



# City of Keller City Council Agenda

Keller Town Hall  
1100 Bear Creek Parkway  
Keller, TX 76248  
817-743-4000  
[www.cityofkeller.com](http://www.cityofkeller.com)

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Tuesday, September 7, 2021

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## **PRE-COUNCIL MEETING 5:00 P.M.**

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

### **B. DISCUSS AND REVIEW AGENDA ITEMS**

### **C. EXECUTIVE SESSION**

1. Section 551.087, Texas Government Code - Deliberate the purchase, exchange, lease, or value of real property.

- a. Old Town Keller Phase II - Elm Street Improvements Project

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;

- a. City Secretary

3. Adjourn into Open Meeting.

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

### **D. WORK SESSION**

1. [Discuss possible amendments to the Unified Development Code relating to Fences.](#)
2. [American Rescue Plan Act \(ARPA\) funding allocation and uses](#)
3. [Sports Park Task Force Update](#)

### **E. ADJOURN**

## **REGULAR MEETING 7:00 P.M.**

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

### **B. INVOCATION**

### **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. [Presentation of Certificate of Recognition by the Texas Police Chiefs Association.](#)
2. [Presentation of 2020 Pandemic Book by Tarrant County](#)
3. Proclamation for September 11th Remembrance

## **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.

## **F. CONSENT**

1. [Consider approval of the Minutes of the Tuesday, August 17, 2021 Regular City Council Meeting.](#)

**Attachments:**     [081721 Minutes.pdf](#)

2. [Consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee \("ACSC"\) and Atmos Energy Corp., Mid-Tex Division regarding the company's 2021 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 attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution 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 resolution to the company and the ACSC's legal counsel.](#)

**Attachments:**     [090721 RRM Settlement Resolution](#)  
                              [090721 RRM Settlement Exhibits A-C](#)  
                              [090721 RRM Settlement Staff Attachment](#)

3. [Consider an ordinance amending the City of Keller Code of Ordinances Chapter 10, Miscellaneous Provisions by adding Article IX - Sex Offender Residency Restrictions; prohibiting certain registered sex offenders from residing within a certain distance of where children commonly gather; dispensing with a culpable mental state; providing a repealing clause; providing a penalty; providing a severability clause; and establishing an effective date.](#)

**Attachments:**     [090721 Child Sex Offender Residency](#)

4. [Consider a resolution rejecting the proposals for Lifeguard Services - The Keller Pointe, for the Parks and Recreation Department.](#)

**Attachments:**     [09072021\\_RFP 21-018 Lifeguard Services Resolution](#)  
                              [09072021\\_RFP 21-018 Bid Tab](#)

5. [Consider a resolution authorizing the City Manager to execute an agreement with Wilson Office Interiors, of Dallas, Texas, for the purchase and installation of furniture for the Keller Senior Activities Center, through the OMNIA Cooperative Purchasing for Local Government Procurement Program, The Interlocal Purchasing System, and the National Cooperative Purchasing Alliance, 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:**     [090721\\_KSAC Furniture Resolution](#)  
                              [090721\\_KSAC Furniture Price Proposal](#)  
                              [090721\\_KSAC Furniture Validation](#)

6. [Consider a resolution approving an agreement for Design Services with Parkhill Schrickel Rollins, of Arlington, Texas, relating to the Keller Sports Park Master Plan, and further authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:**     [090721\\_Sports Park Master Plan Resolution](#)  
                              [090721\\_Sports Park Master Plan\\_EXH A](#)  
                              [090721\\_Sports Park Master Plan\\_EXH B](#)  
                              [090721\\_Sports Park Master Plan\\_EXH C](#)  
                              [090721\\_Sports Park Master Plan\\_Hourly Rate](#)

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

## **H. NEW BUSINESS**

1. [Consider a resolution approving a Chapter 380 Economic Development Agreement pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with Edward Kirkwood of Kirkwood Investments, owner of the property located at 130 Hill Street, Building B, Keller, TX 76248 for a City of Keller Façade Improvement Grant.](#)

**Attachments:**     [090721\\_Exhibit A.1\\_130 Hill St\\_Proposed Resolution.docx](#)  
                              [090721\\_Exhibit A\\_130 Hill St\\_Chapter 380 Agreement.pdf](#)  
                              [090721\\_Exhibit A.2\\_FIG Application\\_130 Hill St Bldg B.pdf](#)  
                              [090721\\_Exhibit A.3\\_Resolution No. 4371.pdf](#)

2. [Consider a resolution approving an appeal to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, and Tree Preservation, Section 8.19, Tree and Natural Feature Preservation to allow payment into the Tree Reforestation Fund for the Oakbrook Hills Subdivision, a single-family residential subdivision consisting of twenty \(20\) residential lots, six \(6\) open space lots, and two \(2\) hike and bike trail lots,](#)

located on approximately 13.346 acres of land, on the southeast corner of the Knox Road and Roanoke Road intersection, and zoned PD-SF-20 (Planned Development-Single Family Residential-20,000 square-foot minimum lot). Silveroak Land Development Co., Owner/Developer. Curtis Young, Sage Group, Inc., Applicant. (TB-21-0001)

**Attachments:**    [090721\\_Oakbrook Hills TPF\\_Resolution](#)  
                              [090721\\_Oakbrook Hills TPF\\_Maps.pdf](#)  
                              [090721\\_Oakbrook Hills TPF\\_Plans](#)

3. PUBLIC HEARING: Consider a resolution approving a Final Plat with variances to Section 8.03 of the Unified Development Code for Lot 1R and Lot 2, Block A, Mills Crossing, being 1.62-acres located on the west side of Davis Blvd, zoned Retail (R), currently addressed as 8705 Davis Blvd. Charles Stark, Applicant; R2G Investments, LTD, Owner. (P-21-0024)

**Attachments:**    [090721\\_8705 Davis Replat\\_Resolution](#)  
                              [090721\\_8705 Davis Replat\\_Maps](#)  
                              [090721\\_8705 Davis Replat\\_Staff Attachment A- Application](#)  
                              [090721\\_8705 Davis Replat\\_Staff Attachment B- Proposed Plat](#)

4. PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUPs) for a 1,600 square-foot accessory structure legally described as Lot 1R1, Block A, Jackson Road Addition, being 0.82-acres located on the east side of Jackson Road, zoned Single-Family 36,000 square-foot lots (SF-36), addressed as 1404 Jackson Road. Dale Williamson, applicant/owner. (SUP-21-0025)

**Attachments:**    [090721\\_1404 Jackson SUP\\_Ordinance](#)  
                              [090721\\_1404 Jackson SUP\\_Staff Attachment A- Application/ Supporting Docun](#)  
                              [090721\\_1404 Jackson SUP\\_Staff Attachment B- Site Plan/ Similar Elevation](#)  
                              [090721\\_1404 Jackson SUP\\_Maps](#)

5. Consider a resolution approving a Site Plan with three variances to Section 8.07, 8.08, and 8.13 of the Unified Development Code for Goody Goody Liquor Store, in an approximately 15,742 square-foot building, on 1.41-acres, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C (Commercial). Garland All Storage Associates, owner. R.L. Johnson Construction INC., applicant. (SP-21-0010)

**Attachments:**    [070921\\_Goody Goody SP Variances\\_Resolution](#)  
                              [070921\\_Goody Goody SP Variances\\_Staff Attachment A- Application](#)  
                              [070921\\_Goody Goody SP Variances\\_Staff Attachment B-Site Plan Package](#)  
                              [070921\\_Goody Goody SP Variances\\_Maps](#)

6. PUBLIC HEARING: Consider a resolution approving a Future Land Use Plan (FLUP) Amendment change from Mixed-Use (MU) to Retail/Commercial (RTC), located on approximately 6.2-acres, legally described as Lot 4 and 5R, Block 1 in the Town Center East Addition, located near the southwest corner of the Rufe Snow Drive and Keller Parkway intersection and addressed as 920 and 940 Keller Parkway (FM 1709). Jim

[Makens, Grapevine/Wall JV, Applicant/Owner. \(LUP-21-0004\)](#)

**Attachments:**    [090721 Makens FLUP Resolution](#)  
[090721 Makens FLUP Aerial and Zoning Maps.pdf](#)  
[090721 Makens FLUP Application and Information for FLUP.pdf](#)  
[2021 FLUP Map](#)  
[072721 Makens Property Presentation](#)

7. [PUBLIC HEARING: Consider an ordinance approving a Zoning Change from Town Center \(TC\) to Retail \(R\) for two parcels approximately 6.2-acres, legally described as Lot 4 and 5R, Block 1 in the Town Center East Addition, located near the southwest corner of the Rufe Snow Drive and Keller Parkway \(FM 1709\) intersection and addressed as 920 and 940 Keller Parkway \(FM 1709\). Jim Makens, Grapevine Wall J/V, Applicant/Owner. \(Z-21-0004\)](#)

**Attachments:**    [090721 Makens Rezone Ordinance](#)  
[090721 Makens Rezone Aerial and Zoning Maps.pdf](#)  
[090721 Makens Rezone Application and Information for Zoning.pdf](#)  
[090721 Makens Rezone Staff Attachment - Approved Site Plan.pdf](#)  
[2021 FLUP Map.pdf](#)  
[072721 Makens Property Presentation](#)

## **I. EXECUTIVE SESSION**

1. **Section 551.087, Texas Government Code - Deliberate the purchase, exchange, lease, or value of real property.**
  - a. **Old Town Keller Phase II - Elm Street Improvements Project**
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;**
    - a. **City Secretary**
3. **Adjourn into Open Meeting.**
4. **Action on Executive Session Items 1 and 2 if necessary.**

## **J. ADJOURN**

**CITY OF KELLER  
MISSION STATEMENT**

*We commit to preserving a safe, informed and vibrant community of quality neighborhoods, thriving businesses and natural beauty by setting the standard for municipal engagement, collaboration, service and innovation.*

**CERTIFICATE**

*I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, September 2, 2021 at 5:30 P.M.*

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Kelly Ballard, TRMC, CMC  
City Secretary

***Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.***