



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, May 15, 2017

5:00 PM

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

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Present: Mayor Stan Pickett and Councilmembers Bruce Archer, Jeff Casper, Bill Porter, Dan Aleman, Greg Noschese and Dennis Tarpley, City Manager Cliff Keheley and City Secretary Sonja Land.

### **PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive briefing regarding Program Year 2017 Community Development Block Grant (CDBG) applications and recommended budget.  
  
Council requested additional information regarding operating costs from Sharing Life and Mesquite Social Services prior to approval of the Program Year 2017 CDBG budget.

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:01 P.M.**

Mayor Pickett 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 (Discuss economic development incentives for a prospective industrial business park in southeast Mesquite and Discuss economic development incentives for a prospective business in the Skyline Logistics Hub) and Section 551.074 of the Texas Government Code to consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other City employees (Discuss annual review of Municipal Court Judge); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:30 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:37 P.M.**

- 2 Receive financial statement for period covering October 1, 2016, through March 31, 2017.  
  
Debbie Mol, Director of Finance, presented the financial statement for period covering October 1, 2016, through March 31, 2017.  
  
The work session ended at 6:51 p.m.

**REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:01 P.M.****INVOCATION**

Tim Brown, Pastor, Calvary First Baptist Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Adam, Audrey and Caleb Tarpley.

**SPECIAL ANNOUNCEMENTS**

(1) Police Chief Charles Cato stated that tonight is the first night on the streets for the City's new Police K-9 Unit. He stated that many months of hard work went into selecting the K-9's and their handlers along with many more months of training. Captain Doug Yates introduced Sergeant Brad Meyer, Supervisor of the K-9 Unit, Officer Jason Crawford and his partner Kozmo and Officer Jeremy Wilemon and his partner Axel. Sergeant Meyer presented the K-9 Unit with Police badges and introduced Officer Kozmo and Officer Axel.

(2) Mayor Pickett expressed appreciation to Mr. Casper for suggesting the K-9 Unit and bringing it to fruition.

(3) Mr. Aleman announced several neighborhood watch meetings – (1) Tuesday, May 16, 2017, at 7:00 p.m. at The Crossing Baptist Church, 1060 Clay Mathis Road, with Airport Director Cynthia Godfrey as guest speaker, (2) Tuesday, May 23, 2017, at 7:00 p.m. at The Crossing Baptist Church, 1060 Clay Mathis Road, with Department of Public Safety Lieutenant Lacy as guest speaker and (3) Thursday, May 18, at 7:00 p.m. at Rutherford Recreation Center, 900 Rutherford Drive with City Manager Cliff Keheley as guest speaker. He invited all citizens to attend.

(4) Mr. Tarpley reminded everyone that the 2017 Rodeo Road Rally will take place on Saturday, June 3, 2017, benefitting the Mesquite Rotary Club, which provides charitable support for our community including scholarships to area students. The bike ride will begin at 8:00 a.m. at the Mesquite Convention Center with breakfast and lunch provided. He encouraged citizens to participate in this family friendly event.

(5) Mr. Porter stated that 500 teachers attended the recent job fair sponsored by the Mesquite Independent School District (MISD) and the City of Mesquite. Math, science and bi-lingual teachers are in high demand and encouraged anyone with these skills to contact MISD.

(6) Mr. Archer announced that a neighborhood meeting will be held on Tuesday, May 16, 2017, at 7:00 p.m. at Wildwood Baptist Church, 531 South Walker Street, to discuss concerns regarding City Lake Park and invited everyone to attend.

**PRESENTATIONS**

- 3                      Presentation of a plaque to Bill Porter in recognition of his service as City Councilmember, Place 1.

**Mayor Pickett presented a plaque to Bill Porter in recognition of his service as City Councilmember, Place 1, from May 2009 to May 2017. Councilmembers expressed their appreciation to Mr. Porter for his service.**

- 4                      Presentation of a plaque to Dennis Tarpley in recognition of his service as City Councilmember, Place 6.

Mayor Pickett presented a plaque to Dennis Tarpley in recognition of his service as City Councilmember, Place 6, from May 2003 to May 2017. Councilmembers expressed their appreciation to Mr. Tarpley for his service.

- 5 Recognize Real. Texas. Service. Employee Champions.

City Manager Cliff Keheley stated that the Real. Texas. Service. Champions program was created as an opportunity for employees to be recognized for their service to the organization and Mesquite community. A brief video was shown describing each employee's contributions to the City of Mesquite.

Mayor Pickett, City Councilmembers and City Manager Cliff Keheley presented certificates of appreciation to the following employees in honor of their service to the City of Mesquite: Grace Jones, Human Resources Department; Dee Richter, Police Department; Leah Burger, Communications and Marketing Department; and Donna Richard, Finance Department.

## CONSENT AGENDA

### Approval of the Consent Agenda

Mr. Noschese moved to approve Item Nos. 6 and 8-18 on the Consent Agenda, as follows. Motion was seconded by Mr. Casper and approved unanimously.

- 6 Minutes of the regular City Council meeting held May 1, 2017.

Approved on the Consent Agenda.

- 8 An ordinance, on first reading, approving a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corporation, Mid-Tex Division (Company) regarding the Company's 2017 Rate Review Mechanism (RRM) filings; 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 settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustments if federal income tax rates change; terminating the RRM process or 2018 pending renegotiation of RRM terms and conditions; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance 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 ordinance to the Company and the ACSC's legal counsels.

Approved on the Consent Agenda.

AN ORDINANCE, ON FIRST READING, OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MIDTEX DIVISION REGARDING THE COMPANY'S 2017 RATE REVIEW MECHANISM FILINGS; 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 SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING RECONCILIATION AND RATE ADJUSTMENTS IF

FEDERAL INCOME TAX RATES CHANGE; TERMINATING THE RRM PROCESS OR 2018 PENDING RENEGOTIATION OF RRM TERMS AND CONDITIONS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE 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 ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

- 9 Bid No. E2017-003 - Hailey Pump Station Variable Frequency Drive Improvements.

(Authorize the City Manager to finalize and execute a contract with low bidder H&H Electric, Inc., in the amount of \$195,409.00.)

**Approved on the Consent Agenda.**

- 10 RFP No. 2017-045 - Installation of Mobile Data Computers, Hardware and In-Car Video Systems.

(Authorize the City Manager to finalize and execute a contract with Group Mobile in the amount of \$74,728.59.)

**Approved on the Consent Agenda.**

- 11 Bid No. 2017-055 - Annual Contract for Concrete Crushing Contractor.

(Staff recommends award to low bidder Southwest Crushing, LLC, in the amount of \$93,000.00.)

**Approved on the Consent Agenda.**

- 12 Bid No. 2017-063 - Annual Supply of Auto and Truck Parts and Accessories.

(Staff recommends award to Genuine Parts Company/NAPA Auto Parts through a cooperative purchasing agreement with the National Joint Powers Alliance in the amount of \$85,000.00.)

**Approved on the Consent Agenda.**

- 13 Bid No. 2017-067 - Franklin Drive Microsurfacing.

(Authorize the City Manager to finalize and execute a contract with low bidder Viking Construction, Inc., in the amount of \$84,180.00.)

**Approved on the Consent Agenda.**

- 14 Authorize the City Manager to finalize and execute an Interlocal Agreement with the Dallas Independent School District (DISD) Police Department for police service to DISD schools located in the City of Mesquite.

**Approved on the Consent Agenda.**

- 15 Authorize the City Manager to finalize and execute a Memorandum of Understanding with the U. S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the National Integrated Ballistic Information Network.

**Approved on the Consent Agenda.**

- 16 Authorize the City Manager to finalize and execute an agreement with Dallas County Community College District (DCCCD) for the purpose of providing access to the City's firing range for DCCCD officer firearms qualifications.
- Approved on the Consent Agenda.**
- 17 Authorize the City Manager to finalize and execute a contract with Redflex Traffic Systems, Inc., for continuation of a Photo Red Light Enforcement Program.
- Approved on the Consent Agenda.**
- 18 Authorize the City Manager to execute Change Order Nos. Msq33-Msq35 with Motorola Solutions, Inc., to Mesquite Contract No. 853 for the purchase of a Project 25 (P25) Radio System in the amount of \$201,305.92 with a net increase of \$84,826.02 to the contract.
- Approved on the Consent Agenda.**

#### **CONSENT AGENDA ITEM CONSIDERED SEPARATELY**

- 7 An ordinance amending Chapter 5 of the City Code regarding the construction of fences, fence height, materials, maintenance and appeal processes.
- Mr. Noschese moved to postpone consideration of an ordinance amending Chapter 5 of the City Code regarding the construction of fences, fence height, materials, maintenance and appeal processes until the June 5, 2017, City Council meeting. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:**
- Ayes: Noschese, Archer, Pickett, Porter, Casper, Aleman**  
**Nays: Tarpley**
- Motion carried.**

#### **END OF CONSENT AGENDA**

#### **PUBLIC HEARING**

- 19 Conduct a public hearing and consider a request from Kent Holcomb, on behalf of Joanne Shields, to substitute a landscape hedgerow around the parking lot for the required masonry screening wall on property located at 316 West College Street.
- Jeff Armstrong, Assistant Director of Planning and Development Services, stated that the Zoning Ordinance requires screening walls when commercial development is adjacent to residential areas. The applicant is proposing to build a dance studio and is requesting a landscape hedgerow in lieu of a masonry screening wall. After review of the neighborhood and considering the mixture of homes, businesses and churches, staff recommends approval of the request as a bulky screening wall would be out of character for the neighborhood.**
- Joanna Shields, 3212 Cantura Drive, stated that classical ballet and tap classes are offered at the dance studio. All classes are normally completed by 10:00 p.m.**

Mr. Noschese expressed appreciation to Ms. Shields for locating her business in the Central Business District, which is a policy issue priority of the City Council.

Mr. Noschese moved to approve a request from Kent Holcomb, on behalf of Joanne Shields, to substitute a landscape hedgerow around the parking lot for the required masonry screening wall on property located at 316 West College Street. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:

Ayes: Noschese, Archer, Pickett, Porter, Casper, Aleman

Nays: Tarpley

Motion carried.

## ADJOURNMENT

Mr. Casper moved to adjourn the meeting. Motion was seconded by Mr. Archer and approved unanimously. The meeting adjourned at 7:58 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Stan Pickett, Mayor