



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, November 17, 2025

5:30 PM

City Hall | Council Chamber  
757 N. Galloway Avenue | Mesquite, Texas

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Present: Mayor Daniel Alemán, Jr., and Councilmembers Jeff Casper, Tandy Boroughs, Kenny Green, Elizabeth Rodriguez-Ross, B. W. Smith and Brandon Murden, City Manager Cliff Keheley and City Secretary Sonja Land.

### **PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.**

#### **AGENDA REVIEW**

### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:12 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 26 – Discuss updates and proposed changes to the Spradley Farms (Talía) Development Agreement); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:24 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:24 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Item No. 23); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:27 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**CANVASS MEETING - 7:00 P.M.****OTHER BUSINESS**

- 1 Canvass results of the General Election for the purpose of electing a Mayor and Councilmembers for Places 1, 2, 3, 4, 5, and 6 and the Special Election for the purpose of submitting a proposed tax rate that exceeds the voter-approval tax rate for the 2025 tax year held on November 4, 2025.

City Secretary Sonja Land read the election results, according to the canvass reports provided by the Dallas County and Kaufman County Elections Departments, of the General Election for the purpose of electing a Mayor and Councilmembers for Places 1, 2, 3, 4, 5 and 6 and the Special Election for the purpose of submitting a proposed tax rate that exceeds the voter-approval tax rate for the 2025 tax year held November 4, 2025.

- 2 Consider a resolution canvassing the returns and declaring the results of an election held in the City of Mesquite, Texas, on November 4, 2025, for the election of a Mayor and City Councilmembers for Places 1, 2, 3, 4, 5 and 6 and a Special Election held in the City of Mesquite, Texas, for the purpose of submitting a proposed tax rate that exceeds the voter-approval rate for the 2025 tax year; and ordering a Runoff Election to be held on December 13, 2025, for the purpose of electing a City Councilmember for Place 4.

Mr. Casper moved to approve Resolution No. 52-2025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD IN THE CITY OF MESQUITE, TEXAS, ON NOVEMBER 4, 2025, FOR THE ELECTION OF A MAYOR AND CITY COUNCILMEMBERS FOR PLACES 1, 2, 3, 4, 5 AND 6 AND A SPECIAL ELECTION HELD IN THE CITY OF MESQUITE, TEXAS, FOR THE PURPOSE OF SUBMITTING A PROPOSED TAX RATE THAT EXCEEDS THE VOTER-APPROVAL TAX RATE FOR THE 2025 TAX YEAR; AND ORDERING A RUNOFF ELECTION TO BE HELD DECEMBER 13, 2025 FOR THE PURPOSE OF ELECTING A CITY COUNCILMEMBER FOR PLACE 4; AND DECLARING AN EFFECTIVE DATE THEREOF.

Number of votes cast for the Office of Mayor:

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Dan Aleman	7,095	67.59%
Marci LabBeach	3,402	32.41%

Number of votes cast for the Office of Councilmember, Place 1:

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Jeff Casper	1,394	100%

Number of votes cast for the Office of Councilmember, Place 2:

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Kenny Green	582	54.91%
Jay Jones	478	45.09%

Number of votes cast for the Office of Councilmember, Place 3:

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Jennifer Vidler	755	42.23%
Elizabeth Rodriguez-Ross	1,033	57.77%

**Number of votes cast for the Office of Councilmember, Place 4:**

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Joshua W. Gibson	393	26.06%
Andrew Hubacek	556	36.87%
Nadine Ward	559	37.07%

**Number of votes cast for the Office of Councilmember, Place 5:**

NAME	NUMBER OF VOTES CAST	PERCENTAGE
B.W. Smith	1,562	100%

**Number of votes cast for the Office of Councilmember, Place 6:**

NAME	NUMBER OF VOTES CAST	PERCENTAGE
Brandon L. Murden	2,366	100%

**Number of votes cast regarding Proposition A, Approving the ad valorem tax rate of \$0.73000 per \$100 valuation for the current year:**

NAME	NUMBER OF VOTES CAST	PERCENTAGE
For	4,881	42.51%
Against	6,602	57.49%

Motion was seconded by Mr. Boroughs and approved unanimously. (Resolution No. 52-2025 recorded in Resolution Book No. 74.)

3

Consider scheduling a special City Council meeting for December 22, 2025, to canvass the returns for the December 13, 2025, Runoff Election for the purpose of electing a City Councilmember for Place 4.

