



# 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 6, 2022

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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 551.074, 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
2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

### **D. WORK SESSION**

1. [Discuss Membership with the Greater Keller Chamber of Commerce.](#)
2. [Discuss draft Substandard Building ordinance.](#)
3. [Discuss proposed Unified Development Code \(UDC\) amendments related to fuel pumps/sales in the Retail zoning district.](#)

**Attachments:** [090622 Proposed Ordinance.pdf](#)

**Attachments:** [Work Session UDC Amendment Fuel Pumps](#)

4. [Discuss food truck inspection and permitting process.](#)

**Attachments:** [090622 Section 319 Proposed Amendment.pdf](#)

5. [Capital Improvement Projects Update](#)

### **E. ADJOURN**

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

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

### **B. INVOCATION - Keller Police Chaplain Brian Hamlin**

### **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 - None**

#### **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 16, 2022 Regular City Council Meeting.](#)

**Attachments:**    [081622 Minutes.pdf](#)

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 2022 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 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:**    [090622 Atmos RRM Ordinance](#)  
[090622 Atmos RRM - Attachment 1](#)  
[090622 Atmos RRM - Attachment 2](#)  
[090622 Atmos RRM - Average Bill](#)

3. [Consider a resolution adopting the 2022 City of Keller Financial Management, Investment, Purchasing, and Fund Balance Policies as approved and recommended by the City of Keller Finance Committee.](#)

**Attachments:**    [090622 Financial Policies Resolution](#)  
[090622 Proposed Financial Management Policy](#)  
[090622 Proposed Investment Policy](#)  
[090622 Proposed Purchasing Policy](#)  
[090622 Proposed Fund Balance Policy](#)

4. [Consider a resolution receiving the Keller Quarterly Financial Report for period ending March 31, 2022, and providing an effective date.](#)

**Attachments:**    [090622\\_FY\\_22\\_Q2\\_Financial\\_Report\\_Resolution](#)  
                              [090622\\_FY\\_22\\_Q2\\_Financial\\_Report](#)

5. [Consider a resolution receiving the Keller Quarterly Financial Report for period ending June 30, 2022, and providing an effective date.](#)

**Attachments:**    [090622\\_FY\\_22\\_Q3\\_Financial\\_Report\\_Resolution](#)  
                              [090622\\_FY\\_22\\_Q3\\_Financial\\_Report](#)

6. [Consider a resolution receiving the Keller Quarterly Investment Report for period ending March 31, 2022, and providing an effective date.](#)

**Attachments:**    [090622\\_FY\\_22\\_Q2\\_Investment\\_Report\\_Resolution](#)  
                              [090622\\_FY\\_22\\_Q2\\_Investment\\_Report](#)

7. [Consider a resolution receiving the Keller Quarterly Investment Report for period ending June 30, 2022, and providing an effective date.](#)

**Attachments:**    [090622\\_FY\\_22\\_Q3\\_Investment\\_Report\\_Resolution](#)  
                              [090622\\_FY\\_22\\_Q3\\_Investment\\_Report](#)

8. [Consider a resolution approving the purchase of two \(2\) replacement emergency generators and installation services from Fort Worth Electric of Fort Worth, Texas for Fire Stations 2 and 3, through the interlocal agreement with the Tarrant Regional Water District \(TRWD\), and authorizing the City Manager to execute all related purchase documents on behalf of the City of Keller, Texas.](#)

**Attachments:**    [090622\\_Fire\\_Station\\_2&3\\_Generators\\_Resolution](#)  
                              [090622\\_Bid\\_Proposal\\_-City\\_of\\_Keller\\_Fire\\_Station\\_#2](#)  
                              [090622\\_Bid\\_Proposal\\_-City\\_of\\_Keller\\_Fire\\_Station\\_#3](#)

9. [Consider a resolution approving the bid from Idea Contracting, LLC., of Keller, Texas, for the Full Depth Reclamation of Parking Lot "H" and the KYA Lot at the Keller Sports Park, for the Parks and Recreation Department; and authorizing the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:**    [090622\\_Keller\\_Sports\\_Park\\_Lot\\_H\\_and\\_KYA\\_Lot\\_Reclamation\\_Resolution](#)  
                              [090622\\_Keller\\_Sports\\_Park\\_Lot\\_H\\_&\\_KYA\\_Lot\\_Reclamation\\_Review\\_of\\_Bids](#)  
                              [090622\\_Keller\\_Sports\\_Park\\_Lot\\_H\\_&\\_KYA\\_Reclamation\\_Bid\\_Tab\\_Summary](#)  
                              [090622\\_Keller\\_Sports\\_Park\\_Lot\\_H\\_&\\_KYA\\_Reclamation\\_Bid\\_Tab](#)  
                              [090622\\_KSP\\_Parking\\_Lot\\_H\\_and\\_KYA\\_Lot\\_Renovation\\_Map](#)  
                              [090622\\_GIS\\_Map\\_Keller\\_Sports\\_Park](#)

10. [2022 Sidewalk Repair Contract #4 - Consider a resolution approving the purchase of concrete repair and replacement services from C.I. Pavement of Grand Prairie Texas; for remaining FY 2021-22 sidewalk repairs as a part of the Sidewalk Repair Project for the Public Works Department; through The Interlocal Purchasing System \(TIPS-USA\) purchasing cooperative; and authorizing the City Manager to execute all documents relating thereto on behalf of the City of Keller, Texas.](#)

