



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, November 1, 2021

5:45 PM

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

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

Absent: Councilmember Robert Miklos.

### **PRE-MEETING - TRAINING ROOMS A&B - 5:45 P.M.**

#### **AGENDA REVIEW**

### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:30 P.M.**

- 1 Receive quarterly report from the Police Department.

David Gill, Police Chief, presented the quarterly report for the Mesquite Police Department (MPD) for July – September 2021. He reviewed the number of vacant positions – 13 police officers, six public safety dispatchers and six detention officers. Chief Gill reviewed the performance metrics of National Incident Based Reporting System (NIBRS) crime statistics for murder, rape, aggravated assault, burglary, theft, motor vehicle theft, motor vehicle accidents, calls for service and Priority 1 calls. He stated that there has been a decrease in murder, sexual assault/rape, burglaries and thefts and an increase in aggravated assaults. Chief Gill stated the MPD K-9 Unit has been expanded. After the loss of K-9 Kozmo, he was replaced with K-9 Kazi. A third K-9, Gamble, joins Kazi and Axel. Kazi and Gamble completed narcotics training earlier this year and will graduate next Friday from Patrol Dog Training.

Councilmembers expressed their appreciation to Chief Gill and the MPD for their dedication and service to the community.

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

#### **INVOCATION**

Christopher S. Allen, Pastor, Connection Pointe Church, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Mesquite Municipal Court Team.

**SPECIAL RECOGNITION**

- 2 Recognize Real. Texas. Service. Champions.

City Manager Cliff Keheley stated that the Real. Texas. Service. Employee Champions program was created as an opportunity for employees to be recognized for their service to the organization and Mesquite community. A brief video was shown describing each employee's contributions to the City of Mesquite. The following employees were honored: Harlan Lowrance - Fire Captain; Luis Monreal - Senior Library Assistant; Norma Pena - Senior Administrative Secretary, Neighborhood Services; and Valarie Knowles - Administrative Law Enforcement Coordinator, Police Department.

**SPECIAL ANNOUNCEMENTS**

1. Mayor Archer thanked the City Council and City staff for the City's accomplishments over the past two years.
2. Mr. Aleman stated that the City of Mesquite, in partnership with American Legion Post 504 and VFW Post 8785, will host a Veterans Day celebration on Sunday, November 7, 2021, at 11:00 a.m., at the Mesquite Veterans Memorial, 425 South Galloway Avenue. The program will include remarks from military leaders, music and special activities.
3. Mr. Smith announced that last week, Mesquite joined the Cities of Balch Springs, Seagoville and Sunnyvale to begin one of the first major collaborations by multiple cities in Dallas County to address mental health. The Southwest Alliance Community Care Team will be a new unified approach towards public mental health response needs. He thanked City staff for their leadership to start this journey in addressing mental health for everyone in all four communities.
4. Mr. Boroughs reminded residents that the Downtown Mesquite Farmers Market will continue to be held every Saturday through November 2021, from 9:00 a.m. until 2:00 p.m., at Front Street Station.
5. Mr. Green announced that Keep Mesquite Beautiful, Inc., will host a public Arbor Day event on Saturday, November 6, 2021, at 11:00 a.m., at the newly renovated Leash Free Zone located in Town East Park, 2724 Town East Boulevard. This event will include native plant seedling giveaways, free pet microchipping provided by Mesquite Animal Services and K-9 demonstrations presented by the Mesquite Police Department.
6. Mr. Green thanked Ms. Wisdom for her service on the City Council for the past two years.
7. Ms. Wisdom reminded citizens that the Mesquite Public Library System has new self-serve kiosks at both locations. The kiosk allows citizens to easily check-out books, movies and other materials. It also allows customers to renew items that they have already checked out. She encouraged citizens to utilize this service.
8. Ms. Wisdom thanked the City Council, City staff and citizens for the opportunity to serve the community for the past two years.

**CITIZENS FORUM**

1. John Tywater, 3826 O'Hare Drive, expressed concerns regarding squatters in his neighborhood, the hours of the Motley Drive and Gus Thomasson Road streetlight and cars with expired paper tags.
2. Brenda Randle, 510 Binkley Court, expressed concerns regarding the industrial development being constructed at East Glen Boulevard, Clay Mathis Road and Scyene Road.

**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.**

- 3** Minutes of the regular City Council meeting held October 18, 2021.

**Approved on the Consent Agenda.**

- 4** An ordinance amending Article VI, Stopping Standing and Parking, of Chapter 9, Motor Vehicles and Traffic, of the City Code regarding prohibiting parking in specific places.

**Approved on the Consent Agenda.**

**Ordinance No. 4910, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ARTICLE VI, STOPPING, STANDING AND PARKING, OF CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTIONS 9-195, 9-196, 9-198, 9-199, 9-200, 9-202, AND 9-207 UNDER DIVISION 2 IN THEIR ENTIRETY, ADDING NEW SECTIONS 9-195, 9-198, 9-199, 9-200, 9-202, AND 9-207 UNDER DIVISION 2, AND ADDING A NEW SECTION 9-225 UNDER DIVISION 3 ALL REGARDING PROHIBITED PARKING IN SPECIFIC PLACES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4910 recorded in Ordinance Book No. 125.)**

- 5** A resolution approving the City joining a global opioid settlement of claims, adopting the State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet and authorizing the City Attorney to execute such other documents necessary to facilitate the City's participation in the settlement.

**Approved on the Consent Agenda.**

**Resolution No. 72-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE CITY JOINING A GLOBAL OPIOID SETTLEMENT OF CLAIMS; ADOPTING THE TEXAS OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET; AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE SUCH OTHER DOCUMENTS NECESSARY TO FACILITATE THE CITY'S PARTICIPATION IN THE SETTLEMENT. (Resolution No. 72-2021 recorded in Resolution Book No. 63.)**

- 6 A resolution approving a Reimbursement Agreement relating to the Heartland Town Center Public Improvement District Phase #2 Specific Improvements.

**Approved on the Consent Agenda.**

**Resolution No. 73-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING A REIMBURSEMENT AGREEMENT RELATING TO THE HEARTLAND TOWN CENTER PUBLIC IMPROVEMENT DISTRICT PHASE #2 SPECIFIC IMPROVEMENTS. (Resolution No. 73-2021 recorded in Resolution Book No. 63.)**

- 7 A resolution authorizing the City Manager to finalize and execute a Fourth Amendment to the Iron Horse Development Agreement to (i) amend Section 2.02(a)(ii) "Project Overview - Iron Horse Development" to reduce the minimum square footage of restaurant and retail space from 130,000 square feet to 126,000 square feet and (ii) amend Section 6.04(f) "Zoning of the Property," to reduce the minimum square footage of air conditioned restaurant space and allow retail space to satisfy the square footage minimum, the reduction being from 30,000 square feet to 26,000 square feet, to establish a commencement and completion date for such improvements and to provide a penalty for failure to meet said completion date, for property commonly referred to as "Iron Horse Village" and being generally located north of Rodeo Drive, south of Scyene Road (also known as State Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard within the corporate limits of the City of Mesquite in Dallas County, Texas.

**Approved on the Consent Agenda.**

**Resolution No. 74-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A FOURTH AMENDMENT TO THE IRON HORSE DEVELOPMENT AGREEMENT TO (i) AMEND SECTION 2.02(a)(ii) "PROJECT OVERVIEW - IRON HORSE DEVELOPMENT" TO REDUCE THE MINIMUM SQUARE FOOTAGE OF RESTAURANT AND RETAIL SPACE FROM 130,000 SQUARE FEET TO 126,000 SQUARE FEET, AND (ii) AMEND SECTION 6.04(f) "ZONING OF THE PROPERTY" TO REDUCE THE MINIMUM SQUARE FOOTAGE OF AIR CONDITIONED RESTAURANT SPACE AND ALLOW RETAIL SPACE TO SATISFY THE SQUARE FOOTAGE MINIMUM, THE REDUCTION BEING FROM 30,000 SQUARE FEET TO 26,000 SQUARE FEET, TO ESTABLISH A COMMENCEMENT AND COMPLETION DATE FOR SUCH IMPROVEMENTS AND TO PROVIDE A PENALTY FOR FAILURE TO MEET SAID COMPLETION DATE, FOR PROPERTY COMMONLY REFERRED TO AS "IRON HORSE VILLAGE" AND BEING GENERALLY LOCATED NORTH OF RODEO DRIVE, SOUTH OF SCYENE ROAD (ALSO KNOWN AS STATE HIGHWAY 352), EAST OF STADIUM DRIVE, AND WEST OF RODEO CENTER BOULEVARD WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE IN DALLAS COUNTY, TEXAS. (Resolution No. 74-2021 recorded in Resolution Book No. 63.)**

- 8 Bid No. 2022-015 - Purchase of A New 2021 Ford F-350 Diesel Chassis Ambulance. (Staff recommends the purchase of one ambulance offered by McCall F Inc. d/b/a Sterling McCall Ford, an approved vendor of the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy), Contract No. AM10-20, in the amount of \$209,972.00.)

