



City of Mesquite, Texas

Minutes - Final City Council

Monday, February 4, 2019

4:30 PM

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

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

PRE-MEETING - TRAINING ROOMS A&B - 4:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding the Front Street Station project.

 It was Council consensus to proceed with preferred design #2.
- 2 Receive briefing regarding proposed financial policies for City Council approval.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:06 P.M.

- 3 Receive quarterly report from the Police Department.

 Charles Cato, Police Chief, recognized retired Police Chief Harmon Ivie who was in attendance. Chief Cato presented the quarterly report for the Mesquite Police Department (MPD). He reviewed the Uniform Crime Reporting statistics and clearance rates for murder, rape, robbery, aggravated assault, burglary, larceny-theft and motor vehicle theft as well as gunfire reports and DWI arrests. He reviewed the beat districts, crime quadrants and provided success stories in several districts. He reviewed the statistics for the communications center, property room, false alarms, jail activity, school resource officer incidents and personnel hired in 2018. Chief Cato stated that the Mesquite Citizens Police Academy (MCPA) recently had the largest class in MPD history with 54 graduates and the MCPA Alumni Association now has 250 dues-paying members. The Santa Cop Toy Program raised \$60,141.95 and assisted over 360 families by providing over 9,000 toys to over 1,015 children, which was a record number for the program. The program has almost doubled in size over the past three years. Chief Cato expressed appreciation to the Mesquite community for their generosity in making the Santa Cop Toy Program a huge success.

 Councilmembers expressed appreciation to Chief Cato and the MPD for their dedication to our community.

 A brief recess was taken at 6:34 p.m. The meeting resumed at 6:38 p.m.
- 4 Presentation of meritorious awards to Fire Department employees.

Fire Chief Mark Kerby stated that one of the ways that the Fire Department measures a firefighters' physical ability to perform is an evaluation called the Physical Ability Test (PAT), which is mandatory for every fire department member, up to and including the Fire Chief. The following members posting times designated as optimal for their age group have earned the PAT Fitness Bar:

- Bob Muse, Pat B. Wilson, Eric Haake, Stephen Parks, Chris Kneegs, Rickey Robinson, Parker Jackson, Steven Jones, Kevin Stone, Kyle Stone, David England, Jarrod Thurman, William Rosen, Tash Even, Lane Powell, Tommy Green, Kevin Boling, Jimmy Rogers, Zach Phillips, Brian Hill, Chad Tessem, Wes Waugaman, Robert Milby, Eric Wright, Benton Austin, Michael Bartis, Andrew Rawe, Clint Barthold, Brian Staples, Jerry Jedlicka, Ray Sewell, Rob Williams, Joe Baker, Kris Johnson, Keith Harrison, Keith Hopkins, Brody Hodge, Jody McPherson, Steve Hildebrandt, Keith Honey, Jeremy Stroope, Jeff Miller, Paul Polish, Shaun Jordan, Kevin Black, Brett Phillips, Michael Teamann, Phil Cunningham, Bruce Kunz, Kenneth Holt and Kelly Turner.

Fire Chief Mark Kerby and Captain Harlan Lowrance presented meritorious awards to Fire Department employees in recognition of their achievements and outstanding service. Awards were presented as follows:

- Fire Department Community Service Award to Mark North, George Rice and Benny Rice;
- Lifesaving Award No. 1 to Firefighter/Paramedic (FF/P) Wayne Lasater, FF/P Andrew Ward, Captain Greg Douglas, Driver-Engineer/Paramedic (DE/P) Paul Craig and FF/P Jimmy Reimer;
- Lifesaving Award No. 2 to FF/P Kyle Stone, FF/P Matthew Cummings, Lieutenant/Paramedic (Lt./P) Kenny Crawford, FF/P Ken Holt, FF/P Rodney Jones, FF/EMT Ryan Terry, FF/P Wayne Lasater, FF/P Erric Baack, Captain Kyle Harris, FF/P Jeff Dillon and FF/P Mike Potter;
- Lifesaving Award No. 3 to FF/P Isaac Joseph, FF/P Brett Phillips, Captain Keith Hopkins, FF/P Kyle Kresta, FF/P Aaron Featherston, FF/EMT Ryan Terry, Captain Kyle Harris, DE/P Elliot Howard and FF/P Kyle Stone;
- Lifesaving Award No. 4 to FF/P Michael Small, FF/P Ken Reed, Lt./P Israel Guy, DE/P Lewis Lester and FF Keith Honey;
- Lifesaving Award No. 5 to FF/P Chad Tessem, FF/P Michael Small, DE/P Jacob Heise, DE/P Jesse Kingery and FF/P Andrew Pratz;
- Lifesaving Award No. 6 to FF/P Nicholas Dagenais, FF/P Matthew Koop, Lt./P Matt Haisten, DE/P Travis Block and FF/P Micah Marienfeld;
- Lifesaving Award No. 7 to FF/P Jeff Dillon, FF/P Kyle Stone, Lt./P Kenny Crawford, DE/P Elliot Howard and FF/P Erric Baack;
- Lifesaving Award No. 8 to FF/P Ken Holt, FF/P Tobias Henry, Captain Keith Hopkins, DE/P Travis Edwards, FF/P Kevin Stone and FF/P Joseph Isaac;
- Merit Award to FF Russell Wolf;
- Fire Service Commendation Bar to FF/P Brian Jeffreys, FF/P Jason Dagenais, Captain Jason Eddy, DE/P Ron Boruff, FF/P Madison Lyle, FF/P Kasey Vestal, Captain Kyle Harris, DE/P Elliot Howard, FF/P Ken Holt, Captain David Lewis, DE/P Jacob Heise, FF/P Andrew Pratz, Lt. Eric Haake, Deputy Chief Jeff Miller and DE/P Zach Phillips; and
- Paramedic of the Year to FF/P Dan Kirk;
- Officer of the Year to Lt. David Ivie and
- Firefighter of the Year to DE/P Elliot Howard.

The work session ended at 7:15 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:23 P.M.

INVOCATION

Archie Greer, Pastor, Trinity Christian Worship, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Citizens Police Academy Alumni Association.

PRESENTATIONS

- 5 Presentation of a plaque to Chris Jasper in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee.
- Mayor Pickett presented a plaque to Chris Jasper in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee from April 2013 to December 2018.**
- 6 Presentation of a plaque to Michael Hooker in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee.
- Mayor Pickett presented a plaque to Michael Hooker in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee from April 2013 to December 2018.**

SPECIAL ANNOUNCEMENTS

- (1) Mesquite Police Detective Brandon Snyder stated that \$15,871.00 was raised during the Polar Plunge, supporting Special Olympics Texas. Over 71 people registered to take the Polar Plunge. Pledgers include Mayor Stan Pickett, Deputy Mayor Pro Tem Tandy Boroughs and Councilmember Greg Noschese. Mr. Noschese was honored as the top individual fundraiser, raising \$1,905.00, and received a plaque and medal for his efforts.
- (2) Mr. Aleman thanked the Mesquite Police Department for their diligence in apprehending the suspect who recently burglarized five churches and one middle school in Mesquite.
- (3) Mr. Aleman invited residents to a Creek Crossing neighborhood meeting on Tuesday, February 12, 2019, at 7:00 p.m., at the Crossing Baptist Church, 1060 Clay Mathis Road.
- (4) Mr. Noschese encouraged everyone to support our public schools and teachers by attending the 13th Annual Lone Star Legacy Gala, a fundraiser event for the Mesquite Independent School District (MISD) Education Foundation on Saturday, February 23, 2019, at the Mesquite Arena, 1818 Rodeo Drive, featuring Creedence Clearwater Revisited.
- (5) Mr. Miklos reminded residents that Friday, February 8, 2019, is the deadline to register for the 2nd Annual Neighborhood Summit to be held on Saturday, February 16, 2019, at 8:15 a.m., at MISD's Professional Development Center, 2600 Motley Drive.
- (6) Mr. Miklos invited residents to attend a Town East/Range/Astronaut streets neighborhood meeting on Tuesday, February 5, 2019, at 6:30 p.m., at Town East Baptist Church, 3117 Town East Boulevard.

- (7) Mr. Archer reminded residents to register their dogs and cats with the City and have them vaccinated each year.
- (8) Mr. Archer invited citizens to Meet Your Councilmember on Friday, February 8, 2019, at 7:00 p.m., at Crispy "N" Puffy Taquito, 1151 East Main Street.
- (9) Mr. Archer honored citizens who recently supported the victims of the Whataburger and 7-11 store robberies.
- (10) Mr. Archer invited citizens to participate in a trash pickup this Saturday, February 9, 2019, at 10:00 a.m., at Seabourn Park, 2301 Picadilly Boulevard.
- (11) Mr. Archer announced that Phillip Cunningham is the new President of the Mesquite Firefighters Association.
- (12) Mr. Boroughs expressed appreciation for the Mesquite Fire Department for the service they provide to our community.
- (13) Mr. Boroughs encouraged citizens to attend the Mesquite Community Theatre's presentation, Savannah Sipping Society, on Friday, February 15, 2019, at 8:00 p.m., at the Mesquite Arts Center, 1527 North Galloway Avenue.
- (14) Mr. Casper announced that the Mesquite Main Library, 300 West Grubb Drive, will host free tax assistance for residents from Monday, February 4, 2019, through Monday, April 15, 2019, from 10:00 a.m. to 2:00 p.m., on a first-come, first-serve basis.

CITIZENS FORUM

- (1) Terri White, 505 Riggs Circle, expressed concerns regarding a temporary concrete batch plant permit.
- (2) Amanda Leath, 1545 Wheatfield Drive, expressed concerns regarding the Mesquite PeeWee Football Association.

CONSENT AGENDA

Approval of the Consent Agenda

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

- 7** Minutes of the regular City Council meeting held January 22, 2019.

Approved on the Consent Agenda.

- 8** An ordinance ordering a Special Election to be held on May 4, 2019, for the purpose of submitting to the qualified voters of the City, for adoption or rejection, the question of whether to authorize the sale of approximately 171.393 acres of City park land located at 3811 South Belt Line Road, containing approximately 87.727 acres, and adjacent land located at 4600 Mercury Road, containing approximately 83.666 acres, the entirety of which is located in the City of Balch Springs, Dallas County, Texas.

Approved on the Consent Agenda.

Ordinance No. 4649, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 4, 2019, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY, FOR ADOPTION OR REJECTION, THE QUESTION OF WHETHER TO AUTHORIZE THE SALE OF APPROXIMATELY 171.393 ACRES OF CITY PARK LAND LOCATED AT

3811 SOUTH BELT LINE ROAD, CONTAINING APPROXIMATELY 87.727 ACRES, AND ADJACENT LAND LOCATED AT 4600 MERCURY ROAD, CONTAINING APPROXIMATELY 83.666 ACRES; PRESCRIBING THE FORM AND WORDING OF THE BALLOT PROPOSITIONS; PROVIDING FOR LEGAL NOTICE; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTIONS; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4649 recorded in Ordinance Book No. 114.)

- 9 A resolution adopting a Debt Continuing Disclosure and Post Issuance Compliance Policy for the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 09-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A DEBT CONTINUING DISCLOSURE AND POST ISSUANCE COMPLIANCE POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 09-2019 recorded in Resolution Book No. 56.)

- 10 A resolution adopting an Accounting, Auditing and Financial Reporting Policy for the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 10-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AN ACCOUNTING, AUDITING AND FINANCIAL REPORTING POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 10-2019 recorded in Resolution Book No. 56.)

- 11 A resolution adopting an Annual Budget and Long-Range Plans Policy for the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 11-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AN ANNUAL BUDGET AND LONG-RANGE PLANS POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 11-2019 recorded in Resolution Book No. 56.)

- 12 A resolution adopting a Revenue Management and Expenditure Control Policy for the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 12-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A REVENUE MANAGEMENT AND EXPENDITURE CONTROL POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 12-2019 recorded in Resolution Book No. 56.)

- 13 A resolution authorizing the sale of two tax-foreclosed properties located at 3637 Bahamas Drive and 700 West College Street in Mesquite, Texas; accepting the offers from the purchasers to purchase the properties; ratifying and approving the Offer and Purchase Agreements executed by the purchasers setting forth the terms and conditions of the sale of the properties; and authorizing the City Manager to execute quitclaim deeds and all other documents necessary or requested to complete the closing and sale of the properties.