Mr. Casper moved to schedule a special City Council meeting to be held on Monday, December 22, 2025, to canvass the returns for the December 13, 2025, Runoff Election. Motion was seconded by Mr. Boroughs and approved unanimously.

**ADJOURNMENT**

Mr. Casper moved to adjourn the meeting. Motion was seconded by Mr. Boroughs and approved unanimously. The meeting adjourned at 7:09 p.m.

**REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:15 P.M.****INVOCATION**

Jamie Starrett, Pastor, Lakepoint Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

City Staff.

**OTHER BUSINESS**

4

Installation of newly elected Mayor and Councilmembers.

This item was taken out of order.

City Secretary Sonja Land administered the Oath of Office to Mayor Daniel Alemán, Jr. Mayor Alemán administered the Oath of Office to Councilmembers Kenny Green, Place 2; Elizabeth Rodriguez-Ross, Place 3; and B.W. Smith, Place 5. State Representative Rhetta Bowers administered the Oath of Office to Councilmember Jeff Casper, Place 1. Dallas County Commissioner John Wiley Price administered the Oath of Office to Councilmember Brandon Murden, Place 6.

A brief recess was taken at 7:30 p.m. The meeting reconvened at 7:40 p.m.

### **SPECIAL ANNOUNCEMENTS**

1. Mayor Alemán recognized the following persons in attendance at tonight's meeting: Dallas County Commissioner John Wiley Price, Dallas County Board of Trustee Monica Lira Bravo, State Representative Rhetta Bowers and Dallas County Constable Deanna Hammond.
2. Mayor Alemán and Councilmembers Casper, Boroughs, Green, Rodriguez-Ross, Smith and Murden made comments.
3. Mayor Alemán stated that the City will hold a Runoff Election on Saturday, December 13, 2025, for the City Council, Place 4. Voting only impacts registered voters who live in District 4 for this particular election.
4. Mayor Alemán stated that the City of Mesquite encourages citizens to shop local this holiday season, which helps business owners and the local economy. Downtown Mesquite's Small Business Saturday shopping event will kick off gift buying on November 29, 2025. Also, there will be a fun new event this year, the inaugural Jingle Jog, a 0.5K Race. Registration begins at 9:00 a.m. There will be stations serving doughnut holes, mimosas and other refreshments.
5. Mayor Alemán announced that the City of Mesquite will be hosting several festive, family-friendly events this holiday season. On Tuesday, December 2, 2025, the Annual Christmas Tree Lighting on the Square will be held in Downtown Mesquite. Then enjoy Christmas in the Park on Saturday, December 6, 2025, and Sunday, December 7, 2025, with hot cocoa, pictures with Santa, fireworks and much more. The Mesquite Arts Theatre presents "A Sherlock Carol" and you can enjoy other holiday programs by our local symphony and community band.

### **CITIZENS FORUM**

1. Neil Hewitt, 10908 Wonderland Trail, Dallas, expressed concerns regarding the rental certificate of occupancy process for single-family residential homes.

### **CONSENT AGENDA**

#### **Approval of the Consent Agenda**

Mr. Smith requested that Item No. 13 be removed from the Consent Agenda to be considered separately. Mr. Green moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously.

5

Minutes of the regular City Council meeting held November 3, 2025.

Approved on the Consent Agenda.

- 6 An ordinance approving and authorizing the issuance and sale of the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2025 (Solterra Public Improvement District Improvement Area A-2 - A-4 Projects), approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, Limited Offering Memorandum, a Continuing Disclosure Agreement, and other agreements and documents in connection therewith, making findings with respect to the issuance of such bonds, and providing an effective date.

**Approved on the Consent Agenda.**

**Ordinance No. 5213, AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF MESQUITE, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2025 (SOLTERRA PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA A-2 - A-4 PROJECTS); APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT, AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 5213 recorded in Ordinance Book No. 136.)**

- 7 An ordinance approving and authorizing the issuance and sale of the City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2025 (Solterra Public Improvement District Improvement Area C-4 Project), approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, Limited Offering Memorandum, a Continuing Disclosure Agreement, and other agreements and documents in connection therewith, making findings with respect to the issuance of such bonds, and providing an effective date.

