



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, February 20, 2017

5:00 PM

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

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Present: Mayor Stan Pickett and Councilmembers Bruce Archer, Jeff Casper, Bill Porter, Greg Noschese and Dennis Tarpley, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember Dan Aleman.

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1                    Receive briefing regarding an exchange of extra-territorial jurisdiction with the City of Forney.  
  
                      It was Council consensus to decline the City of Forney's counterproposal for extra-territorial jurisdiction swap.
- 2                    Receive briefing regarding street lighting policy.  
  
                      Council directed staff to change the policy from 500-foot-spacing to 400-foot-spacing for mid-block streetlight requests.
- 3                    Receive briefing regarding advanced metering infrastructure.  
  
                      Postponed until the March 6, 2017, City Council meeting.

### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:31 P.M.**

- 4                    Receive financial statement for period covering October 1, 2016, through December 31, 2016.  
  
                      Debbie Mol, Director of Finance, introduced the Manager of Animal Services, Jeanne Saadi, who started work on February 1, 2017. Ms. Mol presented the financial statement for period covering October 1, 2016, through December 31, 2016.

The work session ended at 6:48 p.m.

### **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.**

#### **INVOCATION**

Councilmember Greg Noschese.

**PLEDGE OF ALLEGIANCE**

Members of the League of United Latin American Citizens (LULAC).

Mayor Pickett presented members of LULAC with a proclamation declaring February 20, 2017, as "League of United Latin American Citizens Day."

**SPECIAL ANNOUNCEMENTS**

(1) Mr. Casper and Mr. Archer invited anyone searching for a job to join them this Saturday, February 25, 2017, from 10:00 a.m. to 1:00 p.m., for a community job fair at Sharing Life Community Outreach, 3544 Emporium Circle.

(2) Mr. Archer thanked the members of LULAC for attending tonight and providing the Pledge of Allegiance.

(3) Mr. Archer welcomed the Mesquite Public Library staff who were in attendance.

(4) Mr. Noschese stated that the annual Lone Star Legacy Gala, a fundraising event for the Mesquite Independent School District Education Foundation, will be held this Saturday, February 25, 2017, at the Mesquite Arena with Grammy award-winning entertainer Rick Springfield performing. He encouraged citizens to support our public schools and teachers by attending this exciting event.

(5) Mr. Noschese expressed appreciation to the Mesquite Independent School District (MISD) Council of PTA's for holding the Founders Day Banquet this past Friday, February 17, 2017. Administrators and volunteers were recognized for the many volunteer hours they contribute for MISD students.

**CITIZENS FORUM**

(1) Jimmy Smith, 520 Debra Drive, recognized two Solid Waste employees, Ronald Aldridge and Chris Bombe, for going the extra mile to pick up a large amount of refuse from a residence last Friday afternoon. Mr. Smith stated that Mr. Aldridge and Mr. Bombe are great assets to the community.

**PRESENTATIONS**

- 5 Presentation of 2016 Achievement of Library Excellence Award to Mesquite Public Library staff.

City Manager Cliff Keheley stated that City staff has been challenged to seek innovative ways to serve the community by collaborating with other City departments in serving the public. The Mesquite Public Library, through the leadership of Virginia Mundt, Director of Library Services, has embodied these approaches. They have developed a solid foundation of traditional library services and have also used new, non-traditional programs to bring additional families to the libraries. Mayor Pickett and Mr. Keheley presented Ms. Mundt and the Mesquite Public Library staff with a 2016 Achievement of Library Excellence Award and commended their efforts in promoting the City.

**CONSENT AGENDA****Approval of the Consent Agenda**

Mr. Tarpley requested that Item No. 7 be removed from the Consent Agenda to be considered separately. Mr. Archer requested that Item No. 14 be removed from the Consent Agenda to be considered separately. Mr. Noschese moved to approve the remaining items on the Consent Agenda, as follows. Motion was

**seconded by Mr. Porter and approved unanimously.**

- 6** Minutes of the regular City Council meeting held February 6, 2017.

**Approved on the Consent Agenda.**

- 8** Bid No. 2017-018 - Design-Build for Camp Rorie Galloway Improvements.  
(Staff recommends all bids be rejected and rebid at a later date.)

**Approved on the Consent Agenda.**

- 9** RFP No. 2017-020 - Annual Contract for Recyclables Processing & Marketing.  
(Authorize the City Manager to finalize and execute a contract with FCC Spain.)

**Approved on the Consent Agenda.**

- 10** Bid No. 2017-027 - Annual Landscape Maintenance of the Creek Crossing Area Medians, Rights-of-Way and Landscape Areas and Mesquite Metro Airport.  
(Authorize the City Manager to finalize and execute a contract with low bidder Southlake Landscaping and Maintenance, Inc., in the amount of \$143,250.00.)

**Approved on the Consent Agenda.**

- 11** Bid No. 2017-039 - Annual Supply of Bridgestone/Firestone Auto, Truck, and Industrial Tires.  
(Staff recommends award to American Tire Distributors, through BuyBoard Contract No. 470-14, in an amount not to exceed \$250,000.00.)

**Approved on the Consent Agenda.**

- 12** Bid No. 2017-042 - Purchase of 2017 Ford F-350 6.7L Diesel Chassis Ambulance Remount.  
(Staff recommends award to low bidder Frazer, Ltd., in Houston, Texas, from Sterling McCall Ford through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program, in the amount of \$112,875.00.)

