



City of Mesquite, Texas

Minutes - Final City Council

Tuesday, September 5, 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 the Automated Photo Enforcement Program and potential new locations.

 It was Council consensus to proceed with identifying additional intersections for inclusion in the program.
- 2 Receive briefing regarding annual investment activity and proposed changes to the City's Investment Policy.

 It was Council consensus to proceed with proposed changes to the investment policy.
- 3 Receive briefing regarding the status of new and revised ordinances and regulations governing truck stops and other uses involving the parking of heavy load vehicles as a principal use or as an accessory use.

 Council provided staff with direction on proposed regulations for truck stops and truck refueling centers and directed staff to bring proposed regulations back to Council for further discussion.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:07 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 Item No. 3); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 5:30 p.m., the City Council reconvened in Open Session.

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

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:30 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 (Consider economic development incentives for the redevelopment of a shopping center located at the corner of IH-635 and Town East Boulevard); 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.

No executive action was necessary.

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

Rocky Pope, Senior Pastor, Mimosa Lane Baptist Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Rocky Pope, Senior Pastor, Mimosa Lane Baptist Church, Mesquite, Texas.

SPECIAL ANNOUNCEMENTS

(1) Mr. Noschese stated that lives lost in vehicle accidents exceeds last year's total by four. He encouraged citizens to Drive Like Your Family Lives Here.

(2) Mr. Noschese announced that Sounds on the Square, a free concert series, begins this Saturday, September 9, 2017, from 6:00 p.m. to 7:30 p.m. in Heritage Square with the jazz/blues music of the E-Flat Porch Band. Yummy Food Trucks will be on-site offering BBQ and pizza. He invited citizens to enjoy this family-friendly event.

(3) Mr. Aleman commended the Mesquite Police Department (MPD) for an article featured in the September 2017 Mainstream. Jaquelin Jamaica, a former MPD Explorer, recently received assistance from Police Officer Torrey Rhone and his wife, Stephanie Mixon-Rhone, with completing college applications and grant submissions. As a result, Jaquelin received enough funding to pay for her first full year at The University of North Texas at Dallas.

(4) Mr. Aleman announced that Councilmembers Robert Miklos, Bruce Archer and himself will be meeting at Tom Thumb, 1501 Pioneer Road, this Saturday, September 9, 2017, at 9:00 a.m. and invited citizens to attend and meet your Councilmember.

(5) Mr. Archer thanked City staff and volunteers who helped with Hurricane Harvey evacuees and relief efforts.

(6) Mr. Archer stated that a trash pick up will take place this Saturday, September 9, 2017, in the Valley View Heights neighborhood near the Mesquite Rodeo. He invited citizens to join him at 11:00 a.m., at the corner of Carnation Drive and Rodeo Center Drive to support this neighborhood.

(7) Mr. Archer recognized Louis Bridges who was present tonight. His late wife, Ernestine Bridges, serviced the community for many years as an Election Judge.

(8) Mr. Pickett reminded everyone that not only Houston but all of the small towns surrounding Corpus Christi and Beaumont were devastated during the recent hurricane. He suggested we all reach out and help these communities.

CITIZENS FORUM

- (1) Darlene McCurry, 2212 Borman Avenue, expressed opposition to lane narrowing on Gus Thomasson Road and presented a petition to the City Secretary.
- (2) Lauren Armstrong, 3410 Caracas Drive, thanked Council for working together for the betterment of the community.
- (3) Thomas Hubacek, 1324 Fernwood, expressed concerns regarding homebuilders by-passing Mesquite to building in Forney and suggested freeway exit changes.

CONSENT AGENDA**Approval of the Consent Agenda**

Mr. Casper requested that Item No. 5 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. Archer and approved unanimously.

- 4 Minutes of the regular City Council meeting held August 21, 2017.

Approved on the Consent Agenda.

- 6 A resolution endorsing and accepting the 2017-2018 Speed Safety Grant for the Selective Traffic Enforcement Program (the "STEP" Program); approving the contribution of City funds in the amount of \$12,714.93 and authorizing the City Manager to execute the necessary documents with the Texas Department of Transportation in connection with such grant and STEP Program.