**Approved on the Consent Agenda.**

- 9 Bid No. 2022-018 - MPD Trailer Based Camera System.  
(Staff recommends award to Wireless CCTV, through GSA Contract No. GS-07F-031DA, in the amount of \$58,600.00.)  
**Approved on the Consent Agenda.**
- 10 Authorize the City Manager to finalize and execute the Work Order for the P25 Public Safety Radio system maintenance and support with the City of Garland for the term of October 1, 2021, through September 30, 2022, in the amount of \$122,787.00.  
**Approved on the Consent Agenda.**
- 11 Authorize the City Manager to finalize and execute Change Order No. 8 to Bid No. 2021-048, 117 West Main Renovation, to accommodate changes required to install the kitchen exhaust duct, provide surface walkway from Main Street to Front Street and landscaping along the patio in the amount of \$11,408.69.  
**Approved on the Consent Agenda.**
- 12 Authorize the City Manager to execute a contract with Kimley-Horn and Associates, Inc., for professional engineering services in connection with a Water and Wastewater Impact Fee Study Update in the amount of \$182,700.00.  
**Approved on the Consent Agenda.**
- 13 Authorize the City Manager to finalize and execute Amendment No. 2 to the Lawson Road Tributary Sanitary Sewer and Drainage Improvements contract with Garver, LLC, for McKenzie Road alignment study, in the amount of \$74,030.00.  
**Approved on the Consent Agenda.**
- 14 Authorize an increase in the Legal Services Agreement between the City and Messer, Fort & McDonald PLLC for the provision of legal services, advice, and counsel to the City of Mesquite in connection with Cause No. DC-20-19115, 44th District Court, Dallas County, Texas, in the amount not to exceed \$50,000.00, for a total contract amount not to exceed \$150,000.00, and authorize the City Attorney to finalize and execute the Agreement.  
**Approved on the Consent Agenda.**

**END OF CONSENT AGENDA****PUBLIC HEARINGS**

- 15 Conduct a public hearing and consider an ordinance for Application No. Z0821-0216, submitted by Halff Associates on behalf of Huntington Industrial, for a change of zoning from Single-family Residential and Commercial within the Military Parkway-Scyene Corridor Overlay District to Planned Development-Commercial and to remove the property from the Military Parkway-Scyene Corridor Overlay District to allow an industrial distribution center and to allow certain uses permitted by right in the commercial districts

on approximately 24.05 acres of land, located at 1110 and 1126 Military Parkway.

(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 with certain stipulations.)

**A public hearing was held for Zoning Application No. Z0821-0216.**

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant is requesting rezoning of 1110 and 1126 Military Parkway from Single-family Residential and Commercial within the Military Parkway-Scyene Corridor Overlay District to Planned Development-Commercial and to remove the property from the Military Parkway-Scyene Corridor Overlay District to allow an industrial distribution center and to allow certain uses permitted by right in the commercial district on approximately 24.05 acres. The development will include an approximately 174,200-square-foot warehouse-type structure with two driveways along Military Parkway. Approximately 12.9 acres is encumbered in the floodplain and will remain in its natural state. Approximately 58,450 square feet (13.66 percent) of the developable area will be landscaped and will include outdoor seating, wrought iron fencing and evergreen trees to screen the parking along the western and southern boundaries.

Mr. Armstrong stated that the same applicant, Huntington Industrial, came before Council late last year and requested rezoning of the property to the west and adjacent to this tract. Council approved the rezoning on November 16, 2020.

Steve Meyer, representing Huntington Industrial, gave an overview of the proposed development. He stated that the investment in this building will be in excess of \$20 million and the total project will be a \$55 - \$60 million investment.

No one appeared regarding Zoning Application No. Z0821-0216.

Mr. Boroughs moved to approve Ordinance No. 4911, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL WITHIN THE MILITARY PARKWAY-SCYENE CORRIDOR ("MP-SC") OVERLAY DISTRICT TO PLANNED DEVELOPMENT-COMMERCIAL TO REMOVE THE MP-SC OVERLAY DISTRICT ON APPROXIMATELY 24.05 ACRES OF LAND GENERALLY LOCATED AT 1110 AND 1126 MILITARY PARKWAY TO ALLOW AN INDUSTRIAL DISTRIBUTION CENTER AND TO ALLOW CERTAIN USES PERMITTED BY RIGHT IN THE COMMERCIAL DISTRICTS; 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. 4911 recorded in Ordinance Book No. 125.)

16

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0921-0218, submitted by Adeel Shibli, for a change of zoning from Truman Heights Neighborhood District to Truman Heights Neighborhood District with a Conditional Use Permit to allow a medical clinic, located at 802 E. U.S. Highway 80.

(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 with certain stipulations.)

A public hearing was held for Zoning Application No. Z0921-0218.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to perform interior renovations on the existing building and open a medical clinic at Stephenson Drive and U. S. Highway 80. The clinic will be a general family medical practice for patients on an appointment basis only.

Applicant Dr. Urooj Shibli stated that she has practiced in the Mesquite area as a family practitioner for the last 10 years in collaboration with Dallas Regional Medical Center. She stated that she has plans to open a family practice and obesity clinic.

No one appeared regarding Zoning Application No. Z0921-0218.

Mr. Green moved to approve Zoning Application No. Z0921-0218, as recommended by the Planning and Zoning Commission, with the following stipulations:

1. A minimum of nine parking spaces are required.
2. A clinic primarily with outpatient services on a first-come basis with no appointments is not permitted.

And to approve Ordinance No. 4912, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM TRUMAN HEIGHTS NEIGHBORHOOD ("THN") TO THN WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 802 EAST U.S. HIGHWAY 80 TO ALLOW A MEDICAL CLINIC WITH 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 Ms. Wisdom and approved unanimously. (Ordinance No. 4912 recorded in Ordinance Book No. 125).

17

Conduct a public hearing and consider an ordinance for Application No. Z1021-0222, submitted by WRA Architects on behalf of Mesquite Independent School District, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow school uses, located at 2600, 2700, 2704 and 2710 Motley Drive.

(Four responses in favor and none 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.)

A public hearing was held for Zoning Application No. Z1021-0222.

Jeff Armstrong, Director of Planning and Development Services, stated that the Mesquite Independent School District (MISD) proposes to renovate the existing Mesquite Academy building on the subject property and to construct a separate gymnasium/storm shelter on the site. MISD also proposes to renovate the other building located on the property and relocate the Learning Center along with Library Services and Instructional Technology to the site.

Applicant Graham Bauman, representing WRA Architects, stated that the project will be constructed in three phases. Phase One will consist of renovation of the Professional Development Center (PDC) with completion planned for July 2022. Phase Two will consist of renovation of the Mesquite Academy and Phase Three will consist of the gymnasium/storm shelter which will serve both campuses and will open in June 2023.

No one appeared regarding Zoning Application No. Z01021-0222.

Ms. Wisdom moved to approve Zoning Application No. Z1021-0222, as recommended by the Planning and Zoning Commission, with the following stipulations:

1. The Traffic Impact Analysis shall be reviewed and verified prior to final approval of the site plan.
2. Traffic Management Plan be evaluated after implementation to determine if additional measures are necessary.

And to approve Ordinance No. 4913, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO GENERAL RETAIL WITH A CONDITIONAL USE PERMIT TO ALLOW SCHOOL USES ON PROPERTIES LOCATED AT 2600, 2700, 2704, AND 2710 MOTLEY DRIVE WITH 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. Green and approved unanimously. (Ordinance No. 4913 recorded in Ordinance Book No. 125.)

18

Conduct a public hearing and consider a resolution 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 Economic Development Program Chapter 380 Agreement with QT South, LLC, a Texas limited liability company, for the construction and development of a retail fuel center and convenience store located at 5040 Lawson Road, Mesquite, Texas, and authorizing the City Manager to finalize, execute, and administer the agreement on behalf of the City.

A public hearing was held to consider a Chapter 380 Agreement with QT South, LLC for construction of a retail fuel center and convenience store at 5040 Lawson Road.

Kim Buttram, Director of Economic Development, stated that QT South, LLC, an entity of the QuikTrip Corporation, proposes to build a new fuel center and convenience store on a 1.772-acre tract at 5040 Lawson Road. This tract is part of an approximately 12-acre tract from which QT would purchase a portion for the project.

The developer and City are working together to bring water utilities to the site to facilitate the construction of the new QT as well as other new retail development on the surrounding acreage which fronts IH-20 in Mesquite.



The proposed Chapter 380 Agreement outlines the terms and conditions of the project. The proposed 2,950-linear-foot extension of waterline is to be a connection to, as well as an upsize to, lines from the north side of IH-20, with a total cost of approximately \$850,000.00, contracted by the City. The developer offers a \$400,000.00 grant in cost participation, paid to the City upon the City's award of a contract for construction of the waterline on or before March 31, 2022.

Additional terms and conditions require that the City will commence construction of the waterline within thirty days of award of the contract and complete construction of the waterline by July 31, 2022. The developer is required to submit \$400,000.00 to the City upon award of the waterline construction contract, commence construction on a 4,900-square-foot QT retail store within two months of the City's completion of the waterline, submit a \$2.5 million capital investment certificate and provide a Certificate of Occupancy within nine months of completion of the waterline.

Applicants John Pimentel and Corey Vaughn, Real Estate Project Managers representing QT South, LLC, stated that there are water services approximately 500 feet south of the property. However, the water line belongs to Dallas Water Utilities and they are not allowed to tie into it.

Benny Gordon, 1918 Del Oak, expressed support for the agreement.

No others appeared regarding the proposed Chapter 380 Agreement.

Mr. Aleman moved to approve Resolution No. 75-2021, 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 ECONOMIC DEVELOPMENT PROGRAM CHAPTER 380 AGREEMENT FOR SUCH PURPOSES WITH QT SOUTH, LLC, A TEXAS LIMITED LIABILITY COMPANY, FOR THE CONSTRUCTION AND DEVELOPMENT OF A RETAIL FUEL CENTER AND CONVENIENCE STORE LOCATED AT 5040 LAWSON ROAD IN MESQUITE, TEXAS, AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 75-2021 recorded in Resolution Book No. 63.)

19

Conduct a public hearing and consider a resolution 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 a TIRZ No. 8 Reimbursement Agreement and Chapter 380 Economic Development Program Agreement with the Board of Directors of Reinvestment Zone Number 8, John Brian Hutcheson, Aggie Chick & Feed Store, Inc., and Mesquite Feed & Hardware, Inc., for the construction of a new retail building and redevelopment of a retail center located at 4401, 4407 and 4415 Gus Thomasson Road, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

(This item was postponed at the November 1, 2021, City Council meeting.)

A public hearing was held to consider a TIRZ No. 8 Reimbursement Agreement and a Chapter 380 Agreement with the Board of Directors of Reinvestment Zone

Number 8, John Brian Hutcheson, Aggie Chick & Feed Store, Inc., and Mesquite Feed & Hardware, Inc., for construction of a new retail building and redevelopment of a retail center at 4401, 4407 and 4415 Gus Thomasson Road.

Kim Buttram, Director of Economic Development, stated that the Board of Directors of Reinvestment Zone Number 8 approved the TIRZ No. 8 Reimbursement Agreement in a TIRZ No. 8 board meeting conducted prior to the City Council meeting. The scope of the proposed project, located at the corner of Gus Thomasson Road and Moon Drive, includes razing the existing car wash and removal of the existing parking lot surface, construction of a new retail building and parking lot creating new suites for lease to new businesses, updated and unified façade and signage improvements to the existing center anchored by long-time tenant Ace Hardware, and improvements to the strip center parking lot. As part of the project, a new monument sign which lists all tenants within the development is planned to replace the existing pole sign.

The developer has requested public assistance for the project through a multi-faceted incentive plan. A Chapter 380 Agreement requires the proposed scope as well as a \$2.25 million capital investment by the developer. The incentive is broken down by specific performance measures and phases of redevelopment, ranging from \$50,000.00 to a maximum earned incentive of \$900,000.00 through a grant, property tax and sales tax rebates, and reimbursement of development fees over a 10-year period.

Applicant Brian Hutcheson thanked Councilmembers, City Manager and staff for their support. Mr. Hutcheson stated that his grandfather began this ACE Hardware store in 1953. He recently acquired a commercial cleaning business that was brought under the ACE Hardware name and is also looking to bring in a steel distributorship by the end of the year. The Ace Hardware store will remain at its current location as well as the current tenants.

Benny Gordon, 1918 Del Oak expressed support for the agreement.

No others appeared regarding the Chapter 380 Agreement.

Mr. Green moved to approve Resolution No. 76-2021, 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 A TIRZ NO. 8 REIMBURSEMENT AGREEMENT AND CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT FOR SUCH PURPOSES WITH THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER 8, JOHN BRIAN HUTCHESON, AGGIE CHICK & FEED STORE, INC., AND MESQUITE FEED & HARDWARE, INC., FOR THE CONSTRUCTION OF A NEW RETAIL BUILDING AND REDEVELOPMENT OF A RETAIL CENTER LOCATED AT 4401, 4407, AND 4415 GUS THOMASSON ROAD IN MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Ms. Wisdom and approved unanimously. (Resolution No. 76-2021 recorded in Resolution Book No. 63.)

## ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Ms. Wisdom and approved unanimously. The meeting adjourned at 8:34 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Bruce Archer, Mayor