



City of Mesquite, Texas

Minutes - Final City Council

Monday, July 20, 2020

5:00 PM

City Hall | Training Rooms A&B
757 N. Galloway | Mesquite, Texas

Present: Mayor Bruce Archer and Councilmembers Tandy Boroughs, Robert Miklos, Dan Aleman, Kenny Green, B. W. Smith and Sherry Wisdom, City Manager Cliff Keheley and City Secretary Sonja Land.

In accordance with the Governor's suspension of various provisions of the Texas Open Meetings Act issued pursuant to his State Disaster Authority, and guidance issued on the suspension by the Attorney General's Office, a quorum of the City Council attended the meeting by videoconference or in person in Training Rooms A & B, located at 757 North Galloway Avenue, Mesquite, Texas, and practiced social distancing. The meeting location was not open to the public.

This meeting was streamed live at www.cityofmesquite.com/watchcouncilmeetings and on Facebook at www.facebook.com/cityofmesquitetx, as well as on Spectrum Digital Channel 16 and AT&T U-verse Channel 99.

Members of the public were allowed to participate by telephone conference.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding possible text amendments to the Zoning Ordinance thereby allowing for a new overlay district called an "established neighborhood overlay district" (ENO) to be requested and created for certain established neighborhoods within the City.

Council provided information and directed staff to prepare an ordinance for future consideration.

- 2 Discuss the proposed budget for Fiscal Year 2020-21.

REGULAR CITY COUNCIL MEETING - TRAINING ROOMS A&B - 7:00 P.M.

INVOCATION

Lee Bruner, Pastor, Living Waters Ministries, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City of Mesquite staff.

SPECIAL ANNOUNCEMENTS

1. Mr. Smith stated that the District 5 neighborhood meeting that was scheduled for Saturday, August 1, 2020, has been postponed and will be rescheduled at a later date.
2. Mr. Aleman encouraged residents to look out for their neighbors. If help is needed regarding domestic violence, citizens can call the National Domestic Victims Hotline at 1-800-799-SAFE.
3. Ms. Wisdom commended the Meadowview Farms neighborhood for working together and helping fellow neighbors in need.
4. Ms. Wisdom stated that the District 1 and District 2 neighborhood meeting that was scheduled for August 1, 2020, has been postponed and will be rescheduled at a later date.
5. Mr. Green reminded citizens that July 31, 2020, is the deadline to purchase a brick for the Mesquite Veterans Memorial dedication ceremony in November 2020. The cost is \$50 per brick and can be engraved with a three-line personal message. He encouraged citizens to purchase a brick in honor of their loved ones.
6. Mr. Green mentioned that he has recently witnessed many individuals not wearing masks in public places. He encouraged citizens to keep everyone's health in mind when in public by wearing a mask and to practice social distancing.
7. Mayor Archer encouraged residents to interact with senior citizens in their neighborhood. Also, he encouraged residents to consider conducting virtual neighborhood meetings until they can safely meet in person.

CITIZENS FORUM

1. Terri White, 505 Riggs Circle, expressed support for sustainable projects and developments to benefit future generations.
2. Tierra Ransom, 4909 North Galloway Avenue, Apt. 2106, expressed support for implementing an all-day Pre-K4 program.

CONSENT AGENDA**Approval of the Consent Agenda**

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

- 3** Minutes of the regular City Council meeting held July 6, 2020.

Approved on the Consent Agenda.

- 4** A resolution authorizing the City Manager or his designee to accept a Coronavirus Aid, Relief and Economic Security (CARES) Act grant from the Texas Department of Transportation in the estimated amount of \$69,000.00 to prevent, prepare for and respond to the impacts of the COVID-19 public health emergency on airport operations and authorizing the City Manager or his designee to finalize and execute all necessary documents relative to the acceptance of such grant.

Approved on the Consent Agenda.

Resolution No. 29-2020, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CAES) ACT GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION IN THE ESTIMATED AMOUNT OF \$69,000.00 TO PREVENT, PREPARE FOR, AND RESPOND TO THE IMPACTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY ON AIRPORT OPERATIONS; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO FINALIZE AND EXECUTE ALL NECESSARY DOCUMENTS RELATIVE TO THE ACCEPTANCE OF SUCH GRANT. (Resolution No. 29-2020 recorded in Resolution Book No. 60.)

- 5** Bid No. 2020-006 - Holley Street, Lakeside Drive, Park Avenue, Mimosa Lane Asphalt Reclamation.
(Authorize the City Manager to finalize and execute a contract with low bidder Texas Materials Group, Inc., dba Texas Bit, in the amount of \$374,785.98.)

Approved on the Consent Agenda.

- 6** Bid No. 2020-083 - Annual Supply of Sand and Loam.
(Authorize the City Manager to finalize and execute a contract with Liberty Sand & Gravel, Inc., in an amount not to exceed \$188,431.40. The term of this contract is for a one-year period with four additional one-year renewal options. The City Manager is authorized to execute the renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 7** Bid No. 2020-088 - Lake Park Addition Sanitary Sewer Replacement Project.
(Authorize the City Manager to finalize and execute a contract with low bidder ANA Site Construction, LLC., in the amount of \$1,938,917.00.)

Approved on the Consent Agenda.

- 8** Bid No. 2020-095 - Lucas Bridge at South Mesquite Creek Erosion Control Project.
(Authorize the City Manager to finalize and execute a contract with low bidder Iron T Construction, Inc., in the amount of \$478,000.00.)

Approved on the Consent Agenda.

- 9** Bid No. 2020-101 - Purchase of 2020 Ford F-350 Diesel Chassis Ambulance Remount.
(Staff recommends award to Frazer, Ltd., in Houston, Texas, from Sterling McCall Ford, through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$155,250.00.)

Approved on the Consent Agenda.

- 10** Authorize the City Manager to finalize and execute Amendment No. 4 with Freese and Nichols, Inc., for additional design, Texas Commission on Environmental Quality (TCEQ) reporting, site inspections and review of construction documents for the Palos Verdes Dam Modifications project in the

amount of \$20,352.00.

Approved on the Consent Agenda.

- 11** Authorize the City Manager to finalize and execute a contract with Catholic Charities of Dallas, Inc., to administer a Resident Assistance Program for the City of Mesquite in an amount not to exceed \$2,000,000.00.

Approved on the Consent Agenda.

- 12** Call a public hearing for August 3, 2020, 7:00 p.m., at City Hall, Council Chamber, 757 N. Galloway Ave., Mesquite, Texas 75149, and order the required public notice for the public hearing be given of the date, time and location of the hearing for the proposed 2020-21 budget.

Approved on the Consent Agenda.

END OF CONSENT AGENDA

PUBLIC HEARINGS

- 13** Conduct a public hearing to receive citizen input on the proposed Fiscal Year 2020-21 budget.

A public hearing was held to receive citizen input on the proposed Fiscal Year 2020-21 budget.

Myra Rogers, Manager of Budget and Financial Analysis, stated that this is the second of three public hearings to receive citizen input on the proposed Fiscal Year 2020-21 budget. While the State of Texas requires one public hearing, the City typically offers multiple public hearings to provide citizens additional opportunities to share their thoughts, ideas and concerns about the City's annual budget. This year, City staff prepared a budget educational video along with a Citizen Budget Priorities Survey. The video along with the results of the survey are available on the City website. A virtual budget Town Hall meeting was conducted on Tuesday, July 14, 2020, with the recording available on the City's website. Ms. Rogers reminded citizens about the transparency portal on the City's website.

Ms. Rogers stated that the City budgets for 34 different funds – five operating funds, five debt service funds, two internal service funds, 10 special revenue funds and 12 capital projects funds. Ms. Rogers stated that the detailed schedules for the proposed budget are available on the City's website. The third and final public hearing will be held at the August 3, 2020, City Council meeting.

Dr. Terri White, 505 Riggs Circle, expressed support for removing mosquito spraying from the budget.

No others spoke regarding the proposed Fiscal Year 2020-21 budget.

- 14** Conduct a public hearing and consider an ordinance for Application No. Z0620-0141, submitted by City of Mesquite, for a change of zoning from Agricultural to Planned Development - Agricultural to allow a single-family residential development (Berkshire Estates), located southwest of FM 2932 and

County Road 214.

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

A public hearing was held for Application No. Z0620-0141.

Jeff Armstrong, Director of Planning and Development Services, stated that the City annexed the subject 363-acre site, located southwest of FM 2932 and County Road 214 in Kaufman County, in May 2020. The property was immediately zoned Agricultural as required by the Zoning Ordinance. On May 20, 2019, by Resolution No. 39-2019, the City Council approved a development agreement with Oak National Holdings, LLC, for a single-family residential development (Berkshire Estates) consisting of 269 one-acre lots. This proposed rezoning, initiated by the City of Mesquite per the development agreement, will provide zoning of the property that is consistent with the 2019 development agreement. Mr. Armstrong reviewed the development standards of the proposed development.

No one spoke regarding the proposed application.

Mr. Aleman moved to approve Application No. Z0620-0141, as recommended by the Planning and Zoning Commission and to approve Ordinance No. 4791, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURE TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL ON PROPERTY LOCATED SOUTHWEST OF FM 2932 AND COUNTY ROAD 214 TO ALLOW FOR THE DEVELOPMENT OF A RESIDENTIAL SUBDIVISION SUBJECT TO THE DEVELOPMENT AGREEMENT APPROVED BY RESOLUTION NO. 39-2019, AS AMENDED, AND CERTAIN DEVELOPMENT STANDARDS; 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. Smith and approved unanimously. (Ordinance No. 4791 recorded in Ordinance Book No. 120.)

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Conduct a public hearing and consider an ordinance approving Zoning Text Amendment No. 2020-04 to Mesquite Zoning Ordinance Section 3-203, Schedule of Permitted Uses; Section 3-508, Reception Facilities; and Section 6-102, Definitions; pertaining to new and revised regulations for major reception facilities, minor reception facilities and accessory reception facilities.

(The Planning and Zoning Commission recommends approval of the zoning text amendment.)

A public hearing was held for Zoning Text Amendment No. 2020-04.

Jeff Armstrong, Director of Planning and Development Services, stated that the proposed ordinance requires minor reception facilities located within 500 feet of a residential district to obtain a conditional use permit, sets a minimum number of security personnel based on event attendance in certain circumstances, adds surveillance camera requirements and makes further adjustments per the Council's direction during the Pre-Meeting.

No one spoke regarding the proposed amendment.

Mr. Miklos moved to keep the public hearing open and to postpone consideration of Zoning Text Amendment No. 2020-04 to Mesquite Zoning Ordinance Section

3-203, Schedule of Permitted Uses; Section 3-508, Reception Facilities; and Section 6-102, Definitions; pertaining to new and revised regulations for major reception facilities, minor reception facilities and accessory reception facilities to the August 3, 2020, City Council meeting. Motion was seconded by Ms. Wisdom and approved unanimously.

ADJOURNMENT

Mr. Aleman moved to adjourn the meeting. Motion was seconded by Mr. Boroughs and approved unanimously. The meeting adjourned at 7:41 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Bruce Archer, Mayor