Approved on the Consent Agenda.

Resolution No. 33-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ENDORSING AND ACCEPTING THE 2017-2018 SPEED SAFETY GRANT FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (THE "STEP PROGRAM"); APPROVING THE CONTRIBUTION OF CITY FUNDS IN THE AMOUNT OF \$12,714.93 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH SUCH GRANT AND STEP PROGRAM. (Resolution No. 33-2017 recorded in Resolution Book No. 51.)

- 7 Bid No. 2017-101 - Annual Purchase of Traffic Signal Controllers and Cabinets.
(Staff recommends award to sole source provider Iteris in the amount of \$99,525.00.)

Approved on the Consent Agenda.

- 8 Authorize the City Manager to finalize and execute an Amendment to Renew Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System for Biomedical Online and Offline Medical Supervision in an amount not to exceed \$61,387.69 for fiscal year 2017-18, effective October 1, 2017, through September 30, 2018.

Approved on the Consent Agenda.

CONSENT AGENDA ITEM CONSIDERED SEPARATELY

- 5 A resolution directing that staff give written notice of the City's intent to annex certain property in its extraterritorial jurisdiction and draft a service plan for such area.

Mr. Casper moved to divide the motion and consider Area 2 separately. Motion was seconded by Mr. Noschese. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried.

Mr. Casper moved to approve Resolution No. 34-2017, to include Annexation Areas 01, 03, 04, 05-A, 06, 07-A, 08, 09, 10-A and 11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, DIRECTING THAT CITY STAFF GIVE WRITTEN NOTICE OF THE CITY'S INTENT TO ANNEX CERTAIN PROPERTY IN ITS EXTRATERRITORIAL JURISDICTION AS REQUIRED BY V.T.C.A. LOCAL GOVERNMENT CODE §43.062(b) AND DRAFT A SERVICE PLAN FOR SUCH AREA PURSUANT TO V.T.C.A., LOCAL GOVERNMENT CODE §43.065; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman and approved unanimously. (Resolution No. 34-2017 recorded in Resolution Book No. 51.)

Mr. Miklos left the meeting.

Mr. Casper moved to approve Resolution No. 35-2017, to include Annexation Area 02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, DIRECTING THAT CITY STAFF GIVE WRITTEN NOTICE OF THE CITY'S INTENT TO ANNEX CERTAIN PROPERTY IN ITS EXTRATERRITORIAL JURISDICTION AS REQUIRED BY V.T.C.A. LOCAL GOVERNMENT CODE §43.062(b) AND DRAFT A SERVICE PLAN FOR SUCH AREA PURSUANT TO V.T.C.A., LOCAL GOVERNMENT CODE §43.065; AND PROVIDING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman. On call for a vote on the motion, the following votes were cast:

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

Nays: None

Abstentions: Miklos

Motion carried. (Resolution No. 35-2017 recorded in Resolution Book No. 51.)

END OF CONSENT AGENDA**PUBLIC HEARINGS**

- 9 Conduct a public hearing and consider a resolution approving the terms and conditions of a program (Chapter 380 Agreement) to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an agreement for such

purposes with SISERV, LLC, for a proposed new commercial building to be located at 316 West College Street, Mesquite, Texas, and authorizing the City Manager to administer the agreement on behalf of the City.

Mr. Miklos entered the meeting.

Kim Buttram, Assistant Manager of Economic Development, stated that Joanne Shields purchased four tracts of land between College Street and Gross Road for the purpose of constructing a new commercial building for the future home of Stage Door Dance. The Chapter 380 agreement will help build a failed drainage system, which receives approximately 85 percent of water flow from off-site sources within the area.

Joanne Shields stated that the project is located in the Central Business District near City Lake Park. Stage Door Dance is a classical dance studio, has served the Mesquite community for 38 years and participates in community events such as Christmas in the Park and Pumpkin Fest.

Councilmembers expressed appreciation to Ms. Shields for keeping her business in Mesquite.