**Attachments:**    [090622 SidewalkRepairProject ProposedResolution](#)  
                              [090622 SidewalkRepairProject StaffAttachment](#)  
                              [Photos submitted 09.06.2022](#)

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

## **H. NEW BUSINESS**

1. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Beauteous Lash Studio to operate a salon/spa in an existing 700 square-foot lease space, within a 3,550 square-foot multi-tenant building, approximately 593 feet southeast of the intersection of South Main Street and U.S. Hwy. 377, legally described as Lots 1-4, Block 10, Keller City Addition, zoned Old Town Keller \(OTK\) and addressed as 149 S. Main St., Suite C. GoGuz LLC, Applicant. Vina Property, LLC, Owner. \(SUP-22-0027\)](#)

**Attachments:**    [090622 Beauteous Lash Studio SUP Ordinance](#)  
                              [090622 Beauteous Lash Studio SUP Application](#)  
                              [090622 Beauteous Lash Studio SUP MAPS](#)  
                              [H-1 Beauteous Lash Studio SUP Presentation](#)

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for indoor entertainment at Shotzee's Bar and Grill \(Tarrant Appraisal District account #: 14842004\) in an existing 5,000 square-foot lease space, within a 6,200 square-foot multi-tenant building, at the intersection of South Main Street and West Hill Street, legally described as Lots 3A and 3B, Block 2 of City of Keller Addition, zoned Old Town Keller \(OTK\) and addressed as 134 S. Main St. Gypsy Rose Lee LLC, Applicant. Keller Main 136 LLC, Owner. \(SUP-22-0025\)](#)

**Attachments:**    [090622 Shotzees SUP Ordinance](#)  
                              [090622 AerialZoning ShotzeesSUP](#)  
                              [090622 Shotzees SUP Application](#)  
                              [H-2 Shotzees SUP Presentation](#)

3. [Consider a resolution approving a special exception to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.03 - Old Town Keller Zoning District signage requirements for one attached wall sign for Shotzee's Bar and Grill \(Tarrant Appraisal District account #: 14842004\) in an existing 5,000 square-foot lease space, within a 6,200 square-foot multi-tenant building, at the intersection of South Main Street and West Hill Street, legally described as Lots 3A and 3B, Block 2 of City of Keller Addition, zoned Old Town Keller \(OTK\) and addressed as 134 S. Main St. Gypsy Rose Lee LLC, Applicant. Keller Main 136 LLC, Owner. \(UDC-22-0006\)](#)

**Attachments:**    [090622 Shotzees Sign Exception Resolution](#)  
[090622 AerialZoning Shotzees](#)  
[090622 Shotzees UDCSignVarianceApplication](#)  
[090622 StaffAttachment ShotzeesSigns](#)  
[H-3 Shotzees Sign Exception Presentation](#)

4. [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 Eight - Zoning Districts, Development Standards, Tree Preservation, Section 8.03 Zoning Districts, by defining the boundaries of the OTK - Old Town Keller District, and by replacing Figure 1 of this section with a new Old Town Keller Boundary Map, and; providing penalties; authorizing publication; and establishing an effective date. \(UDC-22-0005\)](#)

**Attachments:**    [090622 UDC OTK Boundaries Ordinance](#)  
[090622 UDC Amend OTK Boundary Exhibit A](#)  
[H-4 UDC OTK Boundaries Presentation](#)

5. [Consider a resolution approving amendments to Contract No. 20-40 with Community Waste Disposal, of Dallas, Texas; by amending Article 1, Term; to extend contract term to an additional 12 months through August 30, 2026 and Article 22, Remuneration; to allow the change to the Annual Adjustment to exceed the 5% up or down cap on the overall customer rate; for citywide garbage rates for the period September - August 31, 2023; and authorizing the City Manager to execute said amendment on behalf of the City of Keller, Texas.](#)

**Attachments:**    [090622 CWD Market Adjustment Resolution](#)  
[090622 CWD Market Adjustment Request letter](#)  
[090622 CWD Market Adjustment Exhibit A](#)  
[090622 CWD Market Adjustment Fuel](#)  
[090622 CWD Market Adjustment CPI](#)  
[090622 CWD Market Adjustment Staff Attachment Contract No. 20-40](#)  
[090622 CWD Market Adj Packet 11.4%](#)  
[Item H-5 Rate Adjustment CWD Presentation](#)

6. [Consider a resolution approving a Final Plat with a variance for the Mountain Blue Addition, a proposed one lot, single-family residential subdivision on 6.15 acres of land generally located on the northeast corner of Lambert Lane and Lambert Lane East, being Lots 1-4, Block 1, Cuny Addition, and Tracts 8B01A, 8B01A1 and 8C02A, located in the Jesse Gibson Survey, abstract number 592, zoned Single-Family Residential 36,000 square-foot minimum lot size or greater \(SF-36\), and addressed as 5951, 5953, 5957 and 5955 Lambert Lane East and 13492 Lambert Lane in the City of Keller, Tarrant County, Texas.](#)

Attachments:    [090622 Mountain Blue Addition Resolution](#)  
                          [090622 MountainBluePlat ExhibitA.pdf](#)  
                          [H-6 Mountain Blue Addition Plat Presentation](#)

## **I. EXECUTIVE SESSION**

1. 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
2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 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 1, 2022 at 5:00 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.***