



City of Mesquite, Texas

Minutes - Final City Council

Monday, February 3, 2014

12:00 PM

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

Present: Mayor John Monaco and Councilmembers Shirley Roberts, Al Forsythe, Bill Porter, Stan Pickett, Greg Noschese and Dennis Tarpley, City Manager Ted Barron and City Secretary Sonja Land.

PRE-MEETING - COUNCIL CONFERENCE ROOM - 12:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding Town East Elevated Tank logos.

 Staff was requested to explore the feasibility of using lasers to project images on the elevated tank. Information on this topic will be developed and brought back to Council for consideration.

- 2 Discuss disposition of excess commercial property.

 Council suggested the disposition of specific tracts be considered in the context of any proposed redevelopment efforts. Staff will schedule additional briefings to identify any tracts that might relate to future revitalization or redevelopment projects.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 12:10 P.M.

The City Council met in Executive Session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or value of real property (discuss the proposed acquisition of property located on Oates Drive); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 12:34 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 1:04 P.M.

- 3 Discuss vision and Comprehensive Plan policies for the Military Parkway - Scyene Corridor.

 Richard Gertson, Director of Community Development, presented the spectrum of choices for the Military Parkway-Scyene Corridor (MPSC) Comprehensive Plan, which creates a vision for the corridor. The MPSC's current guidelines require buildings to be located at the street frontage with interior parking lots and backage roads. With standard commercial zoning, buildings are set back from the right-of-way with surface parking located in front of the developments. Mr.

Gertson stated there is definite room in the middle of each set of guidelines to distinguish what the Council desires for the MPSC.

Council expressed concern regarding the future development of the Corridor and directed staff to have the Planning and Zoning Commission review the MPSC guidelines and report its findings to the City Council at a later date.

Mr. Pickett left the meeting at 1:20 p.m.

The work session ended at 1:23 p.m.

Mr. Pickett returned to the meeting at 1:49 p.m.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 3:00 P.M.

INVOCATION

Pastor Adrian Cantu, Edgewood Rehabilitation and Care Center, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Masiah Perez, Homero Resendiz and Chris Cano, fourth grade students from Tisinger Elementary School.

SPECIAL ANNOUNCEMENTS

(1) Ms. Roberts announced that the City of Mesquite is joining with the American Heart Association on Friday, February 7, 2014, in support of "Go Red for Women Day". Mesquite will be the only city in the nation to completely "Go Red, " including City of Mesquite, the Mesquite Independent School District, churches, businesses and local organizations to show their support for women and their fight against heart disease. She invited everyone to participate by wearing red, decorating with red and encouraging others to do the same.

(2) Ms. Roberts reminded everyone that the annual Daddy/Daughter Dance, sponsored by the Mesquite Parks and Recreation Dept., will take place on Friday, February 7, 2014, at the Mesquite Convention Center. She encouraged all fathers to take advantage of this special night with their daughters.

PRESENTATIONS

- 4** Presentation of a plaque to Richard Larson in recognition of his service as a member of the Municipal Library Advisory Board.

Mayor Monaco presented a plaque to Richard Larson in recognition of his service as a member of the Municipal Library Advisory Board from November 2007 through December 2013.

- 5** Presentation of meritorious awards to Fire Department employees.

Fire Chief Mark Kerby and Captain Kelly Turner presented meritorious awards to Fire Department employees in recognition of their achievements and outstanding service. Awards were presented as follows:

- **Life Saving Award No. 1 to Firefighter/Paramedic Rodrick Levingston,**

Firefighter/Paramedic Chad Tessem, Driver Engineer/Paramedic Jason Sutcliffe, Driver Engineer/Paramedic Scott Harrell, Firefighter/Paramedic Mike Park and Firefighter/Paramedic Rodney Jones;

- Life Saving Award No. 2 to Firefighter/Paramedic Chad Tessem, Firefighter/Paramedic Billy Culver and Firefighter/Paramedic Justin Bunting;
- Life Saving Award No. 3 to Lieutenant Brian Staples and Firefighter/Paramedic Kenneth Quisenberry;
- Life Saving Award No. 4 to Firefighter/Paramedic Eddie Vise, Firefighter/Paramedic Craig Bess, Captain Chad Rose, and Driver/Engineer Jim Bob Plemons;
- Life Saving Award No. 5 to Firefighter/Paramedic Tandy Boroughs, Firefighter/Paramedic Billy Culver and Firefighter/Paramedic Justin Bunting;
- 2014 "Making a Difference" Award to Public Safety Computer Administrator/Analyst David Johnson;
- 2014 Paramedic of the Year Award to Firefighter/Paramedic Victor Palasciano;
- 2014 Fire Officer of the Year Award to Captain Jeffrey Miller; and
- 2014 Firefighter of the Year Award to Driver/Engineer Randy Hughes.

Those not present to receive awards included:

- Life Saving Award No. 2 – Firefighter/Paramedic Robert Williams, Lieutenant Jon Moore and Driver Engineer/Paramedic Mike Trojacek;
- Life Saving Award No. 3 – Firefighter/Paramedic Andrew Rawe, Firefighter/Paramedic Royce Cartwright, Captain Dan Williams and Firefighter/Paramedic Jeff Grimland;
- Life Saving Award No. 4 – Firefighter/Paramedic Richard Phillips and Firefighter/Paramedic Eric Baack; and
- Life Saving Award No. 5 – Captain Clay Henslee, Driver Engineer/Paramedic Mike Trojacek and Firefighter/Paramedic Robert Williams.

CONSENT AGENDA

Approval of the Consent Agenda

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

- 6 Minutes of the regular City Council meeting held January 21, 2014.

Approved on the Consent Agenda.

- 7 An ordinance amending Chapter 8 of the City Code repealing Ordinance No. 4104 thereby deleting Article XII in its entirety which prohibits the use, purchase, possession and sale of illegal smoking products and ingestion devices within the City limits since the regulation of the prohibited substances has been pre-empted by State law.

Approved on the Consent Agenda.

Ordinance No. 4298, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY REPEALING ORDINANCE NO. 4104 THEREBY DELETING ARTICLE XII IN ITS ENTIRETY; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. (Ordinance No. 4298 recorded on page of Ordinance Book No. 103.)

- 8 A resolution calling the annual City election to be held May 10, 2014.
- Approved on the Consent Agenda.**
- Resolution No. 03-2014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CALLING THE ANNUAL CITY ELECTION TO BE HELD MAY 10, 2014. (Resolution No. 03-2014 recorded on page of Resolution Book No. 46.)**
- 9 Bid No. 2014-003 - Annual Supply of Ford OEM Parts.
(Staff recommends award to low bidder Bob Tomes Ford in the amount of \$60,000.00.)
- Approved on the Consent Agenda.**
- 10 Bid No. 2014-007 - Annual Supply of Dodge OEM Parts.
(Staff recommends award to low bidder Dallas Dodge Chrysler Jeep in the amount of \$70,000.00.)
- Approved on the Consent Agenda.**
- 11 RFP No. 2014-039 - Purchase and Installation of Position Modeling Budget System.
(Authorize the City Manager to execute a contract with Questica, Inc., in the amount of \$99,500.00.)
- Approved on the Consent Agenda.**
- 12 Bid No. 2014-052 - Purchase of Supplies and Accessories for Police Vehicles 2014.
(Staff recommends award to Defender Supply LLC, in the amount of \$55,958.18, GT Distributors, Inc., in the amount of \$10,303.12 and Lone Star Equipment, LLC, in the amount of \$42,515.44, through a Joint Venture/Cooperative Purchasing Agreement with Tarrant County for a total amount of \$108,776.74.)
- Approved on the Consent Agenda.**
- 13 Authorize the City Manager to execute a Lease Agreement with Texas A&M Engineering Extension Service (TEEX) for a 33.2-acre site located at IH 20 and Lumley Road to be utilized as TEEX's North Texas Regional Training Center.
- Approved on the Consent Agenda.**
- 14 Accept donation of property located at 1301 Hackamore Street and authorize the City Manager to execute the necessary documents related to said donation.
- Approved on the Consent Agenda.**

END OF CONSENT AGENDA

PUBLIC HEARING

15

Conduct a public hearing and consider an ordinance for Application No. 261-31B-2014, submitted by Karl Crawley for owner 9600 EUS80, Ltd., for a zoning change from Planned Development - Commercial (Ordinance No. 3933) to Planned Development - Industrial for the former Big Town Mall site comprising 75.0 acres located in the 4700 block of U.S. Highway 80.

(No opposition to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

A public hearing was held to consider Application No. 261-31B-2014, submitted by Karl Crawley.

Mike Gray, President of Ridgeline Property Group, LLC, stated that they specialize in industrial bulk facilities and work with Fortune 500 companies for their needs for specific facilities in certain locations. The user he represents is currently located in Mesquite and is seeking to expand their facility to this site which has the advantage of being located near Union Pacific Railroad's Intermodal Facility.

Mr. Gray stated that the proposed \$40 million development consists of 75 acres and the user is willing to make a ten-year commitment to the project. The building will be a storage staging facility with the product shipped to other distribution facilities. He stated that the dock doors will face east and west, away from U. S. Highway 80 and Samuell Boulevard. Trucks will be entering and exiting the facility on Samuell Boulevard where a berm with ornamental plantings will be added to assist in screening the parking lot.

Mr. Gray requested relief from the ornamental fence requirements along the dock wall sides of the building as well as the landscape requirements. He added that the user does not have a need to use the existing Big Town sign.

Mr. Tarpley expressed concern regarding utilizing this site, which is a gateway into the City, for an industrial use.

No one appeared regarding the proposed zoning change. Mayor Monaco declared the public hearing closed.

Mr. Noschese moved to approve Application No. 261-31B-2014, with stipulations recommended by the Planning and Zoning Commission, along with additional stipulations and modifications as follows:

1. Uses shall be permitted as provided for in the I, Industrial zoning district except that the following uses shall not be permitted:

SIC 42a - Miniwarehousing, Self-storage

SIC 55 - Automobile Dealers, Service Stations, except that SIC 553 Auto and Home Supply Stores shall be permitted

SIC 60a and 61a - Alternative Financial Establishments

SIC 703 - Camps, Trailering Parks

SIC 751 - Automotive Rental, Leasing

SIC 9223 - Correctional Institutions

2. Outdoor Display Lots and Primary Outdoor Storage Yards shall be prohibited.

3. The historic Big Town Mall sign may be preserved and modified. If the sign is modified, the property owner shall obtain a recommendation on proposed changes from Historic Mesquite, Inc. The sign may be left in place or relocated

on site. If the sign is to be removed, the City of Mesquite and Historic Mesquite, Inc., shall be notified a minimum of 30 days before removal and efforts shall be made by the property owner to sell or donate the sign to an organization or agency that will agree to preserve the sign. Such sale or donation shall be made at the time of removal.

4. In addition to meeting the minimum landscape requirements of the Mesquite Zoning Ordinance, a minimum 25-foot-wide landscape strip shall be required along the U. S. Highway 80 and Samuell Boulevard frontages, exclusive of driveways. A buffer tree line shall be established in each landscape strip to include one large shade tree per 30 feet of frontage. Three additional large evergreen shrubs must be grouped every 50 feet of street frontage, exclusive of driveways. Landscaping materials and irrigation requirements shall conform to the City's landscape ordinance, as amended, in effect on the date of site plan approval.

5. Driveway medians shall be landscaped. Enhanced landscaping shall be provided at all driveways going to or from a public street. Enhanced landscaping shall include at a minimum bushes or hedges, flowerbeds and/or low ground plantings.

6. Loading docks and overhead doors shall be generally perpendicular to U. S. Highway 80 and Samuell Boulevard. No loading docks or overhead doors shall be permitted on the north or south building façades.

7. All fencing must be wrought iron or similar, provided the fence on the western side of the property may be vinyl-coated material similar in character to the fencing just west of the proposed development. The detention pond shall not be separately fenced.

8. Parking for industrial/warehouse uses shall be a minimum of one space per employee at maximum shift plus one space per 300 square feet of designated office space. All other uses shall meet the parking requirements as found in the Mesquite Zoning Ordinance. Parking may be shared with adjacent Industrial-zoned properties by agreement and where sufficient parking is available to meet the minimum requirements of all sites party to any such agreement.

9. The Director of Community Development shall initiate a public hearing to consider a rezoning of the site to an alternate planned development or zoning classification if no approved building permit is issued for the proposed industrial facility in conformance with the stipulations herein by February 3, 2017.

And to approve Ordinance No. 4299, 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 PLANNED DEVELOPMENT - COMMERCIAL TO PLANNED DEVELOPMENT - INDUSTRIAL ON PROPERTY LOCATED IN THE 4700 BLOCK OF U. S. HIGHWAY 80 THEREBY ALLOWING THE PROPERTY TO BE USED FOR THE CONSTRUCTION OF AN INDUSTRIAL BUILDING SUBJECT TO CERTAIN STIPULATIONS; 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. Porter. On call for a vote, the following votes were cast:

Ayes: Noschese, Porter, Monaco, Forsythe, Pickett, Roberts

Nays: Tarpley

Motion carried. (Ordinance No. 4299 recorded on page of Ordinance Book No. 103.)

OTHER BUSINESS

16 Consideration and possible action to authorize a market study to be performed by Black Label, LLC, in partnership with Ricker-Cunningham, LLC, to assess viable uses for the former Big Town Mall site, and authorize the City Manager to execute a professional services contract for said purposes.

Mr. Noschese moved to table consideration to authorize a market study to be performed by Black Label, LLC, in partnership with Ricker-Cunningham, LLC, to assess viable uses for the former Big Town Mall site, and authorize the City Manager to execute a professional services contract for said purposes. Motion was seconded by Mr. Pickett and approved unanimously.

ADJOURNMENT

Mr. Pickett moved to adjourn the meeting. Motion was seconded by Mr. Noschese and approved unanimously. The meeting adjourned at 4:17 p.m.

Approved:

Attest:

John Monaco, Mayor

Sonja Land, City Secretary