



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, October 2, 2017

4:00 PM

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

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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.

### **TOUR OF STREETS INCLUDED IN THE FY2016 AND FY2017 STREET BOND PROGRAM - 4:00 P.M.**

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1                      Receive briefing regarding the 2018 Real. Texas. Roads. Program.  
  
                            **Council directed staff to move forward with the expedited, separated area option.**
- 2                      Discuss Tax Increment Reinvestment Zones.
- 3                      Receive briefing regarding options for annexation.  
  
                            **Council requested staff provide costs and other information regarding possible amendments to the scope of annexation and report back at a future City Council meeting.**

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:10 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 (Pre-Meeting Agenda Item No. 3); 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.

See Pre-Meeting Agenda Item No. 3 for executive action taken.

**REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:09 P.M.****INVOCATION**

Marq Toombs, Lead Pastor, Christ Covenant Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of Historic Mesquite, Inc., Board of Directors.

**SPECIAL ANNOUNCEMENTS**

(1) Mayor Pickett stated that our country has been impacted by the incident that took place in Las Vegas, Nevada last night. On behalf of the entire City Council, he offered thoughts and prayers to the victims of this tragedy and their families and to the families of the deceased.

(2) Mr. Miklos announced that National Night Out is Tuesday, October 3, 2017, and invited residents to get to know their neighbors by attending an event in their neighborhood. The Town East/Range Neighborhood Crime Watch will hold an event at Bill Blackwood Park and the Rugel/Skyline Neighborhood Crime Watch event will be held on Sybil Drive, Hermitage Drive, South Parkway, North Parkway, Oxford Place and at the west end of Monticello Drive, both from 6:00 p.m. to 8:00 p.m.

(3) Mr. Casper invited residents to attend a Charter Review Committee Meeting on Wednesday, October 4, 2017, at Kimbrough Middle School, 3900 North Galloway Avenue, at 7:00 p.m., and participate in a citizen input public hearing regarding suggestions for possible City Charter amendments.

(4) Mr. Casper stated that he and Mesquite Independent School District (MISD) Board Trustee Robert Sewell are planning the creation of a local leadership academy, which will meet on the third Saturday of the next three months, to instruct residents how to run for City and School office and govern effectively.

(5) Mr. Archer encouraged citizens to reach out to others in our community and participate in various City events.

(6) Mr. Boroughs encouraged citizens to attend local sporting events and support the students in our community.

(7) Mr. Aleman stated that additional National Night Out events will be held at Word of Life Church, 1305 Eulane Drive and The Crossing Baptist Church, 1060 Clay-Mathis Road.

(8) Mr. Aleman stated that the 13th Annual Addressing Mesquite Day will take place this Saturday, October 7, 2017. Many volunteers from various civic groups, churches and individuals will be performing yard work and minor exterior repairs for elderly and disabled residents. He encouraged everyone to meet at the base of the elevated water tank at Town East Mall and participate in this community event.

(9) Mr. Noschese announced that the 2017 Amazing Technicolor 5K Run, benefiting the Mesquite Independent School District (MISD) Education Foundation, Inc., will take place on Saturday, October 28, 2017, at the Mesquite Convention Center. Funds will be utilized for campus grants and school district initiatives. He encouraged everyone to support the MISD by registering to participate at [www.amazingtechnicolor5k.com](http://www.amazingtechnicolor5k.com).

(10) Mr. Noschese stated that Sounds on the Square, a free concert series hosted by the Mesquite Parks and Recreation Department, will take place this Saturday, October 7, 2017, from 6:00 – 7:30 p.m. in Heritage Square featuring salsa and latin jazz music from the Lara Latin band. There will be a children's activity area and salsa lessons taught by a professional dance instructor. 5-Ohh food truck will be on-site offering BBQ. He invited citizens to enjoy this family-friendly event.

(11) Mr. Noschese stated that the City supports the Boy Scouts of America and a list of Eagle Scout and service projects can be obtained by contacting the City Manager's office.

(12) Mayor Pickett invited citizens to visit the City's website for a list of National Night Out locations in Mesquite.

### **CITIZENS FORUM**

(1) The following persons spoke in opposition to the proposed annexation: (1) Ken Hill, 15530 Wiser Road, Forney; (2) Pat Crenshaw, 9876 Old Nacogdoches Trail, Forney; (3) Pat Kelly, 15125 Kelly Road, Forney; (4) Marcos Morehead, 9874 Helms Trail, Forney; (5) Frank Morgan, 8372 Union Hill Road, Forney; (6) Denise Tramel, 13056 Hunters Chase, Forney; (7) Pam Singleton, 1525 Lawson Road, Mesquite; and (8) Patty Dumas, 1541 Lawson Road, Mesquite.

Rick Wilson, 304 Dalview Court, Forney, and State Representative Lance Gooden, 215 Elm Drive, Terrell, encouraged the City Council to reconsider the possible annexation.

A brief recess was taken.

### **SPECIAL RECOGNITION**

- 4 Recognize Addressing Mesquite Day Platinum Level Sponsors.

Lauren Rose, Assistant to the City Manager, stated that Saturday, October 7, 2017, is the 13th Annual Addressing Mesquite Day (AMD). Volunteers from the business, faith-based and civic communities come together every October to help the elderly and disabled in Mesquite. The success of AMD is largely due to the many volunteers and generous sponsors. Ms. Rose introduced the five AMD Platinum Level Sponsors – Elliott's Hardware, UPS, Home Depot, Fuel City and Atmos Energy. Mayor Pickett presented a plaque of appreciation to Mike Stoner, The Home Depot Foundation and Susan Harris, Atmos Energy.

### **APPOINTMENTS FOR PERSONAL APPEARANCE**

- 5 Appointment - Finnegan Caplette, 1225 McDonald Drive, Garland.  
(Mr. Caplette will discuss the Anti-Bully Rally.)

Finnegan Caplette stated that he has been a victim of bullying in the past and has worked with the Mesquite Elks Lodge to develop an annual Anti-Bully Rally in Mesquite. Mr. Caplette invited the public to attend the 5th Annual Anti-Bully Rally on Sunday, October 29, 2017, at the Mesquite Elks Lodge. Mr. Caplette thanked his family, the Elks Lodge and the Mesquite community for their support.

### **CONSENT AGENDA**

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

Mr. Aleman moved to approve the items on the Consent Agenda, as follows. Motion was seconded by Mr. Casper and approved unanimously

- 6 Minutes of the regular City Council meeting held September 18, 2017.

Approved on the Consent Agenda.

- 7 An ordinance amending Chapter 9 of the City Code regarding the location of school zones by extending existing school zones for Thompson Elementary School along Edwards Church Road and Helen Lane.

Approved on the Consent Agenda.

**ORDINANCE NO. 4517, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9, SECTION 9-147(1)(a) OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, CONCERNING THE LOCATION OF SCHOOL ZONES BY DELETING THE CURRENT SCHOOL ZONES FOR THOMPSON ELEMENTARY SCHOOL IN THEIR ENTIRETY AND ADDING NEW SCHOOL ZONES FOR THOMPSON ELEMENTARY SCHOOL ALONG EDWARDS CHURCH ROAD AND HELEN LANE THEREBY EXTENDING THE EXISTING SCHOOL ZONES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4517 recorded in Ordinance Book No. 109.)**

- 8 An ordinance amending Chapter 9 of the City Code regulating the parking of commercial vehicles on private property.

Approved on the Consent Agenda.

**ORDINANCE NO. 4518, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 9-168 IN ITS ENTIRETY AND ADDING A NEW SECTION 9-168 THEREBY REGULATING THE PARKING OF COMMERCIAL VEHICLES ON PRIVATE PROPERTY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00.) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4518 recorded in Ordinance Book No. 109.)**

- 9 A resolution authorizing the City Manager to execute the 2017 Byrne Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between Dallas County and the Cities of Balch Springs, Carrollton, Dallas, DeSoto, Duncanville, Garland, Grand Prairie, Irving, Lancaster, Mesquite and Richardson, in the revised amount of \$22,010.31; designating the City of Dallas as the applicant and fiscal agent and designating the Police Chief as the responsible officer for the purpose of signing all documents associated with the grant.

Approved on the Consent Agenda.

**RESOLUTION NO. 41-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2017 BYRNE JUSTICE ASSISTANCE GRANT ("JAG") PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT BETWEEN DALLAS COUNTY AND THE CITIES OF BALCH SPRINGS, CARROLLTON, DALLAS, DESOTO, DUNCANVILLE, GARLAND, GRAND PRAIRIE, IRVING, LANCASTER, MESQUITE AND RICHARDSON IN THE REVISED AMOUNT OF \$22,010.31; DESIGNATING THE CITY OF DALLAS AS THE APPLICANT AND FISCAL AGENT; AND DESIGNATING THE POLICE CHIEF AS THE RESPONSIBLE OFFICER FOR THE PURPOSE OF SIGNING ALL DOCUMENTS ASSOCIATED WITH THE GRANT. (Resolution No. 41-2017 recorded in Resolution**

**Book No. 51.)****10**

A resolution accepting additional funding in connection with the 2016 Homeland Security Grant Sub-Recipient Award Number 3160401 with the Office of the Governor, Texas Homeland Security State Administrative Agency in the amount of \$51,000.00; authorizing the Mayor to execute all documents in connection with the award of the grant; designating the Police Chief as the responsible officer for the purpose of signing all subordinate documents associated with the grant and agreeing to return the grant in the event of loss or misuse of the grant funds.

**Approved on the Consent Agenda.**

**RESOLUTION NO. 42-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ACCEPTING ADDITIONAL FUNDING IN CONNECTION WITH THE 2016 HOMELAND SECURITY GRANT SUB-RECIPIENT AWARD NUMBER 3160401 WITH THE OFFICE OF THE GOVERNOR, TEXAS HOMELAND SECURITY STATE ADMINISTRATIVE AGENCY IN THE AMOUNT OF \$51,000.00 (THE "\$51,000 GRANT"); AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS IN CONNECTION WITH THE AWARD OF THE \$51,000 GRANT; DESIGNATING THE POLICE CHIEF AS THE RESPONSIBLE OFFICER FOR THE PURPOSE OF SIGNING ALL SUBORDINATE DOCUMENTS ASSOCIATED WITH THE \$51,000 GRANT AND AGREEING TO RETURN THE \$51,000 GRANT IN THE EVENT OF LOSS OR MISUSE OF THE \$51,000 GRANT FUNDS. (Resolution No. 42-2017 recorded in Resolution Book No. 51.)**

**11**

A resolution authorizing the City Manager to execute an Interlocal Agreement with Dallas County for City participation in the Dallas Area Household Hazardous Waste Network for Fiscal Year 2017-18 for an amount not to exceed \$92,500.00, with options to renew for four additional one-year terms.

**Approved on the Consent Agenda.**

**RESOLUTION NO. 43-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH DALLAS COUNTY FOR FISCAL YEAR 2017-18 FOR AN AMOUNT NOT TO EXCEED \$92,500.00 IN CONNECTION WITH THE DALLAS AREA HOUSEHOLD HAZARDOUS WASTE NETWORK WITH OPTIONS TO RENEW FOR FOUR ADDITIONAL ONE-YEAR TERMS; AND PROVIDING AN EFFECTIVE DATE THEREOF. (Resolution No. 43-2017 recorded in Resolution Book No. 51.)**

**12**

A resolution authorizing the Mayor to finalize and execute the Participation Agreement and all other documents necessary to become a participant of Texas Local Government Investment Pool Prime (TexPool Prime) and designating the positions of Director of Finance, Manager of Accounting and Manager of Budget and Financial Analysis to act as the City of Mesquite's authorized representatives.

**Approved on the Consent Agenda.**

**RESOLUTION NO. 44-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO FINALIZE AND EXECUTE THE PARTICIPATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO BECOME A PARTICIPANT OF TEXAS LOCAL GOVERNMENT INVESTMENT POOL PRIME ("TEXPOOL PRIME") AND DESIGNATING THE POSITIONS OF DIRECTOR**

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**OF FINANCE, MANAGER OF ACCOUNTING, AND MANAGER OF BUDGET AND FINANCIAL ANALYSIS TO ACT AS THE CITY OF MESQUITE'S AUTHORIZED REPRESENTATIVES. (Resolution No. 44-2017 recorded in Resolution Book No. 51.)**

13

A resolution authorizing the sale of a tax-foreclosed property located at 34 Forest Creek Circle, Mesquite, Texas, accepting the offer from the purchaser to purchase the property, ratifying and approving the offer and purchase agreement executed by the purchaser setting forth the terms and conditions of the sale of the property, and authorizing the City Manager to execute a quitclaim deed and all other documents necessary or requested to complete the closing and sale of the property.

**Approved on the Consent Agenda.**

**RESOLUTION NO. 45-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF A TAX-FORECLOSED PROPERTY LOCATED AT 34 FOREST CREEK CIRCLE, MESQUITE, TEXAS (THE "PROPERTY"); ACCEPTING THE OFFER FROM THE PURCHASER TO PURCHASE THE PROPERTY; RATIFYING AND APPROVING THE OFFER AND PURCHASE AGREEMENT EXECUTED BY THE PURCHASER SETTING FORTH THE TERMS AND CONDITIONS OF THE SALE OF THE PROPERTY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING AND SALE OF THE PROPERTY. (Resolution No. 45-2017 recorded in Resolution Book No. 51.)**

14

A resolution authorizing the purchase and sale of multiple tax-foreclosed properties (100 Clary Drive, 1430 Melton Lane, 701 Military Parkway and 1425 Woodcrest Drive) located in Mesquite, Texas, and authorizing the City Manager to execute quitclaim deeds and all other documents necessary or requested to complete the closing, purchase and sale of the properties.

**Approved on the Consent Agenda.**

**RESOLUTION NO. 46-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE PURCHASE AND SALE OF MULTIPLE TAX-FORECLOSED PROPERTIES LOCATED IN MESQUITE, TEXAS (THE "PROPERTIES"); AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING, PURCHASE AND SALE OF THE PROPERTIES. (Resolution No. 46-2017 recorded in Resolution Book No. 51.)**

15

Bid No. E2017-054 - 15-Inch Diameter Sanitary Sewer Replacement.

(Authorize the City Manager to finalize and execute a contract with low bidder La Banda, LLC, in the amount of \$222,468.75.)

**Approved on the Consent Agenda.**

16

Bid No. 2018-010 - Annual Parts and Labor to Repair International Trucks.

(Staff recommends award to sole source provider Southwest International Trucks, Inc., in the amount of \$130,000.00.)

**Approved on the Consent Agenda.**

17

Authorize the City Manager to finalize and execute a change order with Criado and Associates, Inc., for additional engineering and design services in

conjunction with the Town East Boulevard Reconstruction Project from US Highway 80 to Skyline Drive in an amount of \$92,189.50.

**Approved on the Consent Agenda.**

- 18 Authorize the City Manager to finalize and execute a change order for Bid No. I057-2017, Annual Supply of OEM Kenworth Parts, with MHC Kenworth for additional truck parts in the amount of \$45,000.00.

**Approved on the Consent Agenda.**

- 19 Authorize the City Manager to finalize and execute the second amendment to the Interlocal Public Transit Service Agreement with Dallas Area Rapid Transit Bus Service, LGC, and STAR Transit to extend the term of the agreement and outlining costs.

**Approved on the Consent Agenda.**

- 20 Approve a petition requesting installation of speed bumps in the alley between Thistle Drive and Purple Sage Trail to Wildflower Lane.

**Approved on the Consent Agenda.**

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

#### **CONSIDERATION OF RESOLUTION**

- 21 Consider a resolution to postpone the Professional Engineering Services Contract with Binkley & Barfield, Inc., for the reconstruction of Gus Thomasson Road from US Highway 80 to Town East Boulevard and encourage development of a roadway design policy.

The following persons spoke in favor of the proposed resolution: 1) Earnest Wilbanks, 2318 Schirra Way; 2) Kendra Armijo, 2304 Borman Avenue; 3) Ernest Culpepper, 2424 Eastbrook Drive; 4) Denise Turley, 3216 Hula Drive; 5) Carla Cash, 2200 Anders Drive; 6) Thomas Hubacek, 1324 Fernwood; 7) Carol Taylor, 2717 Greenhill Drive; 8) Larry Good, 2621 Monticello; 9) Deidra Johnson, 2308 Fulton Drive; 10) Millie Arnold, 2206 Luau; 11) L.C. Williams, 2931 Elder Drive and 12) Julie Shelton, 1804 Mt. Pleasant.

The following persons spoke in opposition of the proposed resolution:

1) Minh Huynh, 308 Keswick Lane; 2) David Burris, 2229 Coryell Way; 3) Oreta McMillan, 2215 Borman Avenue and 4) Barbara Rojas, 2423 Lagoon Drive.

Councilmembers expressed their opinions regarding the proposed resolution.

Mr. Miklos moved to approve a resolution to postpone the Professional Engineering Services Contract with Binkley & Barfield, Inc., for the reconstruction of Gus Thomasson Road from US Highway 80 to Town East Boulevard and encourage development of a roadway design policy. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:

**Ayes: Miklos, Archer, Aleman**

**Nays: Pickett, Casper, Noschese, Boroughs**

Motion failed.

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 22 Consider appointment of one regular member to the Capital Improvements Advisory Committee for a term to expire September 30, 2018.

**Mr. Archer moved to appoint Jim Andrews as a regular member to the Capital Improvements Advisory Committee for a term to expire September 30, 2018. Motion was seconded by Mr. Casper and approved unanimously.**

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 10:10 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 prospect considering a project in the Skyline Industrial District); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:18 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 10:18 P.M.**

The City Council met 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 new industrial buildings and a business expansion in the Skyline Industrial Village); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:25 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 10:25 P.M.**

The City Council met 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 prospect considering a project in the Town East Mall retail district); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:36 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 10:36 P.M.**

The City Council met 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 business facility expansion on East Scyene Road); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:42 p.m., the City Council reconvened in Open Session.

No executive action was necessary.



**ADJOURNMENT**

Mr. Archer moved to adjourn the meeting. Motion was seconded by Mr. Noschese and approved unanimously. The meeting adjourned at 10:42 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Stan Pickett, Mayor