Approved on the Consent Agenda.

Resolution No. 13-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF TWO TAX-FORECLOSED PROPERTIES LOCATED AT 3637 BAHAMAS DRIVE AND 700 WEST COLLEGE STREET IN MESQUITE, TEXAS (THE "PROPERTIES"), ACCEPTING THE OFFERS FROM THE PURCHASERS TO PURCHASE THE PROPERTIES; RATIFYING AND APPROVING THE OFFER AND PURCHASE AGREEMENTS EXECUTED BY THE PURCHASERS SETTING FORTH THE TERMS AND CONDITIONS OF THE SALE OF THE PROPERTIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING AND SALE OF THE PROPERTIES. (Resolution No. 13-2019 recorded in Resolution Book No. 56.)

14

A resolution authorizing the sale of tax-foreclosed property located at 302 South Walker Street in 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. 14-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF TAX-FORECLOSED PROPERTY LOCATED AT 302 SOUTH WALKER STREET IN 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. 14-2019 recorded in Resolution Book No. 56.)

15

Bid No. 2019-018 - Annual Supply of Duplicating Papers.

(Staff recommends award to low bidder Western BRW Paper Company in the amount of \$104,486.58. The term of this contract is for a one-year period with four additional one-year renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

16

Authorize the City Manager to finalize and execute a supplemental agreement (Phase II) to the Construction Manager at Risk contract with SEDALCO, Inc., to establish the Guaranteed Maximum Price (GMP) of \$5,728,720.00 for construction services of new Mesquite Fire Station No. 4.

Approved on the Consent Agenda.

17

Authorize the City Manager to finalize and execute a contract with Graham Associates, Inc., to prepare construction documents for Powell Road, Powell Circle, Melton Lane, Magnolia Drive, Douglas Drive and Orchid Avenue in the amount of \$262,790.00.

Approved on the Consent Agenda.

- 18 Authorize the City Manager to finalize and execute a contract with Pipeline Analysis, LLC, to update the Sanitary Sewer Master Plan in the amount of \$624,910.00.

Approved on the Consent Agenda.

- 19 Authorize the City Manager to finalize and execute an interlocal agreement with the City of Balch Springs, Texas, to share in the cost of a Special Election to be held May 4, 2019, authorizing the City Council to convey City park land by sale, up to a maximum of \$30,000.00.

Approved on the Consent Agenda.

- 20 Authorize the City Manager to negotiate and execute a U.S. Army Corps of Engineers Wetland 404 Permit Mitigation Credit Sales Agreement with Wetlands Management, L.P., in the amount of \$177,735.00.

Approved on the Consent Agenda.

- 21 Receive the January 2019 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.

Approved on the Consent Agenda.**PUBLIC HEARINGS**

- 22 Conduct a public hearing and consider an ordinance for Application No. Z0518-0038, submitted by Warrant Corwin, Corwin Engineer, Inc., for a change of zoning from Planned Development - Office to Planned Development - Townhomes to allow a townhome residential subdivision, located at 2920 Gus Thomasson Road.

(One response in favor and two 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. This item was postponed from the January 22, 2019, City Council meeting.)

A public hearing was held for Application No. Z0518-0038.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to construct a townhome subdivision consisting of 227 townhome units with rear entry garages on individually owned lots. The homes will range from 1,400 to 1,900 square feet and have an average cost of \$250,000. The project includes a dedication of 10.15 acres to the City for South Mesquite Creek channel and erosion control improvements which will allow the subject property to develop. Mr. Armstrong reviewed the proposed Planned Development standards including the masonry and screening requirements.

Bruce French, Vice President of Land with HistoryMaker Homes, stated that HistoryMaker Homes is a fourth-generation builder and a 70-year old privately owned company. Mr. French stated that they have been working with staff for

almost one year on a product conducive to the area and neighborhood. A Home Owners Association (HOA) will be required and will maintain the front yards and all building structures.

Millie Arnold, 2206 Luau, expressed support for the application. No others appeared regarding the application.

Mr. Miklos moved to approve Application No. Z0518-0038, as recommended by the Planning and Zoning Commission, with the following stipulations, modifying Stipulation No. 5 under Section No. 1 of the ordinance and modifying Stipulation No. 11 in Exhibit A of Attachment 1 to the ordinance, as follows:

(1) Except as otherwise provided in this section, the plat and site plan for the property shall comply with the Planned Development (PD) Standards and the Standard 50' Right-of-Way (ROW) Detail, and shall conform substantially to the Concept Plan and the Typical Building Landscape Details, as provided in Attachment 1, which is made a part of this ordinance for all purposes.

- The PD Standards are provided as Exhibit A of Attachment 1.
- The Legal Description and Surveys are provided as Exhibit B of Attachment 1.
- The Concept Plan is provided as Exhibit C of Attachment 1.
- The Standard 50' ROW Detail is provided as Exhibit D of Attachment 1.
- The Typical Building Landscape Details are provided as Exhibit E of Attachment 1.

(2) Street trees shall be required and planted along Gus Thomasson Road to establish an opaque, living screen using evergreen trees.

(3) The maximum number of dwelling units shall not exceed 227 units.

(4) Interconnectivity among all open space lots is required. For purposes of these stipulations, interconnectivity means linked through pedestrian routes/pathways that connect each open space lot.

(5) A total of five different amenities must be incorporated into the development. The amenities may be from the following list which offer recreational opportunities or aesthetic enhancement of the property:

Amenity Tier 1

- Dog park
- Walking paths and benches
- Plaza or other common open space, provided the space has a minimum 10,000 square feet of land area, is not within the public right-of-way, is connected to the PD District's system of sidewalks, and is designated for walking and other passive recreation
- Community gathering area for Home Owners' Association - organized events

Amenity Tier 2

- Picnic area
- Rock garden

Amenity Tier 3

- Landscape trees and beds in common areas
- Entry monuments at all entrances into the development
- Multiple floor plans
- Decorative paving at key intersections
- Water features such as a water fountain or pond
- Historical markers

At least one amenity must be included on the Property from each Tier of Amenities.

Exhibit A of Attachment 1 to the ordinance:

11. Minimum Exterior Fire-Resistant Construction (Masonry, which masonry may include stone and brick, but shall not include cementitious fiberboard or stucco): 100 percent of all front facades and any façade facing Gus Thomasson Road shall be comprised of masonry as defined, and 70 percent of any other façade shall be masonry as defined in this paragraph and the remaining 30 percent of non-masonry materials shall be comprised of cementitious fiberboard.

And to approve Ordinance No. 4650, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – OFFICE TO PLANNED DEVELOPMENT – TOWNHOMES ON PROPERTY LOCATED AT 2920 GUS THOMASSON ROAD; ALLOWING A TOWNHOME DEVELOPMENT SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Casper and approved unanimously. (Ordinance No. 4650 recorded in Ordinance Book No. 114.)

23

Conduct a public hearing and consider an ordinance for Application No. Z1218-0079, submitted by Marilyn Diaz, on behalf of DDHFC, Inc. for a change of zoning from Planned Development - General Retail to Planned Development - General Retail with a Conditional Use Permit to allow a daycare, located at 1615 Oates Drive.

(No responses 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 of the application.)

A public hearing was held for Application No. Z1218-0079.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to open a Montessori School in a 7,400-square foot building on a one-acre tract. The vacant facility previously operated as a childcare center under two different ownerships since 1992 and includes amenities to support a daycare facility. The school will offer specialized organic food options, an Attention-Deficit/Hyperactivity Disorder (ADHD) program and weekend care.

Applicant Marilyn Diaz stated that the proposed daycare will be a Montessori School, which provides a different learning method than a traditional daycare program. The school will offer specialized organic food options, weekend care and may eventually add evening care.

No one appeared regarding the proposed application.

Mr. Noschese moved to approve Application No. Z1218-0079, as recommended by the Planning and Zoning Commission, adding the following stipulation:

The property owner shall submit a traffic circulation plan before the issuance of a certificate of occupancy. The traffic circulation plan shall demonstrate a safe route for peak student drop-off and pick-up and shall provide a sufficient queuing area to avoid interference with through traffic on Oates Drive.

And to approve Ordinance No. 4651, 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 ON PROPERTY LOCATED AT 1615 OATES DRIVE FROM PLANNED DEVELOPMENT – GENERAL RETAIL TO PLANNED DEVELOPMENT – GENERAL RETAIL WITH A CONDITIONAL USE PERMIT THEREBY ALLOWING CHILD DAYCARE SERVICES SUBJECT TO A CERTAIN STIPULATION; 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 EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Casper and approved unanimously. (Ordinance No. 4650 recorded in Ordinance Book No. 114.)

24

Conduct a public hearing and consider an ordinance for Application No. Z1218-0081, submitted by Masterplan on behalf of Jon Swehla, for a change of zoning from Industrial within the Skyline Logistics Hub Overlay to Service Station within the Skyline Logistics Hub Overlay, located at 117 South Town East Boulevard.

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

A public hearing was held for Application No. Z1218-0081.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to construct a 7-Eleven convenience store containing eight fuel pumps with 16 fueling positions on a vacant 1.4-acre tract. The current zoning limits the development to four fuel pumps with eight fueling positions. This property is located in the Skyline Logistics Hub Overlay District and will be difficult to develop as an industrial use because of the small lot size.

Wes Hoblett, representing the applicant, stated that the convenience store would contain approximately 3,000 square feet with eight fuel pumps with 16 fueling positions. 7-Eleven has a department that prepares a personalized security and safety plan for each store. Mr. Hoblett reviewed the traffic count for the intersection as well as the gas stations located within a two-mile radius.

No one appeared regarding the proposed application.

Mr. Miklos moved to deny Application No. Z1218-0081. Motion was seconded by Mr. Archer and approved unanimously.

25

Conduct a public hearing and consider a resolution authorizing and creating the Iron Horse Public Improvement District to include approximately 58.213 acres of land generally located north of Rodeo Drive, south of Scylene Road (also known as Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard in the City of Mesquite, Dallas County, Texas, located within the corporate limits of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code, providing for related matters and providing an effective date.

Mr. Miklos left the meeting.

A public hearing was held to consider a resolution authorizing and creating the Iron Horse Public Improvement District (PID) to include approximately 58.213 acres of land generally located north of Rodeo Drive, south of Scylene Road (also

known as Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard in the City of Mesquite, Dallas County, Texas, located within the corporate limits of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code, providing for related matters and providing an effective date.

Ted Chinn, Assistant City Manager, stated that the public hearing is required by State law to obtain public input regarding the feasibility of creating the Iron Horse PID. The developer is proposing a 58-acre mixed-use development with residential and commercial uses. The City will levy assessments in an amount sufficient to pay the debt service on special assessment revenue bonds issued to finance a portion of the authorized improvements, which is capped at \$10.2 million per the Development Agreement. The City will also dedicate 75 percent of Rodeo City Tax Increment Reinvestment Zone No. One revenues collected within the PID boundary to credit or offset a portion of the assessments levied by the City in accordance with the PID Service and Assessment Plan.

No one appeared regarding the proposed resolution.

Mr. Archer moved to approve Resolution No. 15-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING AND CREATING THE IRON HORSE PUBLIC IMPROVEMENT DISTRICT TO INCLUDE APPROXIMATELY 58.213 ACRES OF LAND GENERALLY LOCATED NORTH OF RODEO DRIVE, SOUTH OF SCYENE ROAD (ALSO KNOWN AS HIGHWAY 352), EAST OF STADIUM DRIVE AND WEST OF RODEO CENTER BOULEVARD IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS, IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Boroughs. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried. (Resolution No. 15-2019 recorded in Resolution Book No. 56.)

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:41 P.M.

Mr. Miklos entered the meeting.

Mayor Pickett announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or value of real property (Consider the lease of real property located at 3095 McKenzie Road, Mesquite, Texas); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:50 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:50 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 (City of Mesquite v. Govind Group Corp., and 3629 E. US Highway 80, Mesquite, Texas 75150 in rem and City of Mesquite v. Govind Group Corp.); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:55 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Aleman moved to adjourn the meeting. Motion was seconded by Mr. Miklos and approved unanimously. The meeting adjourned at 8:55 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor