



City of Mesquite, Texas

Minutes - Final City Council

Monday, September 18, 2017

5:00 PM

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

Present: Mayor Stan Pickett and Councilmembers Jeff Casper, Dan Aleman, Robert Miklos, Bruce Archer, Greg Noschese and Tandy Boroughs, City Manager Cliff Keheley and City Secretary Sonja Land.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 2 Receive briefing regarding the Gus Thomasson Road project from US Highway 80 to Town East Boulevard.
- 3 Receive briefing regarding the 2018 Real. Texas. Roads. Program.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:12 P.M.

Mayor Pickett 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 (Consent Agenda Item No. 7); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 5:25 p.m., the City Council reconvened in Open Session.

See Consent Agenda Item No. 7 for executive action taken.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:25 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 the redevelopment of a retail building located on Bryan-Belt Line Road); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 5:40 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:24 P.M.**INVOCATION**

Councilmember Bruce Archer.

PLEDGE OF ALLEGIANCE

Members of Shiloh Terrace Baptist Church AWANA Club.

SPECIAL ANNOUNCEMENTS

- (1) Mr. Noschese thanked the members of the Charter Review Committee for their service to the City.
- (2) Mr. Noschese invited residents to a public hearing to be held Wednesday, September 20, 2017, at Agnew Middle School, 729 Wilkinson, to receive citizen input regarding suggestions for possible City Charter amendments.
- (3) Mr. Archer invited citizens to meet on the corner of Woodcrest Drive and Hickory Tree Road on Saturday, September 23, 2017, for a trash pickup in the Edgemont Park neighborhood.
- (4) Mr. Casper thanked the volunteers who participated in Trash Bash, hosted by Keep Mesquite Beautiful, Inc., this past Saturday, September 16, 2017.
- (5) Mr. Miklos stated that he participated in a Public Safety Drill at Town East Mall last night. He thanked first responders and Dallas Regional Medical Center for their professionalism during this drill.

CITIZENS FORUM

- (1) Brad Williams, 2728 North Harwood Street, Dallas, requested to speak on Consent Agenda Item No. 7, if Council pulls the item from the agenda.
- (2) Darlene McCurry, 2212 Borman Avenue, expressed concerns regarding the Gus Thomasson Road reconstruction project. She presented petition pages to the City Secretary.

PRESENTATIONS

- 4 Presentation of Recognized Status from the Texas Law Enforcement Best Practices Recognition Program for the Mesquite Police Department.

Chief Tom Shehan, representing the Texas Police Chief's Association (TPCA) Best Practices Recognition Program (Program), stated over 1,100 police chiefs throughout the State of Texas are dedicated to the delivery of quality police services. The Program consists of 168 standards, which addresses law enforcement operations, use of force, protection of citizen rights, vehicle pursuits and property and evidence management. The TPCA conducted an audit of policies, procedures and operations with an on-site inspection. The Mesquite Police Department continued to meet or exceed best practices for law enforcement in Texas and was awarded the Certificate of Re-Recognition for continuing to maintain compliance for the past four years.

Chief Shehan presented the award to Police Chief Charles Cato and Mayor Pickett.

- 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: Captain David Shedd, Fire Department; Kathy Fonville, Water Conservation and Recycling Coordinator, Public Works Department; Police Officer Zachary Embrey, Police Department; and Tiffany James, Administrative Secretary, Parks and Recreation Department.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Noschese moved to approve Item Nos. 6 and 8-20 on the Consent Agenda, as follows. Motion was seconded by Mr. Archer and approved unanimously.

- 6 Minutes of the regular City Council meeting held September 5, 2017.

Approved on the Consent Agenda.

- 8 An ordinance adopting a Mesquite Comprehensive Plan concurrency amendment associated with Application No. 0517-0005, redesignating the future land use for the area at the southeast corner of East Cartwright Road and Wilkinson Road from Low Density Residential to General Business.

Approved on the Consent Agenda.

Ordinance No. 4507, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY MODIFYING THE COMMUNITY BUSINESS-SOUTH AND NEIGHBORHOODS-SOUTH MAPS TO DESIGNATE CERTAIN AREAS AS APPROPRIATE FOR PLANNED DEVELOPMENT - GENERAL RETAIL; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. (Ordinance No. 4507 recorded in Ordinance Book No. 109.)

- 9 An ordinance associated with Application No. 0517-0005 to approve a change of zoning from R-1 Single-Family Residential to Planned Development-General Retail allowing a grocery store located at the southeast corner of East Cartwright Road and Wilkinson Road.

Approved on the Consent Agenda.

Ordinance No. 4508, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT - GENERAL RETAIL SUBJECT TO CERTAIN STIPULATIONS THEREBY ALLOWING A GROCERY STORE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO

THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY. (Ordinance No. 4508 recorded in Ordinance Book No. 109.)

- 10** A resolution expressing official intent to reimburse, from the proceeds of obligations to be issued by the City, the costs of the Residential Street Reconstruction Program, and of street, road, alley, sidewalk and screening wall projects, water and sewer system improvements, municipal building improvements and acquisition of vehicles and equipment and computer equipment and software for municipal departments.

Approved on the Consent Agenda.

Resolution No. 37-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, EXPRESSING OFFICIAL INTENT TO REIMBURSE, FROM THE PROCEEDS OF OBLIGATIONS TO BE ISSUED BY THE CITY, THE COSTS OF THE RESIDENTIAL STREET RECONSTRUCTION PROGRAM, STREET, ROAD, ALLEY, SIDEWALK AND SCREENING WALL PROJECTS, WATER AND SEWER SYSTEM IMPROVEMENTS, MUNICIPAL BUILDING IMPROVEMENTS AND ACQUISITION OF VEHICLES AND EQUIPMENT AND COMPUTER EQUIPMENT AND SOFTWARE FOR MUNICIPAL DEPARTMENTS. (Resolution No. 37-2017 recorded in Resolution Book No. 51.)

- 11** A resolution adopting the revisions to the City of Mesquite Housing Choice Voucher Administrative Plan, effective October 1, 2017.

Approved on the Consent Agenda.

Resolution No. 38-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING THE REVISIONS TO THE CITY OF MESQUITE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 38-2017 recorded in Resolution Book No. 51.)

- 12** A resolution adopting changes to the City's Investment Policy.

Approved on the Consent Agenda.

Resolution No. 39-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AN INVESTMENT POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 39-2017 recorded in Resolution Book No. 51.)

- 13** A resolution calling a special City Council meeting for Monday, October 23, 2017, and setting dates, times and places for public hearings on the proposed annexation of certain property in the extraterritorial jurisdiction.

Approved on the Consent Agenda.

Resolution No. 40-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CALLING A SPECIAL CITY COUNCIL MEETING FOR MONDAY, OCTOBER 23, 2017; SETTING DATES, TIMES AND PLACES FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS. (Resolution No. 40-2017 recorded in Resolution Book No. 51.)

- 14 Authorize the City Manager to finalize and execute a contract with Kimley-Horn and Associates, Inc., to prepare an engineering design manual in the amount of \$396,000.00.

Approved on the Consent Agenda.

- 15 Authorize the City Manager to finalize and execute a reimbursement agreement with MCI for the relocation of approximately 2,370 feet of long distance fiber cable, located within the Union Pacific Railroad right-of-way, associated with the reconstruction of Town East Boulevard from Military Parkway to Skyline Drive in the amount of \$82,793.60.

Approved on the Consent Agenda.

- 16 Authorize the City Manager to finalize and execute an amendment to the Professional Engineering Services Contract with Freeman-Millican, Inc., for additional services for on-site inspection for the Hailey Pump Station Variable Frequency Drive Improvements in the amount of \$10,000.00.

Approved on the Consent Agenda.

- 17 Authorize the City Manager to execute Change Order No. 2 to Bid No. 2016-071, 2016 Annual Miscellaneous Concrete Work Project (Section A), with Austin Bridge & Road, LP, in the amount of \$441,537.00.

Approved on the Consent Agenda.

- 18 Appoint Jeff Jones as a member to the Towne Centre Tax Increment Finance Reinvestment Zone No. Two Board of Directors for a term to expire December 31, 2018.

Approved on the Consent Agenda.

- 19 Appoint Jeff Jones as a member to the Ridge Ranch Tax Increment Finance Reinvestment Zone No. Five Board of Directors for a term to expire December 31, 2018.

Approved on the Consent Agenda.

- 20 Appoint Jeff Jones as a member to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for a term to expire December 31, 2018.

Approved on the Consent Agenda.

CONSENT AGENDA ITEM CONSIDERED SEPARATELY

- 7 An ordinance providing for the abandonments of several 15-foot-wide water line, sanitary sewer and storm sewer easements located on a vacant tract of land to the west of East Meadows Boulevard and north of the West Fork of South Mesquite Creek; otherwise known as East Meadows Addition No. 1, Block A, Lot 2.

Brad Williams, 2728 N. Harwood Street, Dallas, spoke in favor of the

abandonment of easements. He stated that the proposed use of this property is for construction of a charter school which is allowed by right under the existing zoning. The subject easements were dedicated by plat in 1985 for the planned construction of an apartment complex which was never constructed.

Mr. Noschese moved to postpone consideration of an ordinance providing for the abandonments of several 15-foot-wide water line, sanitary sewer and storm sewer easements located on a vacant tract of land to the west of East Meadows Boulevard and north of the West Fork of South Mesquite Creek; otherwise known as East Meadows Addition No. 1, Block A, Lot 2, to the first City Council meeting after the expiration of 90 days, December 18, 2017. Motion was seconded by Mr. Casper and approved unanimously.

END OF CONSENT AGENDA

PUBLIC HEARINGS

21

Conduct a public hearing and consider an ordinance extending the moratorium first imposed July 3, 2017, on applications and plans for development for permits, plats, verifications, rezonings, site plans and new or revised certificates of occupancy for truck stops and other development that includes the parking of heavy load vehicles as a principal use or as an accessory use within the corporate city limits of Mesquite, adopting written findings that identify the problem requiring the need for extending the moratorium, describing the reasonable progress made to alleviate the problem, specifying a definite duration for the renewal period of the moratorium, and summarizing evidence demonstrating that the problem will be resolved within the extended duration of the moratorium.

A public hearing was held regarding extending the moratorium first imposed July 3, 2017 regarding truck stops and truck related uses.

Richard Gertson, Director of Planning and Development Services, stated that the proposed ordinance would extend the moratorium enacted on July 3, 2017, regarding truck stops and truck related uses. During the first 90 days of the moratorium, the City Council, Planning and Zoning Commission and staff reviewed the existing regulations and found the regulations in need of improvement. Progress has been made toward amending regulations, but additional time is required. Staff recommends the City Council extend the moratorium an additional 90 days to December 29, 2017.

No one appeared regarding the extension of the moratorium.

Mr. Boroughs moved to approve Ordinance No. 4509, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, EXTENDING THE EXISTING MORATORIUM ON APPLICATIONS AND PLANS FOR DEVELOPMENT FOR PERMITS, PLATS, VERIFICATIONS, REZONINGS, SITE PLANS AND NEW OR REVISED CERTIFICATES OF OCCUPANCY FOR TRUCK STOPS AND OTHER DEVELOPMENT THAT INCLUDES THE PARKING OF HEAVY LOAD VEHICLES AS A PRINCIPAL USE OR AS AN ACCESSORY USE WITHIN THE CORPORATE CITY LIMITS OF MESQUITE; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING AN EXPIRATION DATE; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4509 recorded in Ordinance Book No. 109.)

22

Conduct a public hearing and consider an ordinance for Application No. Z0717-0010, submitted by Shubham Pandey, representing Meadow Oaks Academy, for a change of zoning from North Gus Thomasson Corridor District to North Gus Thomasson Corridor District with a conditional use permit on property located at 3200 Oates Drive allowing the operation of a high school with the potential for high traffic volume.

(No responses in favor of 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 Application No. Z0717-0010.

Jeff Armstrong, Assistant Director of Planning and Development Services, stated that the charter school is in its second year of operation with grades six through nine and the applicant wishes to expand through twelfth grade by adding a grade each year. The North Gus Thomasson Corridor District requires a Conditional Use Permit for a high school due to an expectation of increased traffic. Mr. Armstrong stated that a Traffic Impact Analysis (TIA) would be required and compliance with any recommendations, restrictions and/or modifications recommended by the City's Traffic Engineering Division, prior to issuance of a Certificate of Occupancy. He then reviewed the Concept Plan and proposed stipulations.

Applicant Shubham Pandey, Meadow Oaks Academy (MOA) School Superintendent, stated that (MOA) is an elementary school that has been operating on Belt Line Road since 1985. The charter school is an extension of MOA with middle and high school grades 6 through 9 and specializes in engineering and technology. Mr. Pandey stated that a charter school is similar to a public school; however, a charter school chooses an endorsement such as leadership, engineering or technology. Funding is received from the Texas Education Agency and enrollment is open to everyone as long as space is available. Charter schools have the same financial and academic accountability standards as public schools, including standardized testing.

Mr. Pandey stated that MOA currently has 285 students on campus but has the capacity for a maximum of 500 students. The TIA has been ordered and will be available in 20 days. Currently, the site has 164 parking spaces with plans to construct an additional five spaces, per City requirements. There are three entrances to the school - two from Oates Drive and one from Moon Drive. Class release times are staggered by 20 minutes to aide with the traffic flow. Mr. Pandey explained there are plans to construct a dormitory on the west side of the campus for foreign exchange students with a public park dividing the campus from neighboring residents. Mr. Pandey stated that there is not available space to construct a fence or screening wall between the school property and neighboring residents.

Bert Newsome, 3217 Sidney Drive, spoke in opposition to the proposed application. No others appeared regarding the application.

Councilmembers expressed concerns regarding traffic flow.

Mr. Noschese moved to deny Application No. Z0717-0010, submitted by Shubham Pandey, representing Meadow Oaks Academy, for a change of zoning from North

Gus Thomasson Corridor District to North Gus Thomasson Corridor District with a conditional use permit on property located at 3200 Oates Drive allowing the operation of a high school with the potential for high traffic volume. Motion was seconded by Mr. Archer and approved unanimously.

23

Conduct a public hearing and consider an ordinance for Application No. Z0717-0011, submitted by Fenton Motors Group, for a change of zoning from Light Commercial to Planned Development Light Commercial with a conditional use permit on property located at 16160 and 16170 IH-635 to allow the sale and outdoor display of new and used vehicles.

(No responses in favor of 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 Application No. Z0717-0011.

Jeff Armstrong, Assistant Director of Planning and Development Services, stated that the inventory displayed at 16160 IH-635 may be utilized 100 percent for used car sales and the inventory displayed at 16170 IH-635 may be utilized for up to 30 percent used car sales and will include the dealership's Service Center, overflow parking and a storage area for cars. The applicant currently operates a car dealership south of these properties. Mr. Armstrong reviewed the proposed stipulations.

Mark Exposito, representing the applicant, stated that Fenton Motor Group generates approximately \$70 million in annual sales with plans to expend \$12 million in renovations on this property during the next 12 months. They currently employ approximately 100 with plans to add 20 percent to their labor force over the next year. Mr. Exposito agreed to sell no vehicles older than 2008 and to limit the signage on the south facade of the building to only the dealer name.

No others appeared regarding the application.

Mr. Noschese moved to approve Application No. Z0717-0011, as recommended by the Planning and Zoning Commission, with the following stipulations, adding Stipulation Nos. 2 (k) and 2 (l):

1. The uses permitted shall be limited to those uses permitted by right in the Light Commercial zoning district provided that a Conditional Use Permit (CUP) may be granted to allow a motor vehicle dealership with used car sales only.
2. A CUP for the sale and outdoor display of new and used cars is hereby approved with the following conditions:
 - a. One hundred percent of the inventory displayed at 16160 IH-635 may be used cars.
 - b. Thirty percent of the inventory displayed at 16170 IH-635 may be used cars.
 - c. Display of vehicles shall be limited to the number of display spaces and display areas as noted on the Concept Plan. Display spaces and customer parking shall comply with the parking and access standards in Section 3-400 of the Mesquite Zoning Ordinance.
 - d. Any vehicle for sale shall be operable and maintained in good condition.
 - e. No vehicle for sale shall have body damage greater than four inches in diameter.
 - f. Painted repairs shall match the paint on the rest of the vehicle.
 - g. Any vehicle for sale shall not have broken or cracked windows.

- h. All parking and display surfaces shall be paved except for display surfaces in showroom areas.
- i. Any vehicle not ready for sale and in need of repair or detailing shall be kept in the rear of the property on a paved surface or inside of a structure.
- j. This CUP shall be limited to Fenton Motors, Inc., and is not assignable or transferrable.
- k. At a minimum, 80 percent of the used car inventory displayed for sale shall be less than eight years old.
- l. The current signage on the south façade of the structure located at 16160 Interstate Highway 635 shall be removed. No more than one wall sign identifying the business is permitted on the south side of the building.

And to approve Ordinance No. 4510, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM LIGHT COMMERCIAL TO PLANNED DEVELOPMENT – LIGHT COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 16160 AND 16170 IH-635; APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE AND OUTDOOR DISPLAY OF NEW AND USED VEHICLES SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4510 was recorded in Ordinance Book No. 109.)

24

Conduct a public hearing and consider possible action on Zoning Text Amendment No. 2017-03 amending Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for Truck Stops and other development that includes the parking of heavy load vehicles as a principal or accessory use.

Mr. Casper moved to postpone consideration of possible action on Zoning Text Amendment No. 2017-03 amending Chapter 1A-200, Landscape Requirements; Chapter 1A-300, Screening and Buffering Requirements; Section 3-203, Schedule of Permitted Uses; Chapter 3-300, Development Standards; Chapter 3-400, Off-Street Parking and Loading; Chapter 3-500, Supplementary Use Regulations; Chapter 3-600, Outdoor Sales, Display and Storage Regulations; Chapter 4-930, Skyline Logistics Hub Overlay District; and Section 6-102, Definitions; all pertaining to new and revised regulations for Truck Stops and other development that includes the parking of heavy load vehicles as a principal or accessory use until the October 16, 2017, City Council meeting. Motion was seconded by Mr. Aleman and approved unanimously.

OTHER BUSINESS

- 25** Consider cancelling the Regular City Council meeting scheduled for Monday, September 25, 2017.

Mr. Archer moved to cancel the Regular City Council meeting scheduled for Monday, September 25, 2017. Motion was seconded by Mr. Noschese and approved unanimously.

Consider passage of the following ordinances relating to the 2017-18 Budget:

- 26** Consider an ordinance levying the ad valorem taxes for the year 2017.

Mr. Archer stated, "I move that the property tax rate be increased by the adoption of a tax rate of .687 cents which is effectively an 8.678 percent increase in the tax rate."

And to approved Ordinance No. 4511, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2017 AT A RATE OF \$0.687 PER \$100.00 ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS, ON JANUARY 1, 2017, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR PLACE OF PAYMENT; APPROVING THE 2017 TAX ROLLS AND ANY SUPPLEMENT THERETO; PROVIDING CERTAIN EXEMPTIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4511 recorded in Ordinance Book No. 109.)

- 27** Consider an ordinance determining the population of the City of Mesquite to be 143,060 as of October 1, 2017.

Mr. Casper moved to approve Ordinance No. 4512, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THE POPULATION OF THE CITY OF MESQUITE, TEXAS, TO BE 143,060 AS OF OCTOBER 1, 2017; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 4512 recorded in Ordinance Book No. 109.)

- 28** Consider an ordinance adopting a 2017-2018 Pay Plan for General Government personnel, effective October 1, 2017, revised pay plans for commissioned Police and Fire personnel, effective January 1, 2018, and a step pay plan for specified hard-to-fill positions, effective October 1, 2017, merit increases, updated service credits and annuity increases.

Mr. Noschese moved to approve Ordinance No. 4513, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS ("CITY"), ADOPTING 2017-18 PAY PLANS FOR FULL-TIME AND PART-TIME GENERAL GOVERNMENT PERSONNEL WITH AN EFFECTIVE DATE OF OCTOBER 1, 2017; PROVIDING FLAT, FIXED PAY ADJUSTMENTS FOR CERTAIN QUALIFYING FULL-TIME GENERAL GOVERNMENT PERSONNEL THAT ARE EMPLOYED IN THE CITY'S PUBLIC WORKS, PARKS AND RECREATION, AND ANIMAL SERVICES DEPARTMENTS; PROVIDING TWO-PERCENT MERIT INCREASES AND ONE-TIME LUMP SUM PAYMENTS FOR

CERTAIN QUALIFYING GENERAL GOVERNMENT PERSONNEL; ADOPTING REVISED PAY PLANS FOR COMMISSIONED POLICE AND FIRE PERSONNEL WITH AN EFFECTIVE DATE OF JANUARY 1, 2018; PROVIDING A TWO-AND-ONE-HALF PERCENT MARKET ADJUSTMENT FOR COMMISSIONED POLICE AND FIRE EMPLOYEES AND PROVIDING STEP INCREASES FOR QUALIFYING POLICE OFFICERS AND FIREFIGHTERS; AUTHORIZING UPDATED SERVICE CREDITS UNDER THE TEXAS MUNICIPAL RETIREMENT SYSTEM TO QUALIFYING CURRENT EMPLOYEES; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR QUALIFYING RETIREES AND BENEFICIARIES OF DECEASED RETIREES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4513 recorded in Ordinance Book No. 109.)

29

A. Consider an ordinance amending Chapter 16 of the City Code regarding water rates, effective October 1, 2017.

B. Consider an ordinance amending Chapter 16 of the City Code regarding sewer rates, effective October 1, 2017.

Mr. Casper moved to approve Ordinance No. 4514, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 16-1 IN ITS ENTIRETY AND ADDING A NEW SECTION 16-1 THEREBY AMENDING THE RATES CHARGED FOR SERVICES PROVIDED BY THE WATER DEPARTMENT OF THE CITY OF MESQUITE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING OCTOBER 1, 2017, AS THE DATE SUCH RATES BECOME EFFECTIVE. Motion was seconded by Mr. Noschese and approved unanimously. (Ordinance No. 4514 recorded in Ordinance Book No. 109.)

Mr. Casper moved to approve Ordinance No. 4515, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 16-59(a) IN ITS ENTIRETY AND ADDING A NEW SECTION 16-59(a) THEREBY AMENDING THE RATES CHARGED FOR SERVICES FURNISHED BY THE SANITARY SEWER SYSTEM OF THE CITY OF MESQUITE; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING OCTOBER 1, 2017, AS THE DATE SUCH RATES BECOME EFFECTIVE. Motion was seconded by Mr. Noschese and approved unanimously. (Ordinance No. 4515 recorded in Ordinance Book No. 109.)

30

Consider an ordinance revising the schedule of civil fines, fees, and other charges collected by the Mesquite Public Library System and related definitions and repealing Ordinance No. 4352, effective October 1, 2017.

Mr. Noschese moved to approve Ordinance No. 4516, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE SCHEDULE OF FEES AND OTHER CHARGES COLLECTED BY THE MESQUITE PUBLIC LIBRARY SYSTEM; THEREBY REMOVING CIVIL FINES, ESTABLISHING OFFENSES FOR THE UNAUTHORIZED REMOVAL OF LIBRARY MATERIALS, FOR THE FAILURE TO RETURN LIBRARY MATERIALS AND FOR DAMAGE TO LIBRARY MATERIALS; PROVIDING A REPEALER CLAUSE AND SPECIFICALLY REPEALING ORDINANCE NO. 4352; PROVIDING A PENALTY CLAUSE NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN

EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 4516 recorded in Ordinance Book No. 109.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 31 Consider appointment of four regular members to the Planning and Zoning Commission/Capital Improvements Advisory Committee for terms to expire September 30, 2019, and two alternate members for terms to expire September 18, 2019.

Mr. Noschese moved to appoint Janice Bell, Jennifer Vidler, Ronald Abraham and Yolanda Shepard as regular members to the Planning and Zoning Commission/Capital Improvements Advisory Committee for terms to expire September 30, 2019, and appoint Debbie Anderson and Elizabeth Allen as alternate members for terms to expire September 18, 2019. Motion was seconded by Mr. Miklos and approved unanimously.

PRE-MEETING - TRAINING ROOMS A&B - 8:57 P.M.

This item was taken out of order.

- 1 Receive briefing regarding a request from Kaufman County Municipal Utility District No. 5 to amend Resolution No. 15-2002 to allow the issuance of roadway improvement bonds for certain property within the City's extraterritorial jurisdiction.

Mr. Miklos left the meeting.

It was Council consensus to defer action pending a decision regarding possible annexation.

ADJOURNMENT

Mr. Archer moved to adjourn the meeting. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried. The meeting adjourned at 9:21 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor