City of Mesquite, Texas

Minutes - Final

City Council

Monday, December 16, 2019 | **5:00 PM** | **City Hall | Council Chamber**
757 N. Galloway | Mesquite, Texas

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

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

AGENDA REVIEW

STAFF PRESENTATIONS

1 Discuss City Council Policies and Procedures, Code of Conduct, ethics, campaign contribution limits and lobbying prohibitions.

Council directed staff to bring back specific policy language at a later date.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:40 P.M.

2 Receive quarterly activity report from the Economic Development Department.

Kim Buttram, Assistant Director of Economic Development, stated that the quarterly report covers the third quarter of calendar year 2019 with activities through the week of December 9, 2019. Media highlights include Urban District 30 and Spradley Farms being featured in the Dallas Business Journal, Texas Real Estate Business News and Dallas Morning News. Downtown Mesquite won two statewide awards from the Texas Downtown Association and Mesquite BBQ was featured in Texas Monthly. The Iron Horse Village groundbreaking event, Bear Cave Coffee, Sprouts Farmers Market and two local panaderias were also mentioned in local media. Staff attended various trade shows, meetings, conferences and site tours, as well as hosted multiple Business Retention and Expansion Program events.

Ms. Buttram reviewed the quarterly statistics including population trends, median income, residential permits, population distribution, new home permit values, total residential permit valuation, commercial remodel permits and valuation, commercial new construction permits and valuation, local sales tax collected, estimated new jobs, estimated new square footage and certificates of occupancy issued.

Ms. Buttram reviewed the Council's Economic Development Strategic Objective – Vibrant Economy – relating to Economic Development with the following updates:

• Promote investment in new and existing businesses – Several ribbon cuttings were held this quarter – Hancock Whitney Bank, Starbucks, Big Lots remodel,

Cheyenne Medical Lodge, Urban Air Adventure Park, American National Bank remodel, Jay Knight Photography, Agape Day Center for Adults and McDonald's. Staff hosted the fourth and final session of the Small Business E-Series with a total of 43 attendees. The second annual Entrepreneurs Day was held November 12, 2019, at the Mesquite Arts Center with 65 business owners in attendance. These two events were held in partnership with the Small Business Development Center in Dallas and the Small Business Administration in Fort Worth as well as the Business Retention and Expansion Team which consists of the City of Mesquite, Mesquite Chamber of Commerce, Mesquite Independent School District, Workforce Solutions of Greater Dallas and Eastfield College.

• Promote Revitalization of targeted retail and business centers – The Albertsons grocery store on Motley Drive is undergoing a remodel and receiving modernized updates. Tubelite tripled in size with its move into the recently completed Prologis facility on Samuell Boulevard and Sanitas is expanding in the Town East Crossing Shopping Center. Ms. Buttram announced that Future Telecom will be expanding to the former G-MAN property. Conor Commercial, Urban District 30, Prologis and Dalfen Industrial have started or completed a total of 1.8 million square feet of speculative industrial space this year. The anticipated job creation with the additional industrial space is 1,000–1,800 jobs and Conor Commercial will be constructing a gateway entry sign at Buckner and Interstate Highway 30.

• Develop a long-term economic and land use plan for Town East Area – Urban Air hosted its grand opening and the Market East Shopping Center is expanding with Academy Sports + Outdoors and Office Depot. Town East Mall is 96.7 percent leased and sales are over $500 per square foot, which is a 3.6 percent increase over last year.

• Cultivate a robust pool of skilled workers and stakeholder partnerships through the Business Retention Expansion (BRE) Program – Manufacturing Day was held for 40 local high school students who toured Morrison Products, Orora Visual and Vince Hagan Company for potential future careers. The BRE Program hosted a hospitality brunch, Human Resources Professionals Appreciation Luncheon, Manufacturing Day and celebrated with PepsiCo on its 50th Anniversary in Mesquite.

• Emphasis on Downtown Revitalization – The Front Street Station construction utility work is in progress and two façade grants were awarded with six more applications in various stages of the design and application process.

Ms. Buttram stated that during this quarter 574 contacts were made through the BRE newsletter and there were 3,900 page views on the Economic Development website. Staff marketed the City in the Dallas/Fort Worth Real Estate Review magazine, Dallas/Fort Worth Newcomers and Relocation Guide and the Texas Real Estate Business News. The Dallas Business Journal recognized the top relocations and expansions with Ashley Furniture as No. 4 and Elements International as No. 12. The City of Mesquite was listed as No. 8 under the Top Economic Development Agencies in 2018 with $162 million in projects.

Councilmembers expressed appreciation to Economic Development staff for their work in the community.

The work session ended at 7:03 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:03 P.M.

INVOCATION

Fred Bacon, Pastor, First Christian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Employees of the City of Mesquite Planning Division.

PRESENTATIONS

3 Presentation of One Community Patriot Award to Police Chief Charles Cato.

Nick Galanos, President of One Community, introduced Grand Prairie Police Chief Steve Dye, McKinney Police Chief Greg Conley, FBI Special Agent in Charge Matt DeSarno, Allen Police Chief Brian Harvey and Founder and CEO of One Community Toni Brinker. Mr. Galanos stated that the Patriot Award is presented annually to an individual who, through their active involvement in their community, displays ongoing engagement in building bridges of trust between law enforcement and the neighborhoods they serve. Chief Cato has been instrumental in the creation and support of the Mesquite Police Department's Summer Camp program, the Mesquite Independent School District's (MISD) High School Mentorship Program and the Police Explorer Program. Chief Cato is a member of the Rotary Club of Mesquite, where he coordinates the awards program that recognizes MISD Seniors for leadership, good citizenship and academic achievement; additionally, he mentors three members of the Horn High School football team. Chief Cato also participates in Big Brothers, Big Sisters.

Ms. Brinker commended Chief Cato for leading an active police department, promoting safe neighborhoods, community policing and economic development. Ms. Brinker presented the One Community Patriot Award to Police Chief Charles Cato.

Chief Cato introduced his family and expressed appreciation to One Community and the Mesquite Police Department for their work and dedication to the Mesquite community.

4 Presentation of 2019-2020 Certificate of Achievement for Richard R. Lillie, FAICP Program for Planning Excellence to the City of Mesquite.

City Manager Cliff Keheley stated that the Texas Chapter of the American Planning Association has awarded the City of Mesquite with a Certificate of Achievement for Planning Excellence for 2019. Mesquite is only one of 40 cities in Texas to receive this award, which is based on professional standards of the Planning staff, public outreach and awareness of Planning and the support exhibited by the City Council and Planning and Zoning Commission. The City met the Chapter's goals for increasing awareness of professional planning, meeting certain professional requirements, enhancing neighborhood and citizen recognition of planning efforts, encouraging the funding of professional training and aiding in economic development and community image.

Jeff Armstrong, Director of Planning and Development Services introduced Garrett Langford, Manager of Planning and Zoning; Devanee Winn, Senior Administrative Secretary; Johnna Matthews, Principal Planner; John Chapman, Planner; Ben Callahan, Planner; and Lesley Frohberg, Planner. Mayor Archer and Mr. Keheley presented the Certificate of Achievement to Mr. Armstrong and the Planning staff.

Mayor Archer expressed appreciation to the Planning Staff and their efforts in contributing to the City Council's strategic goals and the Comprehensive Plan.

SPECIAL ANNOUNCEMENTS

1. Mr. Miklos stated that he tries to live his life by the 2,500-year-old Latin phrase "Audentes fortuna iuvat" and feels the City of Mesquite will have to look in that direction.
2. Mr. Miklos thanked David Burris for running for City Council, Place 1, in the recent election and congratulated Sherry Wisdom on her win for City Council, Place 1.
3. Mr. Miklos reminded citizens that next week is winter break for the Mesquite Independent School District and to "Drive Like Your Family Lives Here."
4. Mr. Miklos directed the City Manager to add an item to the January 21, 2020, City Council agenda to consider designating 14 acres of land located to the east of Emporium Circle and south of Brazoria Drive as park land.
5. Mr. Miklos directed the City Manager to add an item to the January 21, 2020, City Council agenda to have Jason Hughes brief Council regarding Spradley Farms.
6. Mr. Green encouraged citizens to attend the "Caroling and Cocoa" event on Saturday, December 21, 2019, at 6:00 p.m., in Downtown Mesquite, for caroling, free cocoa, a collectable Downtown Mesquite mug and a movie on the Square, "Frosty's Winter Wonderland." Winners of the downtown window decorating contest will also be announced.
7. Mr. Boroughs stated that this is the last City Council meeting before New Year's Eve and reminded citizens that it is illegal to possess or use fireworks or discharge firearms in the Mesquite city limits. City staff will be monitoring neighborhoods and issuing citations to violators.
8. Mr. Aleman thanked Mayor Archer for attending the District 6 neighborhood meeting on Saturday, December 14, 2019, at Country Burger.
9. Mr. Aleman congratulated Barbara Dunn for receiving the Volunteer of the Decade Award at the recent Mesquite Citizens' Police Academy graduation event.
10. Mr. Aleman congratulated the Mesquite Convention and Visitors Bureau team, Jessica McClellan, Amber Patterson and Alberto Rivera, for being named "Partner of the Year" by The Hotel Association. They have been instrumental in promoting the City of Mesquite to tourists and convention planners.
11. Mr. Smith encouraged citizens to participate in the Mesquite Code Ambassador Program. Volunteers help the City identify specific code violations throughout the community. The next orientation will be held on January 30, 2020, at the Mesquite Arts Center.
12. Mayor Archer commended Elizabeth Harrell, Director of Parks and Recreation, and the Parks and Recreation staff for their dedication and hard work on the Christmas in the Park event, Annual Tree Lighting event and the new KidsQuest Playground Grand Opening.
13. Mayor Archer stated that the 2nd Annual "It's a Wonderful Life" movie viewing will be held on Friday, December 20, 2019, at 7:00 p.m., at the Corner Theatre, 214 West Davis Street, in Downtown Mesquite. He encouraged citizens to attend this family-friendly event.
14. Mayor Archer encouraged citizens to attend a Special City Council Meeting to be held tomorrow night, December 18, 2019, in the City Council Chambers, to discuss strategies for addressing crime in Mesquite and receive citizen input.

CONSENT AGENDA

Approval of the Consent Agenda

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

5 Minutes of the regular City Council meeting held December 2, 2019.

Approved on the Consent Agenda.

6 An ordinance amending Chapter 2 of the City Code clarifying that the City Manager is authorized to approve and sign contracts for the sale and purchase of real and personal property provided the contract price does not exceed $50,000.00, plus closing costs, authorizing the City Manager to sign donation agreements and accept donations of real and personal property including, without limitation, monetary donations, with a value of $50,000.00 or less, and delegating the authority to the City Manager to release and abandon certain easements previously conveyed and/or dedicated to the City by plat or separate instrument.

Approved on the Consent Agenda.

Ordinance No. 4745, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2, SECTION 2-5 OF THE MESQUITE CITY CODE, AS AMENDED, BY DELETING SUBSECTION 2-5(a)(3) IN ITS ENTIRETY AND ADDING NEW SUBSECTIONS 2-5(a)(3) AND 2-5(f); CLARIFYING THAT THE CITY MANAGER IS AUTHORIZED TO APPROVE AND SIGN CONTRACTS FOR THE SALE AND PURCHASE OF REAL AND PERSONAL PROPERTY PROVIDED THE CONTRACT PRICE DOES NOT EXCEED $50,000.00, PLUS CLOSING COSTS; AUTHORIZING THE CITY MANAGER TO SIGN DONATION AGREEMENTS AND ACCEPT DONATIONS OF REAL AND PERSONAL PROPERTY INCLUDING, WITHOUT LIMITATION, MONETARY DONATIONS, WITH A VALUE OF $50,000.00 OR LESS; DELEGATING THE AUTHORITY TO THE CITY MANAGER TO RELEASE AND ABANDON CERTAIN EASEMENTS PREVOUSLY CONVEYED AND/OR DEDICATED TO THE CITY BY PLAT OR SEPARATE INSTRUMENT; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4745 recorded in Ordinance Book No. 119.)

7 An ordinance amending Chapters 10 and 15 of the City Code providing procedures addressing removal of graffiti, in accordance with state law.

Approved on the Consent Agenda.

Ordinance No. 4746, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTERS 10 AND 15 OF THE MESQUITE CITY CODE, AS AMENDED, BY RENUMBERING SECTION 10-202 TO SECTION 10-203, AND ADDING A NEW SECTION 10-202, BY DELETING SUBSECTION 15-194(i) IN ITS ENTIRETY AND ADDING A NEW SUBSECTION 15-194(i); PROVIDING PROCEDURES ADDRESSING REMOVAL OF GRAFFITI IN ACCORDANCE WITH STATE LAW; PROVIDING THAT USERS OF CITY RIGHT-OF-WAY UNDER CHAPTER 15 OF THE MESQUITE CITY CODE REMOVE GRAFFITI IN COMPIANCE WITH SECTION 10-202; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED $500.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4746 recorded in Ordinance Book No. 119.)

8 An ordinance providing for the conditional abandonment of three sanitary sewer easements in and around North Mesquite Drive, Town East Boulevard and North Mesquite High School.

Approved on the Consent Agenda.

Ordinance No. 4747, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE CONDITIONAL ABANDONMENT OF THREE SANITARY SEWER EASEMENTS IN AND AROUND NORTH MESQUITE DRIVE, TOWN EAST BOULEVARD AND NORTH MESQUITE HIGH SCHOOL; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 4747 recorded in Ordinance Book No. 119.)

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

Approved on the Consent Agenda.

Resolution No. 82-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A DEBT POST ISSUANCE COMPLIANCE POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 82-2019 recorded in Resolution Book No. 59.)

10 A resolution adopting a Procurement Policy for the City of Mesquite.

Approved on the Consent Agenda.

Resolution No. 83-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING A PROCUREMENT POLICY; AND DECLARING AN EFFECTIVE DATE THEREOF. (Resolution No. 83-2019 recorded in Resolution Book No. 59.)

11 A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State Highway 352 on January 18, 2020, for the City of Mesquite Martin Luther King, Jr., parade.

Approved on the Consent Agenda.

Resolution No. 84-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF STATE HIGHWAY 352 ON JANUARY 18, 2020, FOR THE CITY OF MESQUITE MARTIN LUTHER KING, JR. PARADE. (Resolution No. 84-2019 recorded in Resolution Book No. 59.)

12 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. 85-2019, 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. 85-2019 recorded in Resolution Book No. 59.)

13 A resolution accepting the donation of a tract of commercial property commonly known as 2129 North Galloway Avenue, Mesquite, Texas, from H. Roger Lawler, authorizing the City Manager to release liens against the property, and authorizing the City Manager to take all actions and execute all documents necessary or advisable to complete the donation, transfer and conveyance of the property to the City.

Approved on the Consent Agenda.

Resolution No. 86-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ACCEPTING THE DONATION OF A TRACT OF COMMERCIAL PROPERTY COMMONLY KNOWN AS 2129 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS (THE "PROPERTY"), FROM H. ROGER LAWLER; AUTHORIZING THE CITY MANAGER TO RELEASE LIENS AGAINST THE PROPERTY AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS AND EXECUTE ALL DOCUMENTS NECESSARY OR ADVISABLE TO COMPLETE THE DONATION, TRANSFER AND CONVEYANCE OF THE PROPERTY TO THE CITY. (Resolution No. 86-2019 recorded in Resolution Book No. 59.)

14 A resolution authorizing the City Manager to finalize and execute an interlocal agreement with the City of Talty, Texas, amending the City's extraterritorial jurisdictional boundaries in the area of Interstate Highway 20 and FM 2932 in Kaufman County and expanding and reducing the extraterritorial jurisdictional boundaries of the City.

Approved on the Consent Agenda.

Resolution No. 87-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF TALTY, TEXAS, AMENDNG THE CITY'S EXTRATERRITORIAL JURISDICTIONAL BOUNDARIES IN THE AREA OF INTERSTATE HIGHWY 20 AND FM 2932 IN KAUFMAN COUNTY, AND EXPANDING AND REDUCING THE EXTRATERRITORIAL JURISDICTIONAL BOUNDARIES OF THE CITY; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 87-2019 recorded in Resolution Book No. 59.)

15 Bid No. 2019-109 - Annual Contract for Paint and Body Services.
(Staff recommends award to Town East Ford in the amount of $133,500.00. 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 Bid No. 2020-016 - Enterprise Storage Software and Hardware Maintenance.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3763, in the amount of $55,975.80.)

Approved on the Consent Agenda.

17 Bid No. 2020-029 - Purchase of Heavy Duty Portable Lifts.
(Staff recommends award to Reeder Distributors, Inc., in Fort Worth, Texas, through BuyBoard Contract No. 551-17, in the amount of $67,245.00.)

Approved on the Consent Agenda.

18 Bid No. 2020-031 - Annual Supply of Personal Computers.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3763, in the amount of $224,328.57.)

Approved on the Consent Agenda.

19 Bid No. 2020-035 - Annual Leasing of Satori Postal Coding Software, Address Printer, Inserter and WTS-P Inbound Tracking System.
(Authorize the City Manager to finalize and execute a lease agreement with Neopost U.S.A., Inc., through TxSmartBuy Contract No. 985-L1 in an amount not to exceed $143,407.68. The term of the lease is for 48 months with a monthly amount of $2,987.66 and an annual amount of $35,851.92, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

20 Authorize the City Manager to finalize and execute an Interlocal Agreement with the Town of Sunnyvale for Funding Participation in the Public Safety Dispatch Services Study.

Approved on the Consent Agenda.

21 Authorize the City Manager to finalize and execute a Professional Services Contract with Black & Veatch Corporation to analyze integration of the Town of Sunnyvale Public Safety Dispatching Services into the City of Mesquite Public Safety Communications Center.

Approved on the Consent Agenda.

PUBLIC HEARINGS

22 Conduct a public hearing for the purpose of considering annexation of approximately 807 acres in the City's extraterritorial jurisdiction and generally located at the western corner of FM 2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas, in connection with a voluntary petition submitted by BDMR Development, LLC.

Mr. Miklos left the meeting.

A public hearing was held to consider annexation of approximately 807 acres in the City's extraterritorial jurisdiction and generally located at the western corner of FM 2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas.

Jeff Armstrong, Director of Planning and Development Services, stated that this is a voluntary annexation of approximately 807 acres of land located south of Interstate Highway 20 along FM 2757, including Kelly Road, in the area to be known as Polo Ridge. The property is proposed to be developed with single-family residences. This is the final public hearing.

No one appeared regarding the proposed annexation.

23 Consider an ordinance annexing approximately 807 acres in the City's extraterritorial jurisdiction and generally located at the western corner of FM 2757 and Kelly Road, in the Andrew Nail Survey, Abstract No. 355, Kaufman County, Texas, pursuant to a voluntary petition submitted by BDMR Development, LLC, and further annexing the abutting portion of Kelly Road, granting all inhabitants of said territory the rights and privileges of all other citizens and making applicable to said land and its inhabitants all of the acts, ordinances, resolutions and regulations of the City, approving a service plan for the provision of municipal services in the area, designating annexed territory to be zoned Agricultural, directing the City Secretary to give notice as required to all affected jurisdictions, directing the City Manager to make map revisions, revising the official boundary limits of the City and setting an effective date of annexation.

Mr. Aleman moved to approve Ordinance No. 4748, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ANNEXING APPROXIMATELY 805.79 ACRES IN THE CITY'S EXTRATERRITORIAL JURISDICTION AND GENERALLY LOCATED AT THE WESTERN CORNER OF FM 2757 AND KELLY ROAD, IN THE ANDREW NAIL SURVEY, ABSTRACT NO. 355, KAUFMAN COUNTY, TEXAS, PURSUANT TO A VOLUNTARY PETITION SUBMITTED BY BDMR DEVELOPMENT, LLC, AND FURTHER ANNEXING THE ABUTTING PORTION OF KELLY ROAD; GRANTING ALL INHABITANTS OF SAID TERRITORY THE RIGHTS AND PRIVILEGES OF ALL OTHER CITIZENS AND MAKING APPLICABLE TO SAID LAND AND ITS INHABITANTS ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN FOR THE PROVISION OF MUNICIPAL SERVICES IN THE AREA; DESIGNATING ANNEXED TERRITORY TO BE ZONED AGRICULTURAL; DIRECTING THE CITY SECRETARY TO GIVE NOTICE AS REQUIRED TO ALL AFFECTED JURISDICTIONS; DIRECTING THE CITY MANAGER TO MAKE MAP REVISIONS; REVISING THE OFFICIAL BOUNDARY LIMITS OF THE CITY AND SETTING AN EFFECTIVE DATE OF ANNEXATION. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:

Ayes: Aleman, Green, Archer, Boroughs, Smith
Nayes: None
Abstentions: Miklos

Motion carried. (Ordinance No. 4748 recorded in Ordinance Book No. 119.)

CONSIDERATION OF ORDINANCE

24 Consider an ordinance determining the public necessity of acquiring a total of approximately 0.291 acres of real property interests from property located at 2101 U.S. Highway 80, Mesquite, Dallas County, Texas known as Barons Apartment Homes and owned by Atlantic Pacific Companies for construction of a public trail easement, authorizing the City Manager to acquire the real property, authorizing the use of the power of eminent domain to condemn the real property if such becomes necessary and delegating authority to initiate condemnation proceedings to the City Manager.

Mr. Miklos entered the meeting.

Matt Holzapfel, Director of Public Works, stated that the engineering design for the Mesquite Heritage Trail, Phase 2, (Trail) is complete and properties have been identified where easements are necessary for construction. The Trail is

proposed to cross the Barons Apartment Homes property along South Mesquite Creek and continue under U.S. Highway 80 and connect to the existing trail near the Mesquite Animal Shelter. The City's right-of-way agent has made several contacts with representatives of the apartment complex but has been unsuccessful in completing negotiations and closing on the property. The proposed ordinance authorizes staff to continue negotiations and, if necessary, initiate condemnation proceedings.

Mr. Boroughs stated, "I move that Agenda Item No. 24 be approved, which includes the City of Mesquite authorizing the use of the power of eminent domain to acquire public trail easements on 0.088 acres and 0.203 acres of property both located at 2101 U.S. Highway 80, in Mesquite, Dallas County, Texas from the Barons Apartment Homes owned by Atlantic Pacific Companies for the public use of a hike and bike trail and related improvements as a part of the Mesquite Heritage Trail, Phase 2, which is also a part of the North Central Texas Council of Governments 2045 Regional Veloweb and the City's Trails Master Plan, for use by the citizens of the City and the general public." And to approve Ordinance No. 4749, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THE NECESSITY OF ACQUIRING REAL PROPERTY LOCATED AT 2101 U.S. HIGHWAY 80, MESQUITE, TEXAS FOR A PUBLIC TRAIL EASEMENT; AUTHORIZING APPROPRIATION OF THE REAL PROPERTY AND/OR THE USE OF THE POWER OF EMINENT DOMAIN TO CONDEMN THE REAL PROPERTY FOR PUBLIC USE; AND DELEGATING AUTHORITY TO INITIATE CONDEMNATION PROCEEDINGS TO THE CITY MANAGER. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 4749 recorded in Ordinance Book No. 119.)

OTHER BUSINESS

25 An ordinance adding newly-annexed areas in Kaufman County into Single-Member District 6 and providing an effective date.

Ted Chinn, Assistant City Manager, stated that the proposed ordinance will amend the Illustrative Plan Map to include the two recently annexed areas in Kaufman County into Single-Member District 6, those being Heartland Trailwind and Polo Ridge Ranch developments.

Mr. Aleman stated, "I move that Agenda Item No. 25 be approved and that the blanks in this ordinance be filled in with the ordinance number assigned to Agenda Item No. 23." And to approve Ordinance No. 4750, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADDING NEWLY-ANNEXED AREAS INTO SINGLE-MEMBER DISTRICT 6 AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 4750 recorded in Ordinance Book No. 119.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

26 Consider appointment of three members to the Historic Mesquite, Inc., Board of Directors for terms to expire December 31, 2022, (Places 4, 5 and 9), and two members for terms to expire December 31, 2021, (Places 7 and 8).

Mr. Aleman moved to appoint Suanne Toupal, Place 4, as a member of the Historic Mesquite, Inc., Board of Directors for a term to expire December 31, 2022. Motion was seconded by Mr. Boroughs and approved unanimously.

27 Consider appointment of four members to the Mesquite Downtown Development Advisory Board for terms to expire December 31, 2022.

Mr. Boroughs moved to approve Bill Porter, Julie Greer, Helen Ethridge and Cheryl Allen as members of the Mesquite Downtown Development Advisory Board for terms to expire December 31, 2022. Motion was seconded by Mr. Aleman and approved unanimously.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 7:59 P.M.

Mayor Archer 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 (Item No. 28 – Discuss the value and potential sale of City-owned property located at 1431 East U.S. Highway 80); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:17 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Miklos moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 8:17 p.m.

Attest: Approved:

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Sonja Land, City Secretary Bruce Archer, Mayor