



City of Keller

City Council

Meeting Minutes

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

Tuesday, October 5, 2021

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

B. DISCUSS AND REVIEW AGENDA ITEMS

The City Council discussed and reviewed the agenda items.

C. EXECUTIVE SESSION

Mayor Armin Mizani adjourned the Pre-Council Meeting at 5:05 P.M. so that the City Council could meet in Executive Session in accordance with State Law.

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: Human Resources Director.

2. Adjourn into Open Meeting.

Mayor Armin Mizani recessed the Executive Session at 6:50 P.M. with the intent to reconvene at the conclusion of the Regular Meeting and the Work Session.

3. Action on Executive Session Item 1 if necessary.

No action was taken.

D. WORK SESSION

Mayor Armin Mizani reconvened the Work Session at 7:12 P.M.

1. [Discuss additions to the Code of Ordinances regarding Sex Offender Residency Restrictions.](#)

Attachments: [City of Keller Sex Offender Handout](#)

[City of Keller Sex Offender Handout 2](#)

[Presentation - Sex Offender Residency CO](#)

Chief of Police Bradley G. Fortune and Detective William Brockmoller gave a presentation relating to additions to the Code of Ordinances regarding Sex Offender Residency Restrictions.

2. [Discuss a possible amendment to the Unified Development Code relating to Food Trucks and Mobile Vending Units.](#)

Attachments: [Work Session-Food Trucks 10052021](#)

Senior Planner Trish Sinel gave a presentation to Food Trucks and Mobile Vending Units.

Proposed Operation Regulations discussed with the City Council were:

Shall not obstruct traffic sight visibility.

Shall not be allowed to sell or service on any public street, sidewalk, or other public right-of-way.

Shall not operate:

less than ten (10) feet from another food truck, mobile vendor unit, or structure in driveways or fire lanes.

Within 25 feet of any intersection or crosswalk

Within 25 feet of any stop sign, flashing beacon, yield sign, or other traffic control signal located on the side of a roadway;

Within five (5) feet of any public or private driveway, wheelchair ramp or bicycle ramp;

In any manner that impedes an exit or entrance of a building.

Proposed Permitting Requirements discussed were: Mobile Food Establishment Permit (Fire), Valid vehicle registration, Motor vehicle operator's license, Proof of vehicle liability insurance, Texas Sales Tax Certificate, Commissary Approval (if applicable), Food Handler Certification (if applicable), Valid Tarrant County Health Department Permit (if applicable), TABC license (if applicable), Site Plan, and Permission of owner (access to plumbed restrooms).

Proposed Permitting Restrictions that were discussed are: No overnight parking, No drive-thru's, No sound systems, No controlled substances, and/or any other illegal item, and No sales near residential uses except with a Special Event Permit.

The definition of Food Truck Court will also be added to the Unified Development Code.

3. [Discuss a potential professional services agreement relating to professional engineering services for the Public Works department.](#)

Director of Public Works Alonzo Liñán gave a presentation relating to possible consultant services for professional engineering services for the Public Works Department. The City Council directed staff to move forward with the agreement.

4. [An update presentation of the 2021 Tarrant County Bond Program project recommendations, Keller impacts and anticipated timelines.](#)

Attachments: [Work Session - 2021 Tarrant County Transportation Bond - Update](#)

This item was not discussed.

5. [Discuss Boards and Commission appointment process.](#)

The City Council directed the City Secretary to begin scheduling Boards and Commissions interviews on Saturday, November 6, 2021 and Saturday, November 13, 2021.

E. ADJOURN

Mayor Armin Mizani recessed the Pre-Council Meeting at 6:50 P.M. with the intent to reconvene after the conclusion of the Regular Meeting.

Mayor Armin Mizani called the meeting back to Executive Session at 8:44 P.M., and returned to Open Meeting at 9:05 P.M. for the final Adjournment of the evening. No action was taken on Executive Session Items.

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 - Elder Curt Parsons, The Hills Church

Elder Curt Parsons, The Hills Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE

Mayor Armin Mizani 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 - 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.

Mr. John Hattner, 956 Keller Smithfield Road South, expressed his concerns with flooding on his personal property.

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 Sean Hicks, seconded by Council Member Ross McMullin, to approve the Consent Agenda. The motion carried unanimously.

1. [Consider a resolution approving an Agreement for Engineering Services with Wade Trim, Inc. of Fort Worth, Texas; for design of the 2022 Annual Street Maintenance Project 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: [100521_2022 Annual Street Maintenance Resolution](#)
[100521_2022 Annual Street Maintenance Location Map](#)

Resolution No. 4420 approves an Agreement with Wade Trim, Inc., of Fort Worth, Texas to provide engineering services, relating to the design of the 2022 Annual Street Maintenance Project, in the amount of \$346,758.00.

2. [Consider a resolution approving the purchase of pool deck resurfacing and tile cleaning services for the Indoor Pool, from Sunbelt Pools, Inc. of Dallas, Texas, through the BuyBoard Purchasing Program; 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: [100521_IndoorPoolDecking_ProposedResolution](#)
[100521_Sunbelt Pools,IncQuote](#)
[100521_IndoorPoolDecking_Photos](#)

Resolution No. 4421 approves the purchase of indoor pool deck resurfacing and indoor pool tile cleaning services, in the total amount of \$110,608.00, for The Keller Pointe Recreation and Aquatic Center, from Sunbelt Pools, Inc., of Dallas, Texas through the Buy Board Purchasing program.

3. [Consider a resolution approving the purchase of replacement cardio equipment from Marathon Fitness of Sugarland, Texas, through the BuyBoard Purchasing Program; 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: [100521 TKPCardioEquipment ProposedResolution](#)
[100521_MarathonFitnessProposal](#)

Resolution No. 4422 approves the purchase of replacement cardio equipment, in the total amount of \$195,244.31, for The Keller Pointe Recreation and Aquatic Center, from Marathon Fitness, of Sugar Land, Texas, through the BuyBoard cooperative purchasing program.

4. [Consider a resolution approving the American Rescue Plan Act \(ARPA\) Project List for the City of Keller and providing an effective date.](#)

Attachments: [ARPA Project List Resolution](#)

Resolution No. 4423 approves the following list of American Rescue Plan Act projects with estimated cost: Water Tank Maintenance - Water Infrastructure \$4,500,000, Pearson Pump Station Generator - Water Infrastructure \$2,000,000, Mains and Services Replacements - Sewer Infrastructure \$455,250, Elm Street Water & Sewer Replacements - Water & Sewer Infrastructure \$1,375,000, Water Line Replacements - Water Infrastructure \$455,187, Smart Meter Installation - Water Infrastructure \$839,563, Pointe Recovery - Revenue Recovery \$698,718.01, Bates Street Water & Sewer Replacements - Water & Sewer Infrastructure \$675,000, Lift Station Generators - Sewer Infrastructure \$500,000, and MSC Generator upgrade - Water Infrastructure \$200,000.

5. [Consider a resolution authorizing the Mayor to execute a Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller Special Election, to be held on Tuesday, November 2, 2021.](#)

Attachments: [100521_110221 ElectionContract Resolution](#)
[100521_110221 ElectionContract Exhibit A](#)
[100521_110221 ElectionContract ATTACHMENT A](#)
[100521_110221 ElectionContract ATTACHMENT B](#)

Resolution No. 4424 approves a Joint Election Agreement and Contract for Election Services with the Tarrant County Elections Administrator, to conduct the City of Keller Special Election, to consider the continuation of the City of Keller Crime Control and Prevention District for fifteen (15) years and the continuation of a one-fourth of one percent sales and use tax for fifteen (15) years, to be held on Tuesday, November 2, 2021.

G. OLD BUSINESS - None

H. NEW BUSINESS - None

I. EXECUTIVE SESSION

Executive Session was not held during the Regular Meeting.

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: Human Resources Director.

2. Action on Executive Session Item 1 if necessary.**3. Adjourn into Open Meeting.****J. ADJOURN**

Mayor Armin Mizani adjourned the Regular Meeting and reconvened the Work Session at 7:07 P.M.

Mayor

City Secretary