Mr. Noschese moved to approve Resolution No. 36-2017, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN AGREEMENT FOR SUCH PURPOSES WITH SISERV, LLC, FOR A PROPOSED NEW COMMERCIAL BUILDING TO BE LOCATED AT 316 WEST COLLEGE STREET, MESQUITE, TEXAS, AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Archer and approved unanimously. (Resolution No. 36-2017 recorded in Resolution Book No. 51.)

- 10 Conduct a public hearing to receive input from citizens regarding the proposed fiscal year 2017-18 budget.

A public hearing was held to receive citizen input on the proposed 2017-18 budget.

No one appeared regarding the proposed 2017-18 budget.

- 11 Conduct a public hearing regarding the proposed 2017-18 ad valorem tax rate of \$.687 per \$100 valuation.

A public hearing was held regarding the proposed 2017-18 ad valorem tax rate of \$.687 per \$100 valuation.

No one appeared regarding the proposed 2017-18 ad valorem tax rate of \$.687 per \$100 valuation.

Mayor Pickett announced "The vote on the proposed ad valorem tax rate for fiscal year 2018 will take place on Monday, September 18, 2017, at 7:00 p.m. in the Council Chambers at City Hall located at 757 North Galloway Avenue, in Mesquite, Texas."

OTHER BUSINESS

- 12 Consideration and possible action on a request from Moses NeGusse of Greenwood Real Estate, for a waiver from the commercial moratorium to submit an application for the parking of heavy load vehicles as a principal use on property located at 2300 Gross Road.

Jeff Armstrong, Assistant Director of Planning and Development Services, stated that Greenwood Real Estate has requested a waiver from the commercial moratorium approved at the July 3, 2017, City Council meeting. The applicant is proposing truck parking with a repair facility which will require rezoning of the property. The effects of granting the waiver include (1) new or revised pavement standards may be proportionally applied to this project and (2) new or revised regulations for screening, buffering and landscaping are subject to vesting. If the waiver is not granted, the development would be subject to any new or revised regulations affecting screening, buffering, landscaping and parking of heavy load vehicles. The proposed project is adjacent to a residential neighborhood.

The applicant was not present.

Mr. Casper moved to deny a waiver from the commercial moratorium for the parking of heavy load vehicles as a principal use on property located at 2300 Gross Road. Motion was seconded by Mr. Archer and approved unanimously.

Consider passage of the following ordinances relating to the fiscal year 2017-18 Budget:

- 13 An ordinance providing funds for the fiscal year 2017-18 by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget.

Mr. Boroughs moved to approve Ordinance No. 4505, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FUNDS FOR THE FISCAL YEAR 2017-18 BY ADOPTING AND APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES OF THE CITY FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF VARIOUS DEPARTMENTS AND ACTIVITIES OF THE CITY, FOR CAPITAL AND OTHER IMPROVEMENTS OF THE CITY AND FOR ALL OTHER EXPENDITURES INCLUDED IN SAID BUDGET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4505 recorded in Ordinance Book No. 109.)

- 14 An ordinance ratifying the increase in property tax revenue reflected in the fiscal year 2017-18 budget.

Mr. Boroughs moved to approve Ordinance No. 4506, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, RATIFYING THE INCREASE OF PROPERTY TAX REVENUE REFLECTED IN THE 2017-18 FISCAL YEAR BUDGET FOR SAID PERIOD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY. Motion was seconded by Mr. Aleman and approved

unanimously. (Ordinance No. 4506 recorded in Ordinance Book No. 109.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 15** Consider appointment of an alternate member to the STAR Transit Board of Directors for a term to expire on January 21, 2019.

Mr. Noschese moved to appoint Valerie Bradley as an alternate member to the STAR Transit Board of Directors for a term to expire on January 21, 2019. Motion was seconded by Mr. Casper and approved unanimously.

- 16** Consider appointment of one member to the Charter Review Committee.

Mr. Archer moved to appoint Gary Ward as a member of the Charter Review Committee. Motion was seconded by Mr. Noschese and approved unanimously.

ADJOURNMENT

Mr. Archer moved to adjourn the meeting. Motion was seconded by Mr. Noschese and approved unanimously. The meeting adjourned at 8:19 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor