



City of Mesquite, Texas

Minutes - Final City Council

Monday, March 7, 2022

5:30 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Tandy Boroughs, Jeff Casper, Jennifer Vidler and Debbie Anderson, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember B.W. Smith

PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding the annual Texas Department of Transportation ethics requirements.

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

- 2 Receive Neighborhood Services Environmental Code quarterly report for the period of October 1, 2021, through December 31, 2021.

Maria Martinez, Director of Neighborhood Services, presented the Neighborhood Services Environmental Code quarterly report for the period covering October 1, 2021, through December 31, 2021. She stated that there was an increase in the number of violations and complaints reported largely due to more residents utilizing the myMesquite app. Ms. Martinez reviewed the top four code violations - high grass; trash, junk and debris; nuisance premises; and parking violations. She reviewed the Vacant Property Maintenance Program and stated that there are currently 60 properties on the reoccurring maintenance list, to be maintained every three weeks, 19 properties have had deed changes over the last quarter and 626 properties have been sent Notice to Maintain, which is the first step in the Vacant Property Reoccurring Maintenance Process.

The Work Session ended at 6:38 p.m.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:40 P.M.

Mayor Alemán 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 (Item No. 24 – Discuss economic development incentives for a development at the corner of Oates Drive and Gus Thomasson Road); whereupon the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:51 p.m. p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:01 P.M.**INVOCATION**

Stan Raibley, Pastor, Keystone Church of Mesquite, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Hiram Bennett Chapter of the Daughters of the Republic of Texas.

SPECIAL RECOGNITION

- 3 Recognize Real. Texas. Service. Champions.

City Manager Cliff Keheley stated that the Real. Texas. Service. 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 and presented Certificates of Appreciation: Jeff Goodfred - Police Officer; Stephanie Dorsey - Print Shop Technician and Gail Thompson - Paralegal II, City Attorney Office. Jose Garcia - Parks Maintenance Technician, Parks and Recreation Department, was recognized but was unable to attend tonight's meeting.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper encouraged citizens to attend the City of Mesquite Rodeo Parade, commemorating the 63rd Anniversary of the Mesquite Championship Rodeo, on Saturday, April 2, 2022. Businesses and local organizations are encouraged to participate in the parade. The deadline to register is Friday, March 25, 2022, and the entry fee is \$40.00. Floats will be judged on the Real. Texas. Rodeo. Theme and the "Best of Show" entry will win a grand prize package of \$1,000.00.
2. Mr. Green announced that the inaugural season of the Youth Fast Pitch Softball League, for girls age 6 – 14, begins on Wednesday, April 20, 2022. The deadline to register is Sunday, March 27, 2022, with late registration until Sunday, April 3, 2022. Games will take place at the newly renovated Mesquite Girls' Softball Complex.

3. Mr. Green stated that he had the opportunity to attend an Eagle Scout ceremony on Saturday, March 5, 2022, for Horn High School Senior, Cole Rockwell. As his Eagle Scout project, he built two ramps for the Mesquite Animal Shelter and Adoption Center. Mr. Green expressed appreciation to Cole for his work and donation to the City of Mesquite.
4. Ms. Vidler announced that the Business Retention and Expansion Task Force will host a Human Resources (HR) Day event from 11:00 a.m. to 1:00 p.m., at Vanguard High School, 4201 Faithon P. Lucas, Sr., Boulevard, on Friday, March 11, 2022. Panelists include HR Directors and Managers from Texas Advancement Center, Dallas Regional Medical Center, Revolution and Mesquite Independent School District. This event is for business owners and HR managers to discuss HR topics with a peer panel, discover tailored resource options and networking.
5. Mr. Boroughs stated that the Mesquite Fire Department will play a charity basketball game against the Raising the Bridge Kings at 6:00 p.m., on Saturday, March 26, 2022, at Poteet High School, 3300 Poteet Drive. Raising the Bridge is a Mesquite-based non-profit organization geared to strengthen our community's youth. Tickets are \$12 and children age 6 and under are free. All proceeds will support Raising the Bridge.
6. Ms. Anderson encouraged citizens to attend the Mesquite Arts Council's Mesquite Rocks! concert featuring The Selkie Girls. This free concert will be held at 7:00 p.m., during the Mesquite Arts Center's annual St. Patrick Day celebration, 1527 North Galloway Avenue, on Tuesday, March 17, 2022.
7. Mayor Alemán reminded residents that Mesquite Independent School District students will be out of school for Spring Break from March 14, 2022, to March 18, 2022. Therefore, more children will be outside playing, walking and riding their bikes so drive like your family lives here.
8. Mayor Alemán stated that he recently read to 2nd graders at Tisinger Elementary School for the "Read Across America" program. He also participated in the induction ceremony at McWhorter Elementary School's National Elementary Honor Society for 3rd, 4th and 5th graders and congratulated them on this accomplishment.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Green moved to approve the Consent Agenda. Motion was seconded by Mr. Boroughs and approved unanimously.

- 4** Minutes of the regular City Council meeting held February 21, 2022, and Special City Council meeting held February 22, 2022.

Approved on the Consent Agenda.

- 5** An ordinance, on third and final reading, granting to Mesquite Independent School District, its successors and assigns, the nonexclusive right to use and occupy rights-of-way within the City of Mesquite for the construction and operation of a communication system.

Approved on the Consent Agenda.

Ordinance No. 4942, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, GRANTING MESQUITE INDEPENDENT SCHOOL DISTRICT ("MISD"), AND ITS

SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE, AND FRANCHISE TO INSTALL, CONSTRUCT, AND MAINTAIN ITS COMMUNICATION SYSTEM, INCLUDING BUT NOT LIMITED TO, FIBER OPTIC LINES AND OTHER CONSTRUCTION AND APPURTENANCES NECESSARY THERETO, ALONG, ACROSS, ON, THROUGH, AND UNDER ALL PUBLIC STREETS, ALLEYS, PUBLIC GROUNDS AND RIGHTS-OF-WAYS, AND UTILITY EASEMENTS WITHIN THE JURISDICTION AND CONTROL OF SAID CITY, UNDER REGULATIONS AND RESTRICTIONS, AND THE CITY SHALL RECEIVE COMPENSATION THEREFORE, ALL AS HEREIN PROVIDED; PRESCRIBING THE TERM AND EFFECTIVE DATE OF THE FRANCHISE AGREEMENT; PROVIDING A CONFLICTS RESOLUTION CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. (Ordinance No. 4942 recorded in Ordinance Book No. 126.)

- 6 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 April 2, 2022, for the City of Mesquite Rodeo Parade, commemorating the 63rd Anniversary of the Mesquite Championship Rodeo.

Approved on the Consent Agenda.

Resolution No. 14-2022, 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 APRIL 2, 2022, FOR THE CITY OF MESQUITE RODEO PARADE, COMMEMORATING THE 63RD ANNIVERSARY OF THE MESQUITE CHAMPIONSHIP RODEO. (Resolution No. 14-2022 recorded in Resolution Book No. 64.)

- 7 Bid No. 2022-066 - Purchase of One Truck with Attenuator for Fire.
(Staff recommends award to Texas Kenworth in Dallas, Texas, through the BuyBoard Contract No. 601-19, in the amount of \$157,771.50.)

Approved on the Consent Agenda.

- 8 Bid No. 2022-068 - Network Switch Replacement.
(Staff recommends award to Dell, Inc., through the Texas Department of Information Resources Contract No. DIR-TSO-3763 in the amount of \$93,768.59.)

Approved on the Consent Agenda.

- 9 Bid No. 2022-071 - Purchase of Two 2022 Utility Pickups for Parks Department.
(Staff recommends award to Rush Truck Center in Dallas, TX, through BuyBoard Contract No. 601-19, in the amount of \$90,871.90)

Approved on the Consent Agenda.

- 10 Bid No. 2022-072 - Annual Supply of Fire Protective Clothing.
(Staff recommends the purchase of twenty-five sets of firefighter protective coats and pants offered by Casco Industries, Inc., through BuyBoard National Purchasing Cooperative, Contract #603-20, in the amount of \$81,075.00)

Approved on the Consent Agenda.

- 11 Authorize the City Manager to finalize and execute a Texas Commission on

Environmental Quality (TCEQ) Contract for High Hazard Potential Dams (HHPD) Rehabilitation Grant for the City Lake Dam and spillway in the amount of \$61,750.00.

Approved on the Consent Agenda.

- 12 Authorize the City Manager to finalize and execute a professional engineering contract with Garver, LLC for the final design of South Parkway in the amount not to exceed \$945,987.00.

Approved on the Consent Agenda.

- 13 Authorize the City Manager to finalize and execute Mural Easements for installation of works of public art on the following properties:
(a) DPC Cedars LLC, owner of property at 211 West Main Street
(b) Mr. William M. and Mrs. Manuela M. Metzger, owner of property at 111 West Main Street
(c) BCL Real Estate LLC, owner of property at 307 West Main Street

Approved on the Consent Agenda.

- 14 Authorize the City Manager to finalize and execute a Joint Use Outdoor Room Agreement with Mr. William M. and Mrs. Manuela M. Metzger, for use of the unimproved lot at 113 West Main Street for the purposes of installation of temporary improvements and public use of the lot and installation.

Approved on the Consent Agenda.

- 15 Authorize the City Manager to finalize and execute Amendment No. 1 to the EMS Billing and Collection Services contract with Digitech Computer LLC, for additional services to determine hardship assistance eligibility related to EMS billing, at a flat rate not to exceed \$0.05 per record searched and \$0.06 per record located.

Approved on the Consent Agenda.

- 16 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and Municipal Court Judge Detra Hill.

Approved on the Consent Agenda.

- 17 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Attorney David Paschall.

Approved on the Consent Agenda.

- 18 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Manager Cliff Keheley.

Approved on the Consent Agenda.

- 19 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Secretary Sonja Land.

Approved on the Consent Agenda.

- 20 Approve the proposed CDBG-CV Budget fiscal year 2022-2023.
Approved on the Consent Agenda.
- 21 Receive the Fiscal Year 2020-2021 annual report from the Mesquite Quality of Life Corporation Board of Directors.
Approved on the Consent Agenda.
- 22 Receive the January 2022 semiannual report for impact fees from the Capital Improvements Advisory Committee in accordance with Section 395.058(c)(4) of the Texas Local Government Code.
Approved on the Consent Agenda.

END OF CONSENT AGENDA**PUBLIC HEARINGS**

- 23 Conduct a public hearing and consider an ordinance for Zoning Application No. Z0721-0206, submitted by Maxwell Fisher of Masterplan, for a change of zoning from Planned Development - Industrial (Ord. No. 4856) to Planned Development - Industrial (Ord. No. 4856) with a Conditional Use Permit to allow a self-storage facility and outdoor recreational vehicle storage with modifications to the Special Conditions found in Section 3-502, located at 2210 East Scyene Road.
(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. This item was postponed from the February 21, 2022, City Council meeting.)

A public hearing was held for Zoning Application No. Z0721-0206.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes the construction of a self-storage facility consisting of 14 buildings totaling 232,017 square feet on a vacant 13.86-acre tract, located at 2210 East Scyene Road. One structure, proposed to be 108,000 square feet in area, would be two-stories in height and climate controlled. The other 13 storage buildings would be one-story in height. In addition, there would be four covered RV storage structures that would be enclosed on three sides and open on one side that would face the interior of the property.

Mr. Armstrong stated that certain uses are allowed by right without requiring a public hearing or Council approval such as manufacturing, wholesaling, distribution, auto repair, contractor yards, retail uses, truck repair, etc.

Applicant Maxwell Fisher with Masterplan, representing Storage 365, reviewed the proposed development. He stated that the property will be accessible from 6:00 a.m. to 10:00 p.m. and will have 24/7 security surveillance. He stated that the property is required to have 10 percent landscaping. However, 20 percent landscaping is being proposed.

- 1. Brenda Randall, President of the Glenway Estates Homeowner's Association, 510 Binkley Court, expressed opposition to the proposed application and**

suggested the property be rezoned.

2. Vivian Carrasco, 4538 Live Oak Drive, spoke in favor of the proposed application.

No others appeared regarding the proposed application.

Per Council's request, Mr. Armstrong reviewed the rezoning process.

Ms. Anderson moved to deny Zoning Application No. Z0721-0206. Motion was seconded by Ms. Vidler. On call for a vote on the motion, the following votes were cast:

Ayes: Anderson, Vidler, Green, Boroughs

Nays: Alemán, Casper

Motion carried.

Following adjournment of the meeting, Mayor Alemán expressed that he inadvertently voted in opposition to the motion, but intended to vote in favor of the motion.

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Ms. Vidler and approved unanimously. The meeting adjourned at 8:12 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor