



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, February 5, 2018

5:00 PM

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

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Present: Mayor Stan Pickett and Councilmembers Dan Aleman, Jeff Casper, Bruce Archer, Greg Noschese and Tandy Boroughs, City Manager Cliff Keheley and City Secretary Sonja Land.

Absent: Councilmember Robert Miklos.

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

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive briefing regarding reception halls.

Council directed staff to provide various options for their consideration.

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:35 P.M.**

Mayor Pickett announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Receive advice regarding contemplated litigation concerning properties with numerous code violations on the T25 Task Force Property List); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:47 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:47 P.M.**

Mayor Pickett 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 (Discuss acquisition of property along Berry Road); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:51 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:51 P.M.**

Mayor Pickett 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 (Discuss economic incentives for a proposed development located at Military Parkway and Rodeo Center Boulevard); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 7:00 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:07 P.M.****INVOCATION**

Millie Arnold, representing St. Marks United Methodist Church, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Members of the Mesquite Fire Corps.

**PRESENTATIONS**

- 2 Presentation of a plaque to Sid Agent in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee.

**Mayor Pickett presented a plaque to Sid Agent in recognition of his service as a member of the Board of Adjustment and Automated Traffic Signal Enforcement Advisory Committee from October 2012 to January 2018.**

- 4 Presentation of 2018 Polar Plunge results.

**This item was taken out of order.**

**Mayor Pickett stated that the Polar Plunge raised over \$15,000.00 for the Special Olympics Texas and invited Councilmembers Tandy Boroughs and Greg Noschese, Police Officer Brandon Snyder and Carrington Marzett, representing Special Olympics Texas, to join him for the special presentation. Ms. Marzett expressed appreciation to the Mesquite community for its support of Special Olympics. Mr. Boroughs stated that he requested donations from the Mesquite AMBUCS as well as firefighters from the Mesquite Fire Department.**

- 3 Recognize Chris Villanueva from Dr. John Horn High School for winning the Junior World Bull Riding Championship at the National Finals Rodeo.

**Mayor Pickett stated that Chris Villanueva is a 16-year-old sophomore at Dr. John Horn High School. He is involved in AP honor classes, plays soccer and competes in bull riding. His rodeo accomplishments include 2016 Texas Junior High State Champion, 2016 National Junior High Champion, 2017 Texas Youth Bull Riding State Champion, 2017 Junior Bull Riding Association National**

Champion, 2017 American Youth Bull Riding American Champion and the 2017 National Finals Rodeo Youth Bull Riding Champion. Mayor Pickett stated that Honorary Boulevard between Scyene Road and Military Parkway will be renamed Villanueva Heights for one month in his honor and presented Chris with an honorary Mesquite street sign.

5 Presentation of meritorious awards to Fire Department employees.

Fire Chief Mark Kerby and Captain Travis Greenman 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 (FF/P) David Page, FF/P Dan Turner, Lieutenant Mike Kurtz, Driver-Engineer/Paramedic (DE/P) Jason Sutcliffe and FF/P Ron Buie;
- Life Saving Award No. 2 to FF/P Eric Wright, FF/P Caleb Schallawitz, Captain David Shedd, FF/P Paul Polish, FF/P Ron Buie and FF/P Justin Turner;
- 2017 Fitness Pin to Casey Peach, David David, Matthew Koop, Rodney Jones, Elliot Howard, Steve Snell, Kyle Jones, Billy Petty, Royce Cartwright, Chad Holmes, Jacob Heise, Nick Stephan, Anthony Shrum, Mark Kerby, Justin Sanders, David Shedd, Rob Clarke, Matt Haisten, Travis Block, Bryan Serda, Erric Baack, Clay Henslee, David Page, Dustin Rhodes, Blake Turner, Jason Eddy, Doug Preston, Tobias Henry, Justin James, Dwight Brimer and Lane Rodgers;
- Attendance Merit Bar to Captain Gene Zwillenberg;
- Chiefs Award to Assistant Chief Larry Spurgin, Captain Brian Staples and Lieutenant Darrel Evans;
- Fire Officer of the Year Award to Deputy Chief Bruce Kunz and
- Firefighter of the Year Award to FF/P Aaron Hall.

## SPECIAL ANNOUNCEMENTS

(1) Mr. Casper invited citizens to support a local charity, Mesquite Animal Pawtners which partners with the Mesquite Animal Shelter and Adoption Center, by attending their monthly fundraiser on Sunday, February 11, 2018, at Chipotle, 1715 North Town East Boulevard, from 4:00 p.m. to 8:00 p.m.

(2) Mr. Archer commended Fire Captain David Shedd, who is retiring soon, for assisting with the repair of three homes in Mesquite and thanked him for his many contributions to our community throughout his career.

(3) Mr. Archer thanked volunteers who participated in the "Scyene Super Sweep" neighborhood clean-up last Saturday, February 3, 2018, in the Scyene Road area.

(4) Mr. Archer announced that a trash pick up in the Rollingwood Hills and Skyline neighborhoods will take place on Saturday, February 10, 2018, at 11:00 a.m. All interested residents will meet at the pedestrian bridge on Military Parkway.

(5) Mr. Noschese stated that over 80 volunteers participated in the "Scyene Super Sweep" neighborhood clean-up in the Scyene Road area. He expressed appreciation to everyone that participated including the Eastern Skies District of the Boy Scouts, students and Jr. ROTC from Horn High School, teachers from Gentry Elementary School and City Councilmembers.

(6) Mr. Noschese shared a letter that was sent to Police Chief Charles Cato from John Heiman, President and CEO of Whataburger of Mesquite, Inc., expressing appreciation for apprehending suspects who were responsible for recent Whataburger robberies.

(7) Mr. Aleman invited citizens to attend the Falcon's Lair Homeowners Association meeting in the Horn High School cafeteria tomorrow night, February 6, 2018, at 7:00 p.m.

(8) Mr. Aleman stated that he and Mr. Archer will be hosting "Meet Your Councilmember" this Saturday, February 10, 2018, at 9:00 a.m. at Tom Thumb, 1501 Pioneer Road, and invited citizens to attend.

(9) Mr. Aleman announced that a Creek Crossing neighborhood crime watch meeting will be held next Tuesday, February 13, 2018, at 7:00 p.m., at The Crossing Baptist Church, 1060 Clay Mathis Road and invited citizens to attend.

(10) Mr. Aleman commended Lisa Fox, Director, Emergency Department at Dallas Regional Medical Center (DRMC), for her work on the American Heart Association Gala that took place last week. He stated that she also coordinates a quarterly awards ceremony for the City's first responders at DRMC and thanked her for her involvement in our community.

(11) Mayor Pickett stated that he attended the Jr. ROTC Military Ball at North Mesquite High School last Saturday night, February 3, 2018, and commended the young men and women who were in attendance.

(12) Mayor Pickett congratulated his pastor's son, Luke Pope, for being accepted into the Navy Seals program and wished him well as he serves our country.

(13) Mayor Pickett invited citizens to attend the Annual Mesquite Chamber Banquet this Thursday, February 8, 2018, at 6:30 p.m., at the Mesquite Convention Center where the Mayoral "State of the City" Address will be presented.

## **CITIZENS FORUM**

(1) Brad Craft, 113 Derby Lane, stated that the City of Dallas recently adopted a tethering law for dogs and requested the City of Mesquite do the same.

(2) Pastor W. R. Willis, 1401 Clay Mathis Road, requested a street be named or renamed after Dr. Martin Luther King, Jr., and presented a petition to City Secretary Sonja Land.

(3) Thomas Ervin II, 2221 Creek Royal Drive, made several suggestions for improvements to the City and requested resources for youth in our community.

## **CONSENT AGENDA**

### **Approval of the Consent Agenda**

**Mr. Aleman moved to approve Item Nos. 6 and 8-18 on the Consent Agenda, as follows. Motion was seconded by Mr. Archer and approved unanimously.**

**6** Minutes of the regular City Council meeting held January 16, 2018.

**Approved on the Consent Agenda.**

**8** An ordinance amending Chapter 4 of the City Code thereby amending the provisions related to the Animal Control Advisory Committee hereafter to be known as the Animal Services Advisory Board.

**Approved on the Consent Agenda.**

**Ordinance No. 4539, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF MESQUITE, AS AMENDED, BY DELETING SECTION 4-3.1 IN ITS ENTIRETY AND ADDING A NEW SECTION 4-3.1, AMENDING THE PROVISIONS RELATED TO THE ANIMAL CONTROL ADVISORY COMMITTEE HEREAFTER TO BE KNOWN AS THE ANIMAL SERVICES ADVISORY BOARD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4539 recorded in Ordinance Book No. 111.)**

- 9 A resolution authorizing the purchase and sale of a tax-foreclosed property located at 402 North Carmack Street, Mesquite, Texas, and authorizing the City Manager to execute a quitclaim deed and all other documents necessary or requested to complete the closing, purchase and sale of the property.

**Approved on the Consent Agenda.**

**Resolution No. 03-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE PURCHASE AND SALE OF A TAX-FORECLOSED PROPERTY LOCATED AT 402 NORTH CARMACK STREET, MESQUITE, TEXAS (THE "PROPERTY"); AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING, PURCHASE AND SALE OF THE PROPERTY. (Resolution No. 03-2018 recorded in Resolution Book No. 52.)**

- 10 A resolution authorizing the sale of a tax-foreclosed property located at 314 South Ebrite Street, Mesquite, Texas, accepting the offer from the purchaser to purchase the property, ratifying and approving the offer and purchase agreement executed by the purchaser setting forth the terms and conditions of the sale of the property, and authorizing the City Manager to execute a quitclaim deed and all other documents necessary or requested to complete the closing and sale of the property.

**Approved on the Consent Agenda.**

**Resolution No. 04-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF A TAXFORECLOSED PROPERTY LOCATED AT 314 SOUTH EBRITE STREET, MESQUITE, TEXAS (THE "PROPERTY"); ACCEPTING THE OFFER FROM THE PURCHASER TO PURCHASE THE PROPERTY; RATIFYING AND APPROVING THE OFFER AND PURCHASE AGREEMENT EXECUTED BY THE PURCHASER SETTING FORTH THE TERMS AND CONDITIONS OF THE SALE OF THE PROPERTY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING AND SALE OF THE PROPERTY. (Resolution No. 04-2018 recorded in Resolution Book No. 52.)**

- 11 Bid No. E2018-001 - Scyene Road Reconstruction from Clay Mathis Road to Lawson Road.  
(Authorize the City Manager to finalize and execute a contract with low bidder McMahon Contracting, L.P., for an amount not to exceed \$8,825,620.26.)

**Approved on the Consent Agenda.**

- 12 Bid No. 2018-013 - Annual Supply of Magnetic Water Meters.  
(Staff recommends award to sole source provider Core & Main, LP, for an amount not to exceed \$264,910.00.)

**Approved on the Consent Agenda.**

- 13 Bid No. 2018-025 - Purchase of Eight Chevrolet Pickups.  
(Staff recommends award to Caldwell Country Chevrolet in Caldwell, Texas, through BuyBoard Contract No. 521-16, in the amount of \$284,597.00.)

**Approved on the Consent Agenda.**

- 14 Bid No. 2018-045 - Self-Contained Breathing Apparatus (SCBA) Upgrade.  
(Staff recommends award to Casco Industries, Inc., in Shreveport, Louisiana, through BuyBoard Contract No. 524-17, sponsored by the Texas Association of School Boards, in the amount of \$648,647.00.)  
**Approved on the Consent Agenda.**
- 15 Bid No. 2018-048 - Swimming Pool Resurfacing at Vanston Pool.  
(Authorize the City Manager to finalize and execute a contract with Sunbelt Pools, through Buy Board Contract No. 533-17 sponsored by the Texas Association of School Boards, in the amount of \$76,141.98.)  
**Approved on the Consent Agenda.**
- 16 Authorize the Mayor to execute an employment agreement between the City of Mesquite, Texas, and City Manager Cliff Keheley.  
**Approved on the Consent Agenda.**
- 17 Authorize the City Manager to execute a change order for Bid No. 2018-012, Mill and Overlay for Bruton Road, Northwest Drive and Kearney Street, with Oldcastle Material Texas, Inc., dba TexasBit, for additional pavement repairs in the amount of \$124,668.00.  
**Approved on the Consent Agenda.**
- 18 Authorize an expenditure in the amount of \$139,302.17 to the Mesquite Independent School District for reimbursement of improvements to Florence Park and authorize the City Manager to execute payment.  
**Approved on the Consent Agenda.**

**CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

- 7 An ordinance providing for the abandonment of right-of-way of Ripplewood Drive and Autumn Wood Drive and 15-foot-wide utility easements located on a vacant tract of land to the west of Lawson Road and south of McKenzie Road; otherwise known as Woodland Park Addition.  
  
**Mr. Noschese moved to postpone consideration of an ordinance providing for the abandonment of right-of-way of Ripplewood Drive and Autumn Wood Drive and 15-foot-wide utility easements located on a vacant tract of land to the west of Lawson Road and south of McKenzie Road; otherwise known as Woodland Park Addition. Motion was seconded by Mr. Casper and approved unanimously.**

**END OF CONSENT AGENDA**

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:24 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 acquisition of properties on Main Street and Galloway Avenue); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:42 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:42 P.M.**

The City Council met in Executive Session pursuant to Section 551.074 of the Texas Government Code to consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other City employees (Agenda Item No. 16); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 9:20 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

**ADJOURNMENT**

**Mr. Archer moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 9:20 p.m.**

Attest:

Approved:

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Sonja Land, City Secretary

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Stan Pickett, Mayor