



**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, May 18, 2021**

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**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  
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 Matthew Butler, Director of Community Services Cody Maberry, Director of Administrative Services Aaron Rector, Director of Public Works Alonzo Liñán, Director of Information Technology Sean Vreeland, Director of Economic Development Mary Culver, Administrative Services Manager Sarah Hensley, Police Chief Bradley G. Fortune, Deputy Fire Chief Shane Gainer, and Interim Fire Chief Richard Whitten.

**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 5:19 P.M. so that the City Council could meet in Executive Session in accordance with State Law.

**1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**

**1. 137 E. Hill Street.**

**2. Adjourn into Open Meeting.**

Mayor Armin Mizani adjourned the Executive Session and called the Pre-Council Meeting back to order at 5:46 P.M.

### 3. Action on Executive Session Item 1 if necessary.

No action was taken.

## D. WORK SESSION

### 1. [Receive the City Council Strategic Planning Workshop Final Report](#)

**Attachments:** [Keller 2021 Strategic Planning Workshop Report FINAL](#)  
[Item D-1 Strategic Planning Workshop Report PRESENTATION](#)

Mr. David Eisenlohr, Bakertilly, gave a presentation relating to the City Council Strategic Planning Workshop and presented the final report.

Mayor Armin Mizani stated that he looks forward to using the 2021 Keller Strategy Map as guidelines for City Council's vision moving forward. Mayor Mizani also thanked Mr. Eisenlohr for his time and guidance.

### 2. [Discuss Mental Health de-stigmatization and youth wellness initiatives.](#)

Mayor Armin Mizani brought forward Chief of Police Bradley G. Fortune to begin a discussion regarding ways that the City of Keller can support services relating to mental health and youth wellness, and also things that City can be doing differently to support the services. Council Member Ross McMullin suggesting coordinating with the Keller Counselor's Association for coordination. The City Council asked for a Staff update in the next one to two months.

### 3. [Capital Improvements, Old Town Keller, and Major Projects Update](#)

**Attachments:** [OTK WS 051821](#)

Administrative Services Manager Sarah Hensley gave a presentation relating to Old Town Keller Phase II. Mrs. Hensley's presentation focused on the reconstruction of Bates Street, with the addition of a required environmental survey. Public Works Director Alonzo Liñán discussed the TxDOT required environmental study that will add an additional 6 months to the project. Mrs. Hensley discussed the construction costs, with the Project totaling \$3,690,500. The Gateway Feature Survey Results favored the 'curved option'. All of the Boards and Commissions Members and Old Town Keller businesses were invited to participate in the Gateway Feature Survey.

### 4. [Budget Strategic Planning - Summary of Replacement Funds and Proposed Replacements](#)

**Attachments:** [Item D-4 Vehicle and Equipment Replacements Presentation](#)

Director of Administration Services Aaron Rector gave a presentation relating to Replacement Funds and Proposed Replacements for Fiscal Year 2021-22. Police Chief Bradley G. Fortune gave input on replacements for police vehicles. Interim Fire Chief Richard Whitten discussed fire safety vehicles. Discussion was held by the City Council.

## E. ADJOURN

Mayor Armin Mizani adjourned the Pre-Council Meeting at 7:02 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 7:10 P.M.

**B. INVOCATION**

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

**C. PLEDGE OF ALLEGIANCE**

Mayor Armin Mizani led the Pledge to the United States Flag and the Pledge to the Texas States 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. [Proclamation- National Public Works Week](#)

**Attachments:** [National Public Works Week.pdf](#)

Mayor Armin Mizani presented a proclamation to Public Works Director Alonzo Linan proclaiming May 16-22, 2021 as National Public Works Week in the City of Keller.

2. [Receive a presentation from Community Storehouse.](#)

Mr. Brandon Board, Director of Sales - Community Storehouse, gave a presentation regarding Community Storehouse, and their response to the COVID-19 pandemic, the winter weather event, the recent hail storm, and their summer programs.

**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 Mayor Pro Tem Sean Hicks, seconded by Council Member Chris Whatley, to approve the Consent Agenda. The motion carried unanimously.**

1. [Consider approval of the Minutes of the Tuesday, May 4, 2021, Regular City Council Meeting.](#)

**Attachments:** [050421 Minutes.pdf](#)

Approved

2. [Consider a resolution approving an Agreement for Professional Services with Baird, Hampton & Brown of Fort Worth, Texas; for the purpose of providing engineering design for the Nightingale Drainage Improvements for the Public Works Department; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:** [051821\\_Nightingale\\_Resolution](#)  
[051821\\_Nightingale\\_Location\\_map](#)  
[051821\\_Nightingale\\_Engineering\\_contract](#)

Resolution No. 4358 approves an Agreement for Professional Services with Baird, Hampton & Brown of Fort Worth, Texas; for the purpose of providing engineering design for the Nightingale Drainage Improvements for the Public Works Department in the amount of \$80,500.00; and authorizes the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.

3. [Consider a resolution authorizing the City Manager to execute an agreement with Comm-Fit, of Addison, Texas, for the purchase and installation of fitness equipment for the Keller Senior Activities Center, 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:** [051821\\_Senior\\_Center\\_Fitness\\_Equipment\\_Resolution](#)  
[051821\\_Senior\\_Center\\_Fitness\\_Equipment\\_Quote](#)

Resolution No. 4359 authorizes the City Manager to execute an agreement with Comm-Fit, of Addison, Texas, for the purchase and installation of fitness equipment for the Keller Senior Activities Center, through the Texas Association of School Boards (TASB) BuyBoard Cooperative Purchasing Program, for the Parks and Recreation Department, in the amount of \$82,491.02; and authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller, Texas.

4. [Consider a resolution approving a one-year extension for audit services with Weaver and Tidwell L.L.P.; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:** [051821\\_Weaver\\_Resolution](#)

Resolution No. 4360 approves a one-year extension for audit services with Weaver and Tidwell; and authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

5. [Consider a resolution approving an Interlocal Agreement with Tarrant County, Texas, for providing staff and resources to perform work for Tarrant County on COVID related activities; for a term of twenty-four \(24\) weeks commencing January 12, 2021 and terminating on June 30, 2021; to include performing duties as assigned at a designated vaccination site; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:** [051821 COVID Interlocal RES](#)  
[051821 COVID Interlocal Exhibit A](#)

Resolution No. 4361 approves an Interlocal Agreement with Tarrant County, Texas, for providing staff and resources to perform work for Tarrant County on COVID related activities; for a term of twenty-four (24) weeks commencing January 12, 2021 and terminating on June 30, 2021; to include performing duties as assigned at a designated vaccination site; and authorizing 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 three sets of Extrication Rescue Tools, from TNT Rescue, of Ashippun, WI; for the Fire Operations Division of the Fire Department; and authorizing the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.](#)

**Attachments:** [051821 Fire Extrication Tools Resolution](#)  
[051821 Fire Extrication Tools Staff Attachment](#)

Resolution No. 4362 approves the purchase of three sets of Extrication Rescue Tools, from TNT Rescue, of Ashippun, WI; for the Fire Operations Division of the Fire Department in the amount of \$79,835.00; and authorizes the City Manager to execute all purchase documents relating thereto on behalf of the City of Keller.

7. [Consider a resolution appointing City Council Members to serve on various Boards and Committees.](#)

**Attachments:** [051821 Council Assignments Resolution](#)  
[051821 2021 City Council Assignments](#)

Resolution No. 4363 appoints City Council Members to serve on various Boards and Committees.

## **G. OLD BUSINESS - None**

## **H. NEW BUSINESS**

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for First Baptist Church to allow a private school \(Harvest Christian Academy\) to occupy an approximately 101,186 square-foot existing building, situated on a 4.78-acre tract of land, located on the north side of Pearl Street, approximately 100 feet northeast of the intersection of Pearl Street and Jessie Street, legally described as Lot 1, Block 1 and 2, First Baptist Church Addition Keller, zoned SF-8.4, located at 225 Keller Parkway. First Baptist Church, owner/applicant. \(SUP-21-0010\)](#)

**Attachments:** [051821 First Baptist SUP Proposed Ordinance](#)  
[051821 First Baptist SUP Maps](#)  
[051821 First Baptist SUP Application](#)  
[051821 First Baptist SUP Supporting Documentation](#)  
[051821 Trip Generation Form Staff Attachment](#)  
[051821 Opposition Letter Staff Attachment](#)  
[Item H-1 First Baptist SUP Presentation](#)

Director of Community Development Julie Smith gave a presentation relating to a request for a Specific Use Permit for First Baptist Church to allow a private school (Harvest Christian Academy), located at 225 Keller Parkway.

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

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

Pastor Keith Sanders, First Baptist Church Keller, gave a presentation relating to the proposal. Pastor Sanders stated that the school's bell schedule will be staggered with Keller Middle School.

**A motion was made by Council Member Ross McMullin, seconded by Council Member Beckie Paquin, to approve the request for a Specific Use Permit with a condition that the SUP shall be valid for a three year period.**

**Discussion was held by the City Council.**

**A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to amend the motion made by Council Member Ross McMullin, to include the following conditions:**

- 1. The Specific Use Permit shall be for three-years and will expire on May 18, 2024.**
- 2. Before the Specific Use Permit may be renewed, the Church and Harvest Christian Academy shall work with the Keller Independent School District to develop a traffic management plan, including the school hours, to present to the City.**
- 3. Harvest Christian Academy shall incorporate an entrance and exit to the traffic flow to the southwest of the property.**

**The motion carried by the following vote:**

**YEA: Mayor Armin Mizani, Council Member Shannon Dubberly, Mayor Pro Tem Sean Hicks, Council Member Sheri Almond, and Council Member Chris Whatley.**

**NAY: Council Member Beckie Paquin and Council Member Ross McMullin.**

A motion was made by Mayor Armin Mizani, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2014 as amended, approving a Specific Use Permit (SUP) for First Baptist Church to allow a private school (Harvest Christian Academy) to occupy an approximately 101,186 square-foot existing building, situated on a 4.78-acre tract of land, located on the north side of Pearl Street, approximately 100 feet northeast of the intersection of Pearl Street and Jessie Street, legally described as Lot 1, Block 1 and 2, First Baptist Church Addition Keller, zoned SF-8.4, located at 225 Keller Parkway, with the following conditions:

1. The Specific Use Permit shall be for three-years and will expire on May 18, 2024.
2. Before the Specific Use Permit may be renewed, the Church and Harvest Christian Academy shall work with the Keller Independent School District to develop a traffic management plan, including the school hours, to present to the City.
3. Harvest Christian Academy shall incorporate an entrance and exit to the traffic flow to the southwest of the property.

The motion carried unanimously.

2. [PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 5 - Subdivision Design; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. \(UDC-21-0004\)](#)

**Attachments:** [05182021 UDC Amendment Proposed Ordinance](#)

[05182021 UDC Amendment Exhibit A \(1 of 2\)](#)

[05182021 UDC Amendment Exhibit A \(2 of 2\)](#)

[Item H-2 UDC Text Amendment Presentation](#)

Community Development Director Julie Smith gave a presentation relating to amendments to the Unified Development Code regarding existing fire lane pavement regulations.

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

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

A motion was made by Council Member Sheri Almond, seconded by Council Member Shannon Dubberly, to approve Ordinance No. 2015 approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 5 - Subdivision Design; Section 5.24 – Design Standards; relating to existing fire lane pavement regulations, authorizing publication; provide for penalties; and establishing an effective date. The motion carried unanimously.

3. [PUBLIC HEARING: Consider an ordinance approving a Planned Development zoning](#)

[change from Single-Family 36,000 square-foot minimum lots \(SF-36\) and Commercial \(C\) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space on an approximately 28.502-acres of land, legally described as a portion of Tract 4 \(account #: 05685591\), the entire Tract 7 \(account #: 05685540\), and a portion of Tract 7A, 8B, 8B2 and 9C \(account #: 5226317\), Abstract 29 out of Allen, Richard F Survey and addressed as 1108, 1100, and 1130 North Main Street, and located on the east side of North Main Street \(HWY 377\). Mark Weatherford, Applicant/Developer. PBS Family Limited Partnership, Owner. Richard Gibson, Owner. \(Z-21-0003\)](#)

**Attachments:** [051821\\_GreenwayPark\\_Proposed Ordinance.docx](#)  
[051821\\_GreenwayPark\\_Exhibit A .pdf](#)  
[051821\\_GreenwayPark\\_Maps.pdf](#)  
[051821\\_GreenwayPark\\_Staff Attachment A - Application.pdf](#)  
[051821\\_GreenwayPark\\_Staff attachment B - Emails/letters.pdf](#)  
[Item H-3 Greenway Park PD Presentation](#)

Community Development Director Julie Smith gave a presentation relating to a request for a Planned Development zoning change from Single-Family 36,000 square-foot minimum lots (SF-36) and Commercial (C) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park.

Mr. Mark Weatherford, Applicant, addressed the City Council regarding the proposal.

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

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

**A motion was made by Council Member Ross McMullin, seconded by Council Member Sheri Almond, to approve Ordinance No. 2016 approving a Planned Development zoning change from Single-Family 36,000 square-foot minimum lots (SF-36) and Commercial (C) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space on an approximately 28.502-acres of land, legally described as a portion of Tract 4 (account #: 05685591), the entire Tract 7 (account #: 05685540), and a portion of Tract 7A, 8B, 8B2 and 9C (account #: 5226317), Abstract 29 out of Allen, Richard F Survey and addressed as 1108, 1100, and 1130 North Main Street, and located on the east side of North Main Street (HWY 377). The motion carried unanimously.**

4. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for 151 Coffee to occupy a 2,866 square-foot building with drive-thru, situated on a 0.723-acre tract of land, located on the south side of Keller Parkway \(FM 1709\), approximately 250 feet west of the intersection of Keller Smithfield Road and Keller Parkway, being Lot 2, Block A, Keller Crossing Addition, and zoned Planned Development - Retail \(PD-R\), located at 1510 Keller Parkway. The Rent Shop of Texas,](#)



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[Owner. 151 Coffee To Go, LLC, Applicant. \(SUP-21-0012\)](#)

[Attachments: 051821\\_151Coffee\\_Proposed Ordinance.docx](#)  
[051821\\_151Coffee\\_Maps.pdf](#)  
[051821\\_151Coffee\\_Application and Information.pdf](#)  
[Item H-4 151 Coffee SUP Presentation](#)

Director of Community Development Julie Smith gave a presentation relating to a request for a Specific Use Permit (SUP) for 151 Coffee to occupy a 2,866 square-foot building with drive-thru, at 1510 Keller Parkway.

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

**A motion was made by Council Member Sheri Almond, seconded by Council Member Ross McMullin, to close the public hearing. The motion carried unanimously.**

**A motion was made by Council Member Sheri Almond, seconded by Council Member Shannon Dubberly, to approve Ordinance 2017 approving a Specific Use Permit (SUP) for 151 Coffee to occupy a 2,866 square-foot building with drive-thru, situated on a 0.723-acre tract of land, located on the south side of Keller Parkway (FM 1709), approximately 250 feet west of the intersection of Keller Smithfield Road and Keller Parkway, being Lot 2, Block A, Keller Crossing Addition, and zoned Planned Development - Retail (PD-R), located at 1510 Keller Parkway. The motion carried unanimously.**

## **I. EXECUTIVE SESSION**

Executive Session was not held during the regular meeting.

- 1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.**
  - 1. 137 E. Hill Street.**
  - 2. Adjourn into Open Meeting.**
  - 3. Action on Executive Session Item 1 if necessary.**

## **J. ADJOURN**

**A motion was made by Council Member Sheri Almond, seconded by Council Member Beckie Paquin, to adjourn the Regular City Council Meeting at 8:57 P.M. The motion carried unanimously.**

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Mayor

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City Secretary