



City of Mesquite, Texas

Minutes - Final City Council

Monday, November 20, 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

- 1 Receive briefing regarding proposed revisions to Solid Waste Division procedures.

 Council directed staff to proceed with developing an ordinance incorporating the proposed revisions to Solid Waste Division procedures and place on a future agenda for consideration.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:14 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 (Discuss proposed annexation); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:38 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:41 P.M.

- 2 Receive quarterly report from Police Department.

 Police Chief Charles Cato reviewed the 2017 Uniform Crime Reporting crime statistics from January 2017 through September 2017. There are currently 16 police officer vacancies. The Human Resources Department recently hired a full-time civil service recruiter to assist with the recruiting and hiring of public safety employees. One police academy is currently in session with seven recruits scheduled for graduation in January 2018. A new police academy session will begin in December 2017 with five recruits. In October 2017, staff worked with the Civil Service Commission to eliminate the college requirement for persons with three years of active duty military service. Chief Cato stated that six employees have been hired through the Lateral Transfer program with two more in the

hiring process.

Chief Cato reviewed the 2016-17 projects that are nearing completion – online reporting software, five mobile monitoring system trailers and the mobile license plate reader system. Work towards the following 2017-18 projects has just begun – public service professionals, crime scene mobile response vehicle, digital case filing program, License Plate Reader (LPR) System Retail District, Phase 1, LPR System Major Intersection, Phase 1, Citywide Monitoring System, Major Egress Monitoring System and the National Integrated Ballistics Information Network.

Councilmembers expressed appreciation to Chief Cato and the Mesquite Police Department for their hard work and dedication to our community.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:17 P.M.

INVOCATION

Deputy Mayor Pro Tem Dan Aleman.

PLEDGE OF ALLEGIANCE

Members of the Community Heart of Mesquite.

SPECIAL ANNOUNCEMENTS

(1) Mr. Miklos expressed appreciation to the members of the Mesquite Fire Department. He stated that he recently graduated from the Mesquite Fire Department Citizens' Fire Academy and learned first-hand what the firefighters are challenged with on a daily basis.

(2) Mr. Casper invited citizens to attend the tree lighting in Heritage Square to kick off the Annual Christmas on the Square event on Tuesday, November 28, 2017, from 6:00 p.m. to 8:00 p.m. Activities include live entertainment, pictures with Santa, food trucks and much more.

(3) Mr. Casper encouraged citizens to attend the 31st Annual Christmas in the Park event at Westlake Park, 600 Gross Road, on Saturday, December 2, 2017, and Sunday, December 3, 2017, from 1:00 p.m. to 6:00 p.m. Activities include Here Comes Christmas parade, fireworks, pictures with Santa, holiday performances, yule log and many more family friendly activities.

(4) Mr. Archer stated that he, along with Councilmember Greg Noschese and City Manager Cliff Keheley, recently attended Town East Mall's Grand Opening of the ReadPlayTalk children's play area which supports the Mesquite Independent School District's initiative to ensure all children are on grade level reading by third grade. He encouraged citizens to get involved with reading, playing and talking to their children.

(5) Mr. Boroughs announced that the Mesquite AMBUCS will host their Annual Pancake Breakfast with Santa on Saturday, December 2, 2017, at Evans Recreation Center from 8:00 a.m. to 11:00 a.m. Attendees can enjoy a pancake breakfast and a visit with Santa for \$3.00 per person. All proceeds benefit AMBUCS which provides amtrykes to mobility challenged individuals.

(6) Mr. Aleman congratulated Jack Love, General Manager at Town East Mall, on the new ReadPlayTalk play area and was encouraged to see Poteet High School football players reading to children in the reading area. Poteet High School football players regularly visit MISD elementary schools and read to the students as part of the ReadPlayTalk program.

(7) Mr. Noschese stated that many things are happening in Mesquite. Dick's Sporting Goods will be opening in March 2018 at Town East Mall, a new Home Goods and Michael's is currently being constructed across from Town East Mall and Snuffer's Restaurant will be opening on December 15, 2017. He complimented fellow Councilmembers and City staff for their efforts on bringing new businesses to Mesquite and encouraged citizens to shop locally.

(8) Mr. Noschese expressed appreciation to the Mesquite AMBUCS for their dedication and encouraged citizens to attend the pancake breakfast. He thanked Mr. Boroughs along with City staff, who are AMBUCS members, for their contributions to the community.

(9) Mr. Pickett encouraged citizens to support to the Mesquite Police Department's Santa Cop program which assists children and families in need during the holiday season. Citizens can volunteer or provide donations to the program.

CITIZENS FORUM

(1) Jennifer Vidler, 300 Clear Springs Drive, stated that this Saturday is Small Business Saturday and encouraged residents to shop locally to support small local businesses. She encouraged promotion of the Mesquite Independent School District's Career and Technology Education courses, such as Automotive Technology, Cosmetology, Culinary Arts and many others, which prepare students for future careers.

(2) Thomas Ervin II, 2221 Creek Royal Drive, requested that the Police dash cam and body cam videos be released regarding a recent officer shooting.

(3) Lauren Armstrong, 3410 Caracas Drive, expressed peace for the community and surrounding areas.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Noschese moved to approve Item Nos. 3-5 and 7-15 on the Consent Agenda, as follows. Motion was seconded by Mr. Aleman and approved unanimously.

- 3** Minutes of the special City Council meetings held October 23, 2017, and October 26, 2017, and regular City Council meeting held November 6, 2017.

Approved on the Consent Agenda.

- 4** An ordinance, on first reading, granting to Atmos Energy Corporation, Mid-Tex Division, a Texas and Virginia Corporation, its successors and assigns, a franchise to furnish, transport and supply natural gas to the general public in the City of Mesquite, Dallas County, Texas, to construct, maintain and operate pipelines and equipment for the transportation, delivery, sale and distribution of natural gas in, out of and through said City for all purposes, and providing for the payment of a fee or charge for the use of the public rights-of-ways.

Approved on the Consent Agenda.

AN ORDINANCE, ON FIRST READING, OF THE CITY OF MESQUITE, TEXAS, GRANTING TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO FURNISH, TRANSPORT AND SUPPLY NATURAL GAS TO THE GENERAL PUBLIC IN THE CITY OF MESQUITE, DALLAS AND KAUFMAN COUNTIES, TEXAS, TO CONSTRUCT, MAINTAIN AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY

OF MESQUITE, DALLAS AND KAUFMAN COUNTIES, TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF NATURAL GAS IN, OUT OF AND THROUGH SAID CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAYS; PROVIDING THAT SUCH FEE SHALL BE IN LIEU OF OTHER FEES AND CHARGES, EXCEPTING AD VALOREM TAXES; REPEALING ALL PREVIOUS ATMOS ENERGY GAS FRANCHISE ORDINANCES; PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED; A MOST FAVORED NATIONS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- 5 An ordinance amending Chapter 9 of the City Code concerning the location of school zones for Rugel Elementary School along Gross Road, effective November 27, 2017.

Approved on the Consent Agenda.

Ordinance No. 4521, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, CONCERNING THE LOCATION OF SCHOOL ZONES BY PROVIDING A CERTAIN AMENDMENT TO SECTION 9-147(1)(e) THEREBY PROVIDING A SCHOOL ZONE FOR RUGEL ELEMENTARY ALONG GROSS ROAD; 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. 4521 recorded in Ordinance Book No. 109.)

- 7 A resolution casting a vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District.

Approved on the Consent Agenda.

Resolution No. 63-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, CASTING ITS VOTE FOR THE FOURTH MEMBER OF THE BOARD OF DIRECTORS OF THE DALLAS CENTRAL APPRAISAL DISTRICT. (Resolution No. 63-2017 recorded in Resolution Book No. 52.)

- 8 A resolution approving an agreement by and between the City of Mesquite and Leslie Cole Watson relating to a Farm Cash Lease of City-owned property.

Approved on the Consent Agenda.

Resolution No. 64-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING AN AGREEMENT BY AND BETWEEN THE CITY OF MESQUITE, TEXAS, AND LESLIE COLE WATSON RELATING TO A FARM CASH LEASE FOR CITY PROPERTY LOCATED ALONG SCYENE AND BERRY ROADS. (Resolution No. 64-2017 recorded in Resolution Book No. 52.)

- 9 A resolution endorsing the 2017-2018 Impaired Driving Mobilization Grant for the Selective Traffic Enforcement Project (STEP), approving the contribution of City funds in the amount of \$3,811.78 and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation.

Approved on the Consent Agenda.

Resolution No. 65-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

MESQUITE, TEXAS, ENDORSING AND ACCEPTING THE 2017-2018 IMPAIRED DRIVING MOBILIZATION GRANT FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROJECT; APPROVING THE CONTRIBUTION OF CITY FUNDS IN THE AMOUNT OF \$3,811.78; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SUCH GRANT AND PROJECT. (Resolution No. 65-2017 recorded in Resolution Book No. 52.)

- 10 Bid No. 2015-018 - Annual Contract for Road and Highway Building Material.
(Staff recommends award to Oldcastle Materials Texas, Inc., dba Texas Bit, Inc., through an Interlocal Cooperative Purchasing Agreement with Dallas County, in an amount not to exceed \$307,000.00.)

Approved on the Consent Agenda.

- 11 Bid No. 2018-009 - Annual Uniform Rental Services.
(Staff recommends award to UniFirst Corporation in an amount not to exceed \$71,500.00.)

Approved on the Consent Agenda.

- 12 Bid No. 2018-015 - Annual Landscaping and Property Preservation Maintenance for Environmental Code.
(Authorize the City Manager to finalize and execute contracts with DALTEXPRO Facility Services, LLC; Patrick Butler d/b/a Patrick Butler's Lawn Services; and Christopher James Lofton d/b/a Eden's Touch Landscape Management, in a total amount not to exceed \$240,000.00.)

Approved on the Consent Agenda.

- 13 Bid No. 2018-023 - Purchase of Twelve Heavy Duty Trucks.
(Staff recommends award to MHC Kenworth, in Dallas, Texas, through BuyBoard Contract No. 526-16, sponsored by the Texas Association of School Boards, in the amount of \$1,695,257.00.)

Approved on the Consent Agenda.

- 14 Bid No. 2018-027 - Purchase of SRO Rifles.
(Staff recommends award to sole source provider Lewis Machine & Tool Company in the amount of \$62,337.87.)

Approved on the Consent Agenda.

- 15 Bid No. 2018-031 - Annual Supply of Personal Computers.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-SDD-1951, in the amount of \$208,132.40.)

Approved on the Consent Agenda.

CONSENT AGENDA ITEM CONSIDERED SEPARATELY

- 6 A resolution authorizing the City Manager to finalize and execute a development agreement with BDMR Development, LLC, and Polo Ridge Fresh Water Supply

District of Kaufman County regarding approximately 822.1 acres of land generally located south of FM 740, west of FM 2757, and north of Kelly Road in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite and being commonly referred to as "Polo Ridge" and authorizing the City Manager to administer the agreement on behalf of the City.

(This item was postponed at the November 6, 2017, City Council meeting.)

Mr. Miklos left the meeting.

Mr. Noschese moved to postpone consideration of a resolution authorizing the City Manager to finalize and execute a development agreement with BDMR Development, LLC, and Polo Ridge Fresh Water Supply District of Kaufman County regarding approximately 822.1 acres of land generally located south of FM 740, west of FM 2757, and north of Kelly Road in Kaufman County, Texas, located within the extraterritorial jurisdiction of the City of Mesquite and being commonly referred to as "Polo Ridge" and authorizing the City Manager to administer the agreement on behalf of the City to the December 4, 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, Casper, Aleman, Boroughs

Nays: None

Abstentions: Miklos

Motion carried.

END OF CONSENT AGENDA

PUBLIC HEARING

16

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.

(This item was postponed at the September 18, 2017, and October 16, 2017, City Council meetings.)

Mr. Miklos entered the meeting.

Mr. Miklos 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

to the December 4, 2017, City Council meeting. Motion was seconded by Mr. Casper and approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 17 Consider appointment of three members to the Historic Mesquite, Inc., Board of Directors representing Places 1, 2 and 3, for terms to expire December 31, 2020, one member representing Place 4, for a term to expire December 31, 2019, and one member representing Place 7, for a term to expire December 31, 2018.

Mr. Archer moved to appoint Teia Collier, Place 1, Rose Grimsley, Place 2, and Helen Ethridge, Place 3, as members of the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2020, Suanne Toupal, Place 4, for a term to expire December 31, 2019, and Cecelia Riggie, Place 7, for a term to expire December 31, 2018. Motion was seconded by Mr. Aleman and approved unanimously.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 7:50 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; whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:35 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:36 P.M.

Mayor Pickett announced that the City Council would meet in Executive Session pursuant to 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 City Manager); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:50 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. Miklos and approved unanimously. The meeting adjourned at 10:50 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor

