



City of Mesquite, Texas

Minutes - Final City Council

Monday, April 21, 2014

12:30 PM

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

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

Absent: Mayor Pro Tem Shirley Roberts.

PRE-MEETING - COUNCIL CONFERENCE ROOM - 12:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss public transportation proposals from STAR Transit.

It was Council consensus to continue exploring the STAR Transit proposal and to proceed with the public comment phase of the process.
- 2 Receive information regarding a request to allow the use of electric security fencing in non-agricultural zoning districts.

It was Council consensus to draft an ordinance amendment for consideration which permits electrified security fencing in industrial and commercial districts, provided certain safety measures are met.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 1:00 P.M.

The City Council met 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 an economic development incentive for a business seeking to locate on Gus Thomasson Road within the Towne Centre Tax Increment Finance Reinvestment Zone No. Two.); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 1:23 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

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

INVOCATION

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

PLEDGE OF ALLEGIANCE

Recreation After School Participants from Goodbar Recreation Center.

SPECIAL ANNOUNCEMENTS

(1) Mr. Pickett announced that the 8th Annual Real. Texas. Festival. will be held this weekend, Friday, April 25, 2014 from 5:00 p.m. – 11:00 p.m. and Saturday, April 26, 2014 from 10:00 a.m. – 11:00 p.m. at Rodeo Center, 1818 Rodeo Drive. There will be entertainment for the entire family including a carnival, car show, BBQ contest, craft vendors, rodeo and concerts. The concert headliners will be the Casey Donahew Band on Friday and Big & Rich on Saturday. If attendees bring a canned or non-perishable food item for the Mayor's Food Drive, they will receive \$5.00 off of gate admission. Mr. Pickett invited everyone to bring their family and friends to this fun-filled two-day event.

(2) Mr. Pickett invited everyone to attend the 11th Annual Mayor's Prayer Breakfast taking place on Thursday, May 1, 2014, at 7:00 a.m. at Family Cathedral of Praise, 790 Windbell Circle. Other events include a gathering at Noon at Mesquite City Hall flag pole, 757 North Galloway Ave. and a service at 7:00 p.m. at Mesquite Friendship Baptist Church, 680 E. US Hwy. 80.

(3) Mr. Porter announced the Mesquite Independent School District will hold a Teacher Job Fair on Saturday, May 3, 2014, from 9:00 a.m. – Noon at Mesquite Arena, 1818 Rodeo Dr. With more than 300 positions available, he invited all potential teachers to participate in this exciting employment opportunity.

PRESENTATIONS

3 Presentation of meritorious awards to Police Department employees.

Mayor Monaco and Lt. Bill Hedgepeth presented meritorious awards to Police Department employees in recognition of their achievements and outstanding service. Awards were presented as follows:

- Certificate of Merit to Lisa Harrell;
- Certificate of Civic Achievement to Kyle Griffin, Frank Pontillo, Jimmy Sikes and Don Williams;
- Life Saving Award to Bruce Sales, Stephen Birk, Brandon Ricketts (two awards), Nicolas Sierra, Andrew Chance, Torrey Rhone, Al Kalota, Aaron Shedd (two awards), Richard Houston and Ron Parker;
- Meritorious Conduct Bar to Ron Parker;
- Civilian of the Year to Ricardo Rodriguez and
- Officer of the Year to William Mosley II.

Those not present to receive Life Saving Awards included Mark Reinhart, Brad Kelly, Prudencio Solis, Alex Smith, Clint Crabtree, Barry Cook and Matt Heidelberg.

CONSENT AGENDA**Approval of the Consent Agenda**

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

- 4 Minutes of the regular City Council meeting held April 7, 2014.
- Approved on the Consent Agenda.**
- 5 An ordinance amending Chapter 16 of the City Code thereby providing an update to the Water Conservation and Drought Contingency Plans as required by the Texas Commission on Environmental Quality.
- Approved on the Consent Agenda.**
- Ordinance, No. 4307, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 16-12(F) IN ITS ENTIRETY AND ADDING A NEW SECTION 16-12(F); THEREBY PROVIDING AN UPDATE TO THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS AS REQUIRED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. (Ordinance No. 4307 recorded on page of Ordinance Book No. 103.)**
- 6 A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State right-of-way on June 7, 2014, for the Texas Shrine Association Parade.
- Approved on the Consent Agenda.**
- Resolution No. 13-2014, 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 RIGHT-OF-WAY ON JUNE 7, 2014, FOR THE TEXAS SHRINE ASSOCIATION PARADE. (Resolution No. 13-2014 recorded on page of Resolution Book No. 46.)**
- 7 Bid No. 2014-041 - Annual Contract for Sidewalk, Handicapped Ramps, Drive Approaches and Curb and Gutter Replacement.
(Authorize the City Manager to execute a contract with low bidder Cam-Crete Contracting, Inc., in the amount of \$212,000.00.)
- Approved on the Consent Agenda.**
- 8 Bid No. 2014-049 - Annual Supply of Vehicle Replacement Parts.
(Staff recommends award to low bidders Midway Auto Parts with a discount range of 10 to 50 percent off catalog price in the amount of \$50,000.00 and O'Reilly Auto Parts with a discount of 41 percent or better off list price, in the amount of \$50,000.00, for a total amount of \$100,000.00.)
- Approved on the Consent Agenda.**
- 9 Bid No. 2014-061 - Annual Contract for Concrete Crushing Contractor.
(Staff recommends award to low bidder Southwest Crushing, LLC, in the amount of \$84,000.00.)
- Approved on the Consent Agenda.**

- 10 Bid No. 2014-063 - Annual Supply of Sand and Loam.
(Staff recommends award to low bidder DFW Materials in an amount not to exceed \$176,682.00.)
Approved on the Consent Agenda.
- 11 Approve Amendment No. 1 to the 2013-14 Police Seizure Budget in accordance with Title 28, Section 524 of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$174,600.00.
Approved on the Consent Agenda.
- 12 Authorize the City Manager to execute an Amended and Restated Memorandum of Understanding between the City of Mesquite and the Mesquite Police Association under Subchapter B of Chapter 142 of the Texas Local Government Code (Meet and Confer) to expire on April 30, 2016.
Approved on the Consent Agenda.

END OF CONSENT AGENDA**PUBLIC HEARING**

- 13 Conduct a public hearing and consider an ordinance for Application No. 486-18-2014, submitted by Dan Hopf for Discount Tire, for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow the sale of used tires at 2201 North Galloway Avenue.
(One letter in favor to the proposed amendment has been received. The Planning and Zoning Commission recommends approval of the application. This item was postponed at the April 7, 2014, City Council meeting.)
A public hearing was held to consider Application No. 486-18-2014, submitted by Dan Hopf for Discount Tire.
- James Banantee, representing Discount Tire, stated that Discount Tire has been located in the City of Mesquite for the past 28 years and recently completed construction of a new building. Used tires, which constitutes less than one percent of total sales, were sold at the previous location and they would like to continue this practice at the new location. Mr. Banantee agreed to the proposed stipulation.**
- No one appeared regarding the proposed zoning change. Mayor Monaco declared the public hearing closed.**
- Mr. Noschese moved to approve Application No. 486-18-2014, with the stipulation that there shall be no indoor or outdoor display of used tires, and to approve Ordinance No. 4308, 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 COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 2201 NORTH GALLOWAY AVENUE THEREBY ALLOWING FOR THE SALE OF USED TIRES WITH ONE STIPULATION; 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. Tarpley and approved unanimously. (Ordinance No. 4308 recorded on page _____ of Ordinance Book No. 103.)

RECEIPT OF RESIGNATION

- 14 Receive resignation from Sushil Mathew as a member of the Civil Service Commission and Personnel/Trial Board.

Mr. Pickett moved to accept the resignation of Sushil Mathew as a member of the Civil Service Commission and Personnel/Trial Board. Motion was seconded by Mr. Noschese and approved unanimously.

ADJOURNMENT

Mr. Tarpley moved to adjourn the meeting. Motion was seconded by Mr. Forsythe and approved unanimously. The meeting adjourned at 3:46 p.m.

Approved:

Attest:

John Monaco, Mayor

Sonja Land, City Secretary