



City of Keller

City Council

Meeting Minutes

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

Tuesday, September 3, 2024

PRE-COUNCIL MEETING 5:30 P.M.

A. CALL TO ORDER - Mayor Pro Tem Ross McMullin

Mayor Pro Tem Ross McMullin called the Pre-Council Meeting to order at 5:09 P.M.

The following City Council Members were present:

Council Member Shannon Dubberly

Council Member Greg Will

Council Member Tag Green

Council Member Chris Whatley arrived at 5:37 P.M. by video conference.

Mayor Pro Tem Ross McMullin

Mayor Armin Mizani was absent.

The following City staff members were present: Interim City Manager Aaron Rector, City Attorney Matt Butler, 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 Chief Bradley G. Fortune, and Fire Chief Bobby J. Tatum.

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. EXECUTIVE SESSION

Mayor Pro Tem Ross McMullin recessed the Pre-Council Meeting at 5:40 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. Adjourn into Open Meeting.**

Mayor Pro Tem Ross McMullin adjourned the Executive Session and reconvened the

Pre-Council Meeting at 6:03 P.M.

3. Action on Executive Session Item 1 if necessary.

No action was taken.

D. WORK SESSION

1. [Receive and discuss findings of the Old Town Keller Parking Committee.](#)

Attachments: [Keller OTK Presentation](#)

Planning and Zoning Commissioners Vern Stansell, Ross Brensinger, and Erik Leist gave a presentation relating to Old Town Keller parking.

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

No updates were given.

3. [Economic Development Updates](#)

Economic Development Director Mary Culver provided updates on current Economic Development projects.

E. ADJOURN

Mayor Pro Tem Ross McMullin adjourned the Pre-Council Meeting at 6:40 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pro Tem Ross McMullin

Mayor Pro Tem Ross McMullin called the Regular City Council Meeting to order at 7:01 P.M.

B. INVOCATION

Keller Public Safety Chaplain Brian Hamlin gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Ross McMullin 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. [Key to the City - Olympian Austen Smith](#)

Mayor Pro Tem Ross McMullin presented a Key to the City to Olympian Austen Smith in recognition of her Silver and Bronze Medal wins at the 2024 Summer Olympics in Paris.

Mayor Pro Tem Ross McMullin recessed the City Council Meeting at 7:16 P.M., so that the community and the City Council could join Austen Smith in the lobby for a brief reception.

Mayor Pro Tem Ross McMullin reconvened the City Council Meeting at 7:40 P.M.

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

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 Gregory Will, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider approval of the Minutes of the Tuesday, August 20, 2024, Regular City Council Meeting.](#)

Attachments: [082024 Minutes](#)

Approved.

2. [Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee "ACSC" and Atmos Energy Corp., Mid-Tex Division regarding the company's 2024 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel.](#)

Attachments: [090324 Atmos Mid-Tex 2024 Ordinance.docx](#)

[090324 Attachment 1_CY23 MTX RRM - Tariffs.pdf](#)

[090324 Attachment 2_CY23 MTX RRM - Pension Benchmark.pdf](#)

Ordinance. No. 2185 approve the settlement amount of an increase in revenues of \$164.7 million on a system-wide basis represents a comprehensive settlement of gas utility rate

issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2024 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

3. [Consider a resolution approving the purchase of a Dulcodes Ultraviolet Water Sanitation System for the Indoor Pool from Mountjoy Aquatics, LLC of Richardson, Texas for The Keller Pointe Recreation and Aquatic Center; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.](#)

Attachments: [09032024 IndoorPoolDeckUVSystem ProposedResolution](#)
[09032024 Flyer Dulcodes Information](#)
[09032024 Quote 220598 IDP UV BuyBoard 701-23 04-01-2024](#)
[09032024 Assembly Operation Instructions EN-Dulcodes-A-EN](#)

Resolution No. 4830 purchase of the Dulcodes Ultraviolet Water Sanitation System for the Indoor Pool from Mountjoy Aquatics, LLC of Richardson, Texas, in the total amount of \$79,872.81 for The Keller Pointe Recreation and Aquatic Center; and further authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

4. [Consider a resolution receiving the Keller Quarterly Investment Report for period ending June 30, 2024, and providing an effective date.](#)

Attachments: [090324 FY 24 Q3 Investment Report Resolution](#)
[090324 FY 24 Q3 Investment Report](#)

Resolution No. 4831 hereby receives the Keller Quarterly Investment Report for period ending June 30, 2024.

5. [Consider a resolution receiving the Keller Quarterly Financial Report for period ending June 30, 2024 and providing an effective date.](#)

Attachments: [090324 FY 24 Q3 Financial Report Resolution](#)
[090324 FY 24 Q3 Financial Report](#)

Resolution No. 4832 hereby receives the Keller Quarterly Financial Report for period ending June 30, 2024.

6. [Consider a resolution adopting the 2024 City of Keller Financial Management, Investment, Purchasing, and Fund Balance Policies as approved and recommended by the City of Keller Finance Committee.](#)

Attachments: [090324 Financial Policies Resolution](#)
[Financial Management Policy-2024 Proposed](#)
[Investment Policy 2024 08 07 Keller Proposed](#)
[Purchasing Policy 2024 proposed](#)
[Fund Balance Policy 2024 proposed](#)

Resolution No. 4833 approves adopting the City of Keller Financial Management, Investment, Purchasing, and Fund Balance Policies as approved and recommended by

the City of Keller Finance Committee, which shall be incorporated herein for all purposes.

G. OLD BUSINESS - None

H. NEW BUSINESS

1. [PUBLIC HEARING: Consider an ordinance approving a zoning change request from Single-Family Residential - 36,000 square-foot lots \(SF-36\) to Single-Family Residential - 25,000 square-foot lots \(SF-25\), for a 2.79-acre lot, located at the northeast corner of the Florence Road and Judge Bland Road intersection, legally described as Tract 6C, Abstract 1604 of the Josiah Walker Survey, zoned Single-Family 36,000 minimum square-foot lots \(SF-36\) and addressed as 2257 Florence Road. Curt Dubose, Pentavia Custom Homes, Applicant. Roanoke Christian Center, Owner. \(ZONE-2407-0001\)](#)

Attachments: [090324_2257 Florence Rezone Ordinance](#)
[090324_2257 Florence Rezone MAPS](#)
[090324_2257 Florence Rezone Concept Plan](#)
[090324_2257 Florence Rezone Applicant Packet](#)
[H-1 2257 Florence Rd Rezone Presentation](#)

Director of Community Development Sarah Hensley gave a presentation relating to the request for a zoning change request from SF-36 to SF-25, addressed as 2257 Florence Road. Project applicant, Mr. Curt Dubose, Pentavia Custom Homes, also addressed the City Council regarding the request.

Mayor Pro Tem Ross McMullin opened the public hearing.

Mrs. Joan Boyle, 1262 Oak Hill Road, expressed her opposition to the proposal.

A motion was made by Council Member Shannon Dubberly, 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 Shannon Dubberly, to deny the zoning change request. The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for WellMed Primary Care Medical Clinic, in an existing approximately 7,200 square-foot building, 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. The Casas Group, Applicant. \(SUP-2407-0003\)](#)

Attachments: [090324 WellMed SUP Ordinance](#)
[090324 WellMed SUP Maps](#)
[090324 WellMed SUP Staff Attachment A](#)
[090324 WellMed SUP Staff Attachment B](#)
[H-2 WellMed SUP Presentation](#)

Planner Alexis Russell gave a presentation relating to the request for a Specific Use Permit (SUP) for WellMed Primary Care Medical Clinic, to be located at 1110 Keller Parkway.

Mayor Pro Tem Ross McMullin opened the public hearing. No public comments were received.

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

A motion was made by Council Member Shannon Dubberly, seconded by Council Member Gregory Will, to approve Ordinance No. 2186 approving a Specific Use Permit (SUP) for WellMed Primary Care Medical Clinic, in an existing approximately 7,200 square-foot building, 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. The motion carried by the following vote:

AYE: 3 - Council Member Shannon Dubberly, Council Member Chris Whatley, and Council Member Gregory Will.

NAY: 2 - Council Member Tag Green, and 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. Adjourn into Open Meeting.**
- 3. Action on Executive Session Item 1 if necessary.**

J. ADJOURN

Mayor Pro Tem Ross McMullin adjourned the City Council Meeting at 8:30 P.M.

Mayor

City Secretary