**Approved on the Consent Agenda.**

**Ordinance No. 5214, AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF MESQUITE, TEXAS SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2025 (SOLTERRA PUBLIC IMPROVEMENT DISTRICT IMPROVEMENT AREA C-4 PROJECT); APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT, AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 5214 recorded in Ordinance Book No. 136.)**

- 8 An ordinance amending Chapter 5 of the City Code thereby adopting the 2024 Edition of the International Building Code (I.B.C.) and providing certain local amendments thereto.

**Approved on the Consent Agenda.**

**Ordinance No. 5215, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE MESQUITE CITY CODE, BY REPEALING AND REPLACING CHAPTER 5, ARTICLE II-A (BUILDING CODE) IN ITS ENTIRETY THEREBY ADOPTING THE 2024 EDITION OF THE INTERNATIONAL BUILDING CODE (I.B.C.) AND PROVIDING CERTAIN LOCAL AMENDMENTS THERETO; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS**

**CLAUSES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 5215 recorded in Ordinance Book No. 136.)**

- 9 An ordinance amending Chapter 6 of the City Code thereby adopting the 2024 Edition of the International Fire Code (I.F.C) and providing certain local amendments thereto.

**Approved on the Consent Agenda.**

**Ordinance No. 5216, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 6 OF THE MESQUITE CITY CODE, BY REPEALING AND REPLACING CHAPTER 6, ARTICLE II (FIRE CODE) IN ITS ENTIRETY THEREBY ADOPTING THE 2024 EDITION OF THE INTERNATIONAL FIRE CODE (I.F.C.) AND PROVIDING CERTAIN LOCAL AMENDMENTS THERETO; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 5216 recorded in Ordinance Book No. 136.)**

- 10 A resolution authorizing the City Manager to finalize and execute an Agreement with the State of Texas through the Texas Department of Transportation (TxDOT) for the furnishing of traffic signal equipment by a municipality at the intersections of Interstate 30 (IH-30) and Northwest Drive and providing for a maximum reimbursement by the State to the City in the amount of \$14,250.00.

**Approved on the Consent Agenda.**

**Resolution No. 53-2025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FURNISHING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY AT THE INTERSECTION OF IH-30 AND NORTHWEST DRIVE, AND PROVIDING FOR A MAXIMUM REIMBURSEMENT BY THE STATE TO THE CITY FOR \$14,250.00. (Resolution No. 53-2025 recorded in Resolution Book No. 74.)**

- 11 RFP 2025-148 - Annual Dry-Cleaning Services for Police Department Uniforms.  
(Staff recommends award to C-Mai Enterprises, Inc. (dba Dry Clean Super Center) in an amount not to exceed \$126,255.00. The term of the contract shall be for one (1) year starting after proposal is awarded to the successful proposer. A renewal option is included as a part of this proposal for an additional four (4) automatic one-year periods, renewable on anniversary of the original date, provided proposer can maintain proposal prices and both parties are in mutual agreement. The City Manager is authorized to exercise the renewal options, subject to annual appropriation of sufficient funds.)

**Approved on the Consent Agenda.**

- 12 RFP No. 2025-181 - Retiree Medicare Supplement Plan.  
(Authorize the City Manager to finalize and execute the necessary documents with United American/Express Scripts for Post 65 Retiree Medical and

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Prescription Drug Plan, effective January 1, 2026, through December 31, 2026, in an amount not to exceed \$1,500,306.00.)

**Approved on the Consent Agenda.**

- 14** Bid No. 2026-022 - Purchase of Heavy Construction Equipment for Streets.  
(Staff recommends award to Associated Supply Co. Inc., through BuyBoard Contract No. 685-22, in an amount not to exceed \$500,339.00.)

**Approved on the Consent Agenda.**

- 15** Bid No. 2026-023 - Purchase of One Excavator for Streets.  
(Staff recommends award to Associated Supply Co. Inc., through Sourcewell Contract No. 011723-HTI, in an amount not to exceed \$111,000.00.)

**Approved on the Consent Agenda.**

- 16** RFP No. I104-2026 - Annual Medical Plan Reinsurance (Stop Loss).  
(Staff recommends award to VOYA Financial Advisors, Inc., through insurance broker, Stealth Partner Group, LLC, and to authorize the City Manager to finalize and execute any required documents for FY 2025-2026, to secure stop loss coverage for the City group medical healthcare plan in an amount not to exceed \$1,045,772.52.)

**Approved on the Consent Agenda.**

- 17** Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with LJA Engineering, Inc., a Texas Corporation, for the design of Peachtree Road at Stream 2B5 Drainage Improvements, in the amount of \$600,000.00.

**Approved on the Consent Agenda.**

- 18** Authorize the City Manager to finalize and execute a Work Order for the P25 Public Safety Radio System maintenance and support with the City of Garland for a term beginning October 1, 2025, through September 30, 2026, in an amount not to exceed \$132,043.35.

**Approved on the Consent Agenda.**

#### **CONSENT AGENDA ITEMS TO BE CONSIDERED SEPARATELY**

- 13** Bid No. 2026-018 - Purchase of Lenco BearCat.  
(Staff recommends award to Lenco Industries, Inc., through the U.S. General Services Administration (GSA) Cooperative Purchasing Program Contract No. GS-07F-169DA, in an amount not to exceed \$391,068.00.)

**Mr. Smith moved to postpone consideration of Bid No. 2026-018, Purchase of Lenco BearCat, indefinitely. Motion was seconded by Ms. Rodriguez-Ross. On call for a vote on the motion, the following votes were cast:**

**Ayes: Smith, Rodriguez-Ross, Alemán, Boroughs, Green, Murden**

**Nays: Casper**

**Motion carried.**

**END OF CONSENT AGENDA****OTHER BUSINESS**

- 19 Consider a resolution casting its vote for a member(s) of the Board of Directors of the Kaufman Central Appraisal District (KCAD).

City Manager Cliff Keheley stated that the City of Mesquite is allocated 11 votes for supporting members of the Kaufman Central Appraisal District (KCAD) Board of Directors. Votes may be cast for one candidate or distributed among any number of candidates listed on the official ballot.

Mr. Boroughs moved to cast five votes for Danny Kirby and six votes for Bruce Wood as members of the Kaufman Central Appraisal District (KCAD) Board of Directors, and to approve Resolution No. 54-2025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, KAUFMAN COUNTY, TEXAS, CASTING ITS VOTE FOR A MEMBER(S) OF THE BOARD OF DIRECTORS OF THE KAUFMAN CENTRAL APPRAISAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Murden and approved unanimously. (Resolution No. 54-2025 recorded in Resolution Book No. 74.)

- 20 Consider a resolution casting its vote for a member(s) of the Board of Directors of the Dallas Central Appraisal District (DCAD).

City Manager Cliff Keheley stated that the City of Mesquite is allocated 26 votes for supporting members of the Dallas Central Appraisal District (DCAD) Board of Directors. Votes may be cast for one candidate or distributed among any number of candidates listed on the official ballot.

Mr. Murden moved to cast 13 votes each for the following nominees: Kevin Carbo and Pauline Medrano as members of the Dallas Central Appraisal District (DCAD) Board of Directors, and to approve Resolution No. 55-2025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, CASTING ITS VOTE FOR A MEMBER(S) OF THE BOARD OF DIRECTORS OF THE DALLAS CENTRAL APPRAISAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs and approved unanimously. (Resolution No. 55-2025 recorded in Resolution Book No. 74.)

- 21 Consider a request to waive the parkland dedication requirements or allow a fee in lieu of for Avanti Hills, located at 2235 East Glen Boulevard.

Adam Bailey, Director of Planning and Development Services, stated that the applicant is requesting a waiver from dedicating parkland or paying a fee in lieu of for the affordable housing project for seniors known as Avanti Hills. For the 260-unit multifamily development, the Parkland Dedication Ordinance requires 4.73 acres of parkland. The ordinance allows up to a 50 percent credit toward the dedication requirement for providing private recreational facilities. The development will include 5.67 acres of open space and private amenities, including a pickleball court, dog park, pool, community garden, walking trails, grilling/picnic area, and other amenities that reduce the required parkland dedication by 50 percent to 2.365 acres or a fee in lieu of \$467,265.50.

Mr. Bailey stated that should City Council not approve the waiver, the remaining 2.365 acres can be addressed through land dedication or a fee in lieu of. The City



Council may waive the parkland requirements, including the fee in lieu of, upon a finding by the City Council that said waiver is clearly in the City's best interest. Alcott Park, Copeland Park and Rutherford Park are the nearest public parks to the proposed development.

Applicant Alan Naul, representing The Javelin Group, stated that the proposed affordable senior housing project is in collaboration with the Mesquite Housing Finance Corporation (MHFC). A waiver dedicating parkland or paying a fee in lieu of would allow the developer to add more funds to the project.

Mr. Murden moved to approve an application to allow a fee in lieu of parkland dedication, with a 25 percent credit, for the affordable senior housing project known as Avanti Hills, located at 2235 East Glen Boulevard. Motion was seconded by Mr. Casper. On call for a vote on the motion, the following votes were cast:

Ayes: Murden, Casper, Alemán, Green, Rodriguez-Ross, Smith  
Nays: Boroughs

Motion carried.

## PUBLIC HEARINGS

22

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0925-0417 submitted by Wing Aviation, LLC., for a change of zoning from Commercial within the Town East Retail and Restaurant Area (TERRA) Overlay District to Commercial within the TERRA Overlay District with a Conditional Use Permit to allow a Drone Delivery Service (SIC 4789a) located at 1800 North Town East Boulevard (future address of 9005 Town East Mall).

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held for Zoning Application No. Z0925-0417.

Adam Bailey, Director of Planning and Development Services, stated that Wing Aviation, LLC., is requesting approval of a Conditional Use Permit (CUP) to operate a drone delivery service on property owned by Town East Mall. While drone delivery services are permitted as an accessory use, a CUP is required when they function as the principal use of a property. The proposed site is a separate lot from the mall and was formerly occupied by the Town East Mall Movie Theater, which has since been demolished and currently has no active use or structure. The property currently consists of a paved parking area with no remaining structures. As a result, the proposed drone delivery operation would constitute the primary use, thereby requiring CUP approval.

Mr. Bailey stated that the proposal includes a 3,800-square-foot drone delivery "Nest" with three clusters of six charging pads, a 20-foot storage container, a battery-powered generator, and an aircraft cart. The service would partner with DoorDash to deliver prepackaged items ordered from the mall, which would be brought to the Nest for drone delivery.

Mr. Bailey stated that the Federal Aviation Administration (FAA) regulates drone flight operations, while the City controls site-related elements such as fencing, parking, and screening. Under Section 3-513 of the Mesquite Zoning Ordinance,

drone delivery services are allowed as an accessory use in several commercial and industrial districts. As a primary use, they are permitted by right in the Industrial District but require a Conditional Use Permit (CUP) in General Retail, Light Commercial, and Commercial Districts.

Applicant Josh Bucci, representing Wing Aviation, LLC, presented an overview of the proposed drone delivery service. Wing Aviation, LLC partners with DoorDash for drone delivery services for food and other goods. Over 500,000 commercial deliveries have been completed across three continents. The drones can carry up to 2.3 pounds and weigh only 11.7 pounds. They will deliver within a 6-mile radius from the "Nest" and travel up to 60 miles per hour. There will be one person onsite to run the food from inside Town East Mall to the drone for delivery. Deliveries are only made during daylight hours.

(1) Tammy Jo Strong, 1713 Cool Springs Drive, had questions regarding the drone operation.

(2) Ukiah Swain, 2306 North Beltline Road, expressed support for the application.

No others appeared regarding the proposed application.

Mr. Casper moved to approve Zoning Application No. Z0925-0417, as recommended by the Planning and Zoning Commission, with the following stipulations:

- a. The City Council finds that said use(s) defined and permitted under this CUP are sufficiently unusual in character or operation as to create the potential for variations in function or operation with possible negative impacts upon adjacent properties or on the citizenry as a whole. The City Council further finds that while the said use(s) may be viewed as consistent with current uses in the area and on adjoining property, anticipated future changes in the area may cause the requested use(s) to become incompatible after a period of time.
- b. The CUP is approved solely for Wing Aviation, LLC, and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the Mesquite Zoning Ordinance (MZO) for initial approval of a CUP.
- c. The CUP is granted for a period of two years from the date of the issuance of a Certificate of Occupancy, after which it shall expire and terminate. In the event the holder of the CUP desires to continue the use(s) and prior to expiration of the CUP, the holder must submit a new application requesting to continue the CUP. Any such application shall require the procedures outlined in the MZO for initial approval of a CUP and City Staff shall present a report on Property conditions during the time period of the CUP.
- d. The drone staging area shall be fully secured by an 8-foot-tall fence made of decorative iron, metal, or chain link that is coated with black vinyl and screened with a durable mesh material, or as otherwise approved by the Director of Planning and Development Services.
- e. Any inoperative or unused equipment shall be removed from the site within thirty (30) days of discontinuance. All equipment areas shall remain in good repair, and the site must be maintained free of debris.
- f. Only battery-operated generators or equivalent zero-emission systems shall be permitted.
- g. Prior to CUP issuance, a site plan shall be reviewed and approved by City

Staff based on compliance with engineering, building, and fire code compliance, as well as the following: i. The Property shall comply with Section 1A of the MZO; ii. The development will have cohesive landscaping to create a harmonious streetscape edge that will contain native plant materials and drought-tolerant shrubs and trees. A variety of species shall be required such that no single species shall exceed 25% of the total number of trees: Texas Walnut, Pecan, Caddo Maple, Cedar Elm, Chinquapin Oak, Live Oak, Texas Red Oak, Shantung Maple, and Lacebark Elm.

And to approve Ordinance No. 5217, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE TOWN EAST RETAIL AND RESTAURANT AREA ("TERRA") OVERLAY DISTRICT TO COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 1800 NORTH TOWN EAST BOULEVARD (FUTURE ADDRESS OF 9005 TOWN EAST MALL) TO ALLOW A DRONE DELIVERY SERVICE SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Green, Alemán, Boroughs, Murden

Nayes: Rodriguez-Ross, Smith

Motion carried. (Ordinance No. 5217 recorded in Ordinance Book No. 136.)

23

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0925-0418, submitted by David Vu Tran, Sam's Nail Supply, for a change of zoning from Commercial within the Town East Retail and Restaurant Area (TERRA) Overlay District to Commercial within TERRA Overlay District with a Conditional Use Permit to allow wholesale trade of nail and beauty supplies located at 3677 Emporium Circle.

(One response in favor and one in opposition to the application has been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held regarding Zoning Application No. Z0925-0418.

Adam Bailey, Director of Planning and Development Services, stated that the applicant is requesting a Conditional Use Permit (CUP) to allow Sam's Nail Supply to operate within an existing building at 3677 Emporium Circle. Sam's Nail Supply is a retail and wholesale business that sells products commonly used in nail salons, including nail polish, tools, accessories, personal protective equipment, and spa furniture.

Mr. Bailey stated that this request was previously considered by the Planning and Zoning Commission in 2021 and was denied in a 5-1 vote. Following the denial, the applicant obtained a Certificate of Occupancy for retail use, not wholesale. However, since that time, the City has been notified on multiple occasions that wholesale operations have continued at the property. If the CUP is approved, the applicant will need to obtain a Certificate of Occupancy and

comply with applicable Building and Fire Code requirements.

Mr. Bailey stated that according to the company's website, Sam's Nail Supply offers wholesale memberships for individuals or businesses purchasing products in bulk. The applicant has indicated that the site will be used for retail sales, wholesale operations, and product distribution. The retail component will allow customers to purchase items for personal use without a wholesale membership, while the wholesale and distribution operations will involve both pickup and delivery of supplies. The applicant also proposes to store and operate two box trucks on-site for product deliveries.

Mr. Bailey stated that the Mesquite Zoning Ordinance (MZO) requires a CUP for wholesale trade operations involving nondurable goods within a Commercial Zoning District. In addition, the property is located within the Town East Retail and Restaurant Area (TERRA) Overlay District, which also requires CUP approval for all wholesale trade uses.

Jonathan Vinson, representing the applicant, stated that the applicant currently owns the building located at 3677 Emporium Circle, which contains 90,000 square feet. Approximately 20,000 square feet of the building will be occupied by Sam's Nail Supply and the remaining 70,000 square feet may be leased for retail use. David Vu Tran, Owner of Sam's Nail Supply, currently operates nine locations in Texas. Mr. Tran plans to sell primarily retail products with some wholesale sales at this location.

(1) Cerone Lacey, 3617 Dove Lane, expressed concerns regarding the proposed application.

(2) Vivian Johnson, 4538 Live Oak Drive, expressed support for the proposed application.

No others appeared regarding the proposed application.

Mr. Casper moved to deny Zoning Application No. Z0925-0418. Motion was seconded by Mr. Green and approved unanimously.

## **EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 9:27 P.M.**

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 27 – Discuss an economic development project and potential prospect for a City-owned building in Downtown Mesquite); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 9:48 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

## **ADJOURNMENT**

Mr. Green moved to adjourn the meeting. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously. The meeting adjourned at 9:49 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Daniel Alemán, Jr., Mayor