relating to the Citywide Streambank Erosion Study, in the amount of \$99,500.00.

6. [Consider an ordinance amending the City of Keller Code of Ordinances by amending Chapter 18, Traffic, Article II, Speed Limits, by deleting Section 18-210, School Zone Speed Provisions in its entirety, and adding a new Section 18-210; providing a penalty; providing a severability clause; authorizing publication; and establishing an effective date.](#)

Attachments: [120721_School ZoneAmendment_Ordinance](#)

Ordinance No. 2046 hereby amends Chapter 18, Traffic, Article II, Speed Limits, of the City of Keller Code of Ordinances, is hereby amended by deleting Section 18-210, School Zone Speed Provisions, in its entirety, and adding a new Section 18-210, paragraph as follows:

Sec. 18-210. School Zone Speed Provisions.

Upon the basis of engineering and traffic investigation heretofore made as authorized by the provisions of Chapter 545, Paragraph 545.356, of the Texas Transportation Code the following prima facie maximum speed limits hereinafter indicated for vehicles are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, and at the speed and times described as follows:

(1) Bear Creek Intermediate School:

a. 20 miles per hour: On Pate-Orr Road from Clover Lane to Bear Creek Parkway, and on Bear Creek Parkway from Gloria Street to Pate-Orr Road during the posted times of:

7:15 a.m. to 8:15 a.m.

2:30 p.m. to 3:30 p.m.

(2) Hidden Lakes Elementary School:

a. 20 miles per hour: On Preston Lane from Moss Hill Lane to Marblewood Drive, and on Bear Creek Parkway from San Saba Street to one hundred feet (100') west of Promontory Drive, and on Meandering Woods Drive from one hundred twenty

five feet (125') north of Wellington Court to a point seven hundred feet (700') north during the posted times of:

7:25 a.m. to 8:25 a.m.

2:40 p.m. to 3:40 p.m.

(3) Indian Springs Middle School and Keller Center for Advanced Learning:

a. 20 miles hour: On Willis Lane from Bursey Road to North Tarrant Parkway, during the posted times of:

7:15 a.m. to 9:00 a.m.

2:30 p.m. to 4:15 p.m.

b. 25 miles hour: On North Tarrant Parkway from Willis Lane to Whitley Road, during the times of:

7:15 a.m. to 9:00 a.m.

2:30 p.m. to 4:15 p.m.

(4) Keller High School:

a. 20 miles hour: On Johnson Road from Rufe Snow Drive to Bluebonnet Drive and on Pate-Orr Road from Johnson Road to Meadow Circle North during the posted times of:

8:00 a.m. to 9:00 a.m.

3:15 p.m. to 4:15 p.m.

(5) Keller-Harvel Elementary School:

a. 20 miles hour: On Johnson Road from three hundred (300) feet west of Jessie Street to Blue Stem, and on Norma Lane from Johnson Road north to a point one hundred fifty-five feet (155') north of Foxcroft Lane during the posted times of:

7:25 a.m. to 8:25 a.m.

2:40 p.m. to 3:40 p.m.

(6) Keller Middle School:

a. 20 miles hour: On Lorine Street from Linda Street to Jessie Street, and on Jessie Street from Hovenkamp Street to Keller Parkway (FM 1709), and on College Avenue from Hovenkamp Street to Keller Parkway (FM 1709), and on Pearl Street from Jessie Street to Linda Street, and on Blue Stem from Hovenkamp Street to Lorine Street during the posted times of:

8:00 a.m. to 9:00 a.m.

3:15 p.m. to 4:15 p.m.

(7) Shady Grove Elementary School:

a. 20 miles hour: On Sarah Brooks Drive from two hundred twenty (220') feet south of Shady Grove Road, continuing north on Sarah Brooks to a point four hundred seventy feet (470') south of the intersection of Village Trail-Sarah Brooks Drive, and on Shady Grove Road from a point three hundred seven feet (307') east of Sarah Brooks Drive to the intersection of Keller-Smithfield Road during the

posted times of:

7:25 a.m. to 8:25 a.m.

2:40 p.m. to 3:40 p.m.

(8) Willis Lane Elementary School:

a. 20 miles hour: On Willis Lane from the intersection of Calais Drive extending south one thousand two hundred sixty feet (1,260') during the posted times of:

7:25 a.m. to 8:25 a.m.

2:40 p.m. to 3:40 p.m.

(9) Ridgeview Elementary School:

a. 20 miles hour: On Marshall Ridge Parkway from Ridge Pointe Parkway to a point one thousand five hundred feet (1,500') south of Ridge Pointe Parkway during the posted times of:

7:25 a.m. to 8:25 a.m.

2:40 p.m. to 3:40 p.m.

(10) Saint Elizabeth Ann Seton Catholic School:

a. 20 miles hour: On Willis Lane from the north right of way of North Tarrant Parkway to a point one thousand six hundred seventy-five feet (1,675') north during the posted times of:

8:15 a.m. to 9:00 a.m.

3:15p.m. to 4:00 p.m.

G. OLD BUSINESS

1. [Consider an ordinance approving a Specific Use Permit \(SUP\) for the 800 square-foot expansion of an existing 1,200 square-foot accessory structure on property legally described as Lot 1A, Block 1, of the William Slaughter Addition, being 9.83-acres located approximately 200 feet southeast of the intersection of Rufe Snow Drive and Cobblestone Parks Drive, zoned Single-Family Residential - 36,000 Square-Foot Lots \(SF-36\), addressed as 833 Rufe Snow Drive. Jeffrey and Loren Abate, Applicants/Owners. \(SUP-21-0028\)](#)

Attachments: [120721_833 Rufe Snow Proposed Ordinance.docx](#)

[120721_833 Rufe Snow SUP_Maps.pdf](#)

[120721_Staff attachment A - Application and Information.pdf](#)

[120721_Staff attachment B - Opposition letters and map.pdf](#)

[120721_Staff attachment C - Support letters.pdf](#)

[120721_Staff attachment D - Images with trees planted.pdf](#)

[Presentation: 833 Rufe Snow Dr](#)

Community Development Director Julie Smith gave a presentation relating to the request for the expansion of an existing accessory structure at 833 Rufe Snow Drive.

A motion was made by Council Member Sheri Almond, seconded by Mayor Pro

Tem Sean Hicks, to approve Ordinance No. 2047 approving a Specific Use Permit (SUP) for a 800 square-foot expansion of an existing 1200 square-foot agricultural accessory structure on property legally described as Lot 1A, Block 1, of the William Slaughter Addition, being 9.83-acres located approximately 200 feet southeast of the intersection of Rufe Snow Drive and Cobblestone Parks Drive, zoned Single-Family Residential - 36,000 Square-Foot Lots (SF-36), addressed as 833 Rufe Snow Drive with the following condition:

1. The Specific Use Permit request for a total of 2,000 square-feet for an accessory structure shall be allowed.

The motion carried unanimously.

H. NEW BUSINESS

1. [Consider a resolution approving the Matching Funds Program Application with the Pace Family, for the purchase and installation of a Junior Log Cabin for the Overton Ridge Park Playground, from The Playground, Shade and Surfacing Depot, of Keller, Texas, for the Parks and Recreation Department; and authorizing the City Manager to execute all agreement documents relating thereto on behalf of the City of Keller.](#)

Attachments: [120721_KDC Pace Family Matching Grant Resolution](#)
[120721_KDC Pace Family Matching Grant Specifications Sheet](#)
[120721_KDC Pace Family Matching Grant Proposal](#)
Presentation: [KDC Matching Grant Application](#)

Mr. Shane Pace and Mrs. Nicki Pace gave a presentation in relation to Trent's Playhouse, an inclusive playhouse designed in memory of their son, Trenton Pace. Mr. and Mrs. Pace explained that the playhouse would compliment the sensory playground being constructed with the Overton Ridge Park Expansion Project as it was drafted by the same engineers of the project to match existing plans. Mrs. Pace added that the total cost of the playhouse was \$5,814.00; which would calculate to \$2,907.00 split equally with approval of the matching grant.

The City Council held discussion regarding the playhouse and agreed to have a commemorative plaque placed on the bench at the Keller Rock Trail put in place by Mr. and Mrs. Pace in honor of their son, Trent.

A motion was made by Council Member Sheri Almond, seconded by Mayor Pro Tem Sean Hicks, to approve Resolution No. 4458 approving the Matching Funds Program Application with the Pace Family, for the purchase and installation of a Junior Log Cabin for the Overton Ridge Park Playground, from The Playground, Shade and Surfacing Depot, of Keller, Texas, and to have a commemorative plaque placed on the bench at the Keller Rock Trail put in place by Mr. and Mrs. Pace in honor of their son, Trent; for the Parks and Recreation Department; and authorizing the City Manager to execute all agreement documents relating thereto on behalf of the City of Keller. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Chick-Fil-A, an existing 4,779 square-foot restaurant on an approximately 1.46-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 a portion of Lot 1R, Block A, Keller Town Center, at 1002 Keller Parkway, and zoned Town Center \(TC\). Regency Centers, LP, Owner. Interplan, LLC, Applicant/Developer. \(SUP-21-0036\)](#)

Attachments: [120721_ProposedOrdinance_Chickfila.docx](#)

[120721_Maps.pdf](#)

[120721_Staff Attachment A - Application and narrative.pdf](#)

[Presentation: Chick-Fil-A](#)

Community Development Director Julie Smith gave a presentation relating to the request for a Specific Use Permit (SUP) for Chick-Fil-A, an existing 4,779 square-foot restaurant at 1002 Keller Parkway, and zoned Town Center (TC).

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

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Sheri Almond, to close the public hearing. The motion carried unanimously.

A motion was made by Council Member Ross McMullin, seconded by Council Member Beckie Paquin, to approve Ordinance No. 2048 approving a Specific Use Permit (SUP) for Chick-Fil-A, an existing 4,779 square-foot restaurant on an approximately 1.46-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 a portion of Lot 1R, Block A, Keller Town Center, at 1002 Keller Parkway, and zoned Town Center (TC). The motion carried unanimously.

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow the use of spa services, for Nail Bar One, in a 2,500 square-foot lease space, within a 21,895 square-foot multi-tenant building, on 2.93-acres, approximately 1,000-feet northwest from South Main Street and Wall-Price Keller Road intersection, and situated on the west side of South Main Street, located at 800 South Main Street Suite 224, legally described as Lot 3, Block A, Bear Creek Plaza Addition and zoned Retail \(R\). BC III Shopping Center, LLC, Owner. Nail Bar One, Applicant. \(SUP-21-0035\)](#)

Attachments: [120721_ProposedOrdinance_Nail Bar One.docx](#)

[120721_Maps.pdf](#)

[120721_Staff Attachment A - Application, letter, and photos.pdf](#)

[Presentation: Nail Bar One](#)

Community Development Director Julie Smith gave a presentation relating to the request for a Specific Use Permit (SUP) to allow the use of spa services, for Nail Bar One, in a 2,500 square-foot lease space, located at 800 South Main Street Suite 224.

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 Mayor Pro Tem Sean Hicks, seconded by Council Member Beckie Paquin, to approve Ordinance No. 2049 approving a Specific Use Permit (SUP) to allow the use of spa services, for Nail Bar One, located at 800 South Main Street Suite 224. The motion carried unanimously.

4. [Consider a resolution approving four variances to the Unified Development Code, Article 8 - Zoning Districts, Development Standards, Tree preservation, Section 8.03 Zoning districts, regarding one lot in the Highland Terrace Mobile Home Park, to decrease the Minimum Dwelling Size to 2,000 square feet in lieu of the 2,400 square-foot requirement, to increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement, to increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement, and to modify the front setback from 35 feet to 25 feet, legally described as Lot 27 of Highland Terrace Mobile Home Park, addressed as 1840 Highland Drive East and zoned Single-Family 36,000 square-foot lots or greater \(SF-36\). Mike Garabedian, GPLM, LLC, Owner/Applicant. \(UDC-21-0009\)](#)

Attachments: [120721_1840 Highland Drive E_ProposedResolution.docx](#)
[120721_1840 Highland Drive EMaps.pdf](#)
[120721_1840 Highland Drive E_Staff Attachment A - Application, narrative letter and document.pdf](#)
[Presentation: 1840 Highland Drive East](#)

Community Development Director Julie Smith gave a presentation relating to the request for four variances to the Unified Development Code for 1840 Highland Drive East.

Mr. Michael Garabedian, applicant, addressed the City Council regarding his proposal.

Discussion was held by the City Council.

A motion was made by Mayor Pro Tem Sean Hicks, seconded by Council Member Ross McMullin, to approve Resolution No. 4459 approving four variances to the Unified Development Code, Article 8 - Zoning Districts, Development Standards, Tree preservation, Section 8.03 Zoning districts, regarding one lot in the Highland Terrace Mobile Home Park, to decrease the Minimum Dwelling Size to 2,000 square feet in lieu of the 2,400 square-foot requirement, to increase the main building lot coverage to 35 percent in lieu of the 30 percent requirement, to increase the maximum lot coverage to 55 percent in lieu of the 50 percent requirement, and to modify the front setback from 35 feet to 25 feet, legally described as Lot 27 of Highland Terrace Mobile Home Park, addressed as 1840 Highland Drive East and zoned Single-Family 36,000 square-foot lots or greater (SF-36). The motion carried by the following vote:

AYE: 5 - Mayor Pro Tem Sean Hicks, Council Member Shannon Dubberly, Council Member Sheri Almond, Council Member Beckie Paquin, and Council Member Ross McMullin.

NAY: 2 - Mayor Armin Mizani and Council Member Chris Whatley.

I. EXECUTIVE SESSION - None

Executive Session was not held during the Regular Meeting.

J. ADJOURN

A motion was made by Council Member Ross McMullin, seconded by Mayor Pro Tem Sean Hicks, to adjourn the Regular Meeting at 8:41 P.M. The motion carried unanimously.

Mayor

City Secretary