**Approved on the Consent Agenda.**

- 13** Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Kimley-Horn and Associates, Inc., for the survey, engineering design and preparation of bid and construction documents for reconstruction of Scyene Road from Clay-Mathis Road to Lawson Road and associated water main and drainage improvements in the amount of \$546,000.00.

**Approved on the Consent Agenda.**

#### **CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

- 7** Bid No. E2017-005 - Military Parkway Trail.  
(Authorize the City Manager to finalize and execute a contract with low bidder

Austin Filter Systems, Inc., in the amount of \$1,641,398.39.)

Mr. Tarpley stated that he is not in favor of this item and will be voting against it.

Mr. Casper moved to authorize the City Manager to finalize and execute a contract with low bidder Austin Filter Systems, Inc., in the amount of \$1,641,398.39. Motion was seconded by Mr. Noschese. On call for a vote on the motion, the following votes were cast:

Ayes: Casper, Noschese, Pickett, Porter, Archer

Nays: Tarpley

Motion carried.

14

Authorize an expenditure in the amount of \$51,507.00 to the Mesquite Independent School District for reimbursement of improvements to Range Park and authorize the City Manager to execute payment.

Mr. Archer expressed appreciation for the City/Mesquite Independent School District partnership.

Mr. Archer moved to authorize an expenditure in the amount of \$51,507.00 to the Mesquite Independent School District for reimbursement of improvements to Range Park and authorize the City Manager to execute payment. Motion was seconded by Mr. Casper and approved unanimously.

#### END OF CONSENT AGENDA

#### PUBLIC HEARING

15

Conduct a public hearing and consider an ordinance for Application No. 93-5-2017, submitted by Kyle Flaming of Dynamic Engineering on behalf of owner W. G. Austin, for a rezoning from R-1, Single-Family Residential to Planned Development - General Retail, for the 1.903-acre undeveloped tract located at 100 West Bruton Lane.

(The Planning and Zoning Commission recommends approval. No responses have been returned from property owners within the statutory notification area. This item was postponed at the February 6, 2017, City Council meeting.)

Richard Gertson, Director of Planning and Development Services, stated that since the February 6, 2017, City Council meeting, the applicant has agreed to a modified request to change the zoning from General Retail to Planned Development – General Retail for an AutoZone retail store. The proposed ordinance restricts the uses that will be allowed on the property and would require that the property comply with the Community Appearance Manual as well as parking, screening, landscaping and floodplain requirements.

A public hearing was held for Application No. 93-5-2017.

No one appeared regarding the proposed zoning change.

Mr. Noschese moved to approve Application No. 93-5-2017, as recommended by the Planning and Zoning Commission, with the following stipulation, as follows:

1. Only uses that are classified under the following SIC codes shall be permitted:

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SIC 54 Food Stores Except 549, Miscellaneous Food Stores  
SIC 553 Auto Supply Stores  
SIC 56 Apparel, Accessory Stores  
SIC 58 Eating, Drinking Places  
SIC 591 Drug Stores  
SIC 594 Miscellaneous Shopping Goods Stores Except 5947, Gift, Novelty, Souvenir Shops  
SIC 60 Depository Institutions  
SIC 80 Health Services  
SIC 81 Legal Services  
SIC 82 Educational Services  
SIC 87 Engineering, Accounting, Research, Management Services

And to approve Ordinance No. 4471, 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 AN AUTO SUPPLY STORE AND CERTAIN USES PERMITTED IN THE GENERAL RETAIL DISTRICT; 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. Archer and approved unanimously. (Ordinance No. 4471 recorded on page of Ordinance Book No. 108.)

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

- 16 Consider appointment of two alternate members to the Parks and Recreation Advisory Board and Tree Board, one for a term to expire October 21, 2017, and one for a term to expire October 21, 2018.
- Mr. Noschese moved to appoint Kenneth Burris as an alternate member to the Parks and Recreation Advisory Board/Tree Board for a term to expire October 21, 2018. Motion was seconded by Mr. Archer and approved unanimously.
- 17 Consider appointment of seven members to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for terms to expire December 31, 2018, and appointment of a Chairperson for an unexpired term ending December 31, 2017.
- Mr. Archer moved to appoint Dan Montgomery, President & CEO – Fritz Industries, Wayne Chappell, Sales Manager – Norkol Converting, B. T. Lawrence, General Manager – Kapstone Paper, Bill Porter, Jeff Casper, Stan Pickett and Jerry Dittman to the Town East/Skyline Tax Increment Finance Reinvestment Zone No. Nine Board of Directors for terms to expire December 31, 2018, and to appoint Stan Pickett as Chairperson for an unexpired term ending December 31, 2017. Motion was seconded by Mr. Noschese and approved unanimously.

#### EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 7:27 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 proposed medical office building located on Interstate Highway 30 near Motley Drive and Discuss economic development incentives for a prospective redevelopment near the Rows of Texas retail district) and 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 (Legal advice regarding Economic Development Program Agreement dated effective August 13, 2015, between the City of Mesquite, Baker Brothers Rotovision, Inc., and 75032 Investments, LLC); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:27 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. Casper and approved unanimously. The meeting adjourned at 8:27 p.m.**

Attest:

Approved:

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Sonja Land, City Secretary

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Stan Pickett, Mayor