



City of Mesquite, Texas

Minutes - Final City Council

Monday, February 18, 2019

4:30 PM

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

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

PRE-MEETING - TRAINING ROOMS A&B - 4:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Discuss homeless issues and challenges in the community.

 Council directed staff to proceed with the development of a homeless task force.

- 2 Receive briefing regarding draft multifamily residential standards.

 Council provided feedback on proposed revisions and directed staff to bring changes back for discussion.

- 3 Discuss possible residential and commercial developments along the IH-20 corridor in Kaufman County.

 Council directed staff to proceed with a resolution supporting legislation for the creation of a Municipal Management District.

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

- 4 Receive financial statement for period covering October 1, 2018, through December 31, 2018.

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

INVOCATION

Tom Briscoe, Vice President, Christian Care Center, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the American Heart Association, Mesquite Chapter.

PRESENTATIONS

- 5 Presentation by Dallas Regional Medical Center in support of the Mesquite Veterans Memorial campaign.

Kelli Hohenstein, Chief Nursing Officer at Dallas Regional Medical Center, presented a \$10,000.00 check to the Mesquite Veterans Memorial campaign. Mayor Pickett, along with Jackie Frazier and Lois Buford representing the Heroes of Mesquite, accepted the donation.

- 6 Presentation in recognition of Jon V. Latimore as the first African-American police officer hired by the Mesquite Police Department.

Police Chief Charles Cato stated that the Mesquite Police Department (MPD) is celebrating Black History Month by honoring retired Police Officer Jon V. Latimore as the first African-American police officer hired by the MPD.

Officer Latimore was hired as a Mesquite Police Officer on June 10, 1985, and retired after 28 years of service on July 31, 2013. During his career, Officer Latimore earned the following departmental awards: Perfect Attendance, Firearms Proficiency, Safe Driving 10-Year Award and the Mesquite Citizens Police Academy Alumni Association Officer of the Month. He also received special recognition in 2005 from the NAACP as the first African-American police officer hired by the MPD. Officer Latimore was a member of the MPD Choir, Interactive Community Policing Unit, 50-year Celebration Committee and the Meritorious Conduct Board. He served in the Operations Bureau as a beat officer and field-training officer. He also served in the Criminal Investigations Division as a Burglary and Theft Investigator and in the Technical Services Bureau in the Property and Evidence Section. He held a Master Peace Officer certificate and was a certified Instructor by the Texas Commission on Law Enforcement. Officer Jon V. Latimore passed away on July 19, 2018. He was a champion to those he served in the community and did all he could to help those who needed assistance. Mayor Pickett stated that Honorary Boulevard, between Scyene Road and Military Parkway, will be renamed Jon V. Latimore Drive for one month in his honor. Mayor Pickett, Police Chief Cato, Assistant Police Chief Robert Piccioni, Police Officer Torey Rhone and Police Officer Steven Contreras presented Officer Latimore's wife, Debra Latimore, with an honorary Mesquite street sign.

Officer Latimore's family members expressed appreciation to the MPD and Mesquite community for their support.

SPECIAL ANNOUNCEMENTS

(1) Mr. Miklos thanked everyone who participated in the 2nd annual Neighborhood Summit on Saturday, February 16, 2019.

(2) Mr. Boroughs stated that the Mesquite Symphony Orchestra will present a concert, "Carnival!," on Saturday, March 23, 2019, at the Mesquite Arts Center, 1527 North Galloway Avenue, and will perform music embracing the popular celebrations in Rio de Janeiro, New Orleans and Venice.

(3) Mr. Noschese reminded everyone that the 13th Annual Lone Star Legacy Gala, a fundraising event for the Mesquite Independent School District Education Foundation, will be held on Saturday, February 23, 2019, at Mesquite Arena, 1818 Rodeo Drive, featuring Creedence Clearwater Revisited. He encouraged citizens to support our public schools and teachers by attending this annual event.

(4) Mr. Casper stated that the Mesquite Symphony Orchestra recently performed "Follow Us...Into the Wild!" at the Mesquite Arts Center, 1527 North Galloway Avenue. Several local animal rescue groups were invited to bring adoptable dogs and cats to the event, in hopes of finding the pets a forever home.

(5) Mr. Casper stated that the Mesquite Arts Center, 1527 North Galloway Avenue, will offer a free "Just for Kids" event on Saturday, March 9, 2019, at 10:00 a.m., which will include a series of interactive programs that introduces children to the arts.

(6) Mr. Aleman stated that the Mesquite Library System will host two free events on Saturday, March 9, 2019. "Family Game Day" will be held at the Mesquite Main Library, from 2:00 p.m. to 4:00 p.m., featuring the newest in board games and kid activities. At the North Branch Library, at 4:00 p.m., a "Dr. Seuss Birthday Party" will be held to celebrate reading with fun games and programs. He encouraged families to take advantage of these free events.

(7) Mr. Archer encouraged citizens to visit the newly remodeled Genghis Grill, located across the street from Town East Mall, on Wednesday, February 20, 2019. Genghis Grill will donate 20 percent of all sales to the "Spread the Love" program which helps feed Mesquite children during the summer when free or reduced school lunches are unavailable. Genghis Grill will share the proceeds equally with Sharing Life Community Outreach and Mesquite Social Services.

(8) Mr. Archer encouraged citizens to meet at the corner of Woodcrest Drive and Hickory Tree Road, at 10:00 a.m., on Saturday, February 23, 2019, to participate in a trash pickup event in the Edgemont Park neighborhood.

(9) Mr. Archer will host a fundraiser, along with JC's Burger Bar, 1051 East Davis Street, on Tuesday, March 19, 2019, from 6:00 p.m. to 8:00 p.m., in support of the homeless teen challenge.

(10) Mr. Pickett stated that Vision Mesquite will host a free Mayor's Prayer Breakfast on Thursday, February 21, 2019, at the Mesquite Arts Center, 1527 North Galloway Avenue, at 7:30 a.m., featuring speaker Amanda Cunningham of Young Life.

CITIZENS FORUM

(1) Tommie Redwine, 3342 Caracas Drive, expressed concerns regarding garbage collection in her neighborhood.

(2) Edna Satterwhite, 3323 Caracas Drive, expressed concerns regarding garbage collection, junk and inoperable vehicles in her neighborhood.

(3) Bobby Carrasco, 4538 Live Oak Drive, thanked the Mesquite Police Department for their work in his neighborhood.

CONSENT AGENDA

Approval of the Consent Agenda

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

7 Minutes of the regular City Council meeting held February 4, 2019.

Approved on the Consent Agenda.

8 An ordinance amending Chapter 14 of the City Code thereby approving alternate residential collection pilot programs.

Approved on the Consent Agenda.

Ordinance No. 4652, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,

AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY ADDING A NEW SECTION 14-43 THEREBY APPROVING ALTERNATE RESIDENTIAL COLLECTION PILOT PROGRAMS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4652 recorded in Ordinance Book No. 114.)

- 9 A resolution supporting the Mesquite - Garland Trail Connector Project as nominated in the North Central Texas Council of Governments 2019 Transportation Alternatives Set-Aside Program.

Approved on the Consent Agenda.

Resolution No. 16-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE MESQUITE - GARLAND CONNECTOR PROJECT AS NOMINATED IN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS 2019 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM. (Resolution No. 16-2019 recorded in Resolution Book No. 56.)

- 10 A resolution authorizing the Mayor to provide a letter of support to the North Texas Municipal Water District to allow the City of Melissa, Texas, to become a member city in the Regional Wastewater System and Upper East Fork Interceptor System.

Approved on the Consent Agenda.

Resolution No. 17-2019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO PROVIDE A LETTER OF SUPPORT TO THE NORTH TEXAS MUNICIPAL WATER DISTRICT TO ALLOW THE CITY OF MELISSA, TEXAS, TO BECOME A MEMBER CITY IN THE REGIONAL WASTEWATER SYSTEM AND UPPER EAST FORK INTERCEPTOR SYSTEM. (Resolution No. 17-2019 recorded in Resolution Book No. 56.)

- 11 RFP No. 2017-050 - Health Permit and Inspection Software.
(Authorize the City Manager to finalize and execute a contract with Hedgerow Software US, Inc., in the amount of \$90,000.00.)

Approved on the Consent Agenda.

- 12 Bid No. 2019-032 - Annual Contract for Swimming Pool Water Management and Maintenance Services.
(Authorize the City Manager to finalize and execute a contract with Sunbelt Pools, Inc., in the amount of \$70,000.00. The term of this contract is for a one-year period with four additional one-year renewal options, subject to annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 13 Bid No. 2019-056 - Purchase of Light Duty Pickups.
(Staff recommends award to Caldwell Country, in Caldwell, Texas, through BuyBoard Contract No. 521-16, sponsored by the Texas Association of School Boards, in the amount of \$463,605.00.)

Approved on the Consent Agenda.

- 14 Authorize the City Manager to finalize and execute a State and Local Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration, Dallas Field Division for Task Force 1 activities.

Approved on the Consent Agenda.

PUBLIC HEARINGS

- 15 Conduct a public hearing and consider an ordinance for Application No. Z1218-0080, submitted by Stantec Consulting Services, on behalf of Market East Associates, LLC, for a change of zoning from Commercial and Town East Retail and Restaurant (TERRA) Overlay to Planned Development - Commercial and TERRA Overlay to establish revised sign regulations, located at 1505, 1515, 1519, 1601, 1645, 1649 and 1705 North Town East Boulevard. (Two responses in favor and one in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of the application with certain stipulations.)

A public hearing was held for Application No. Z1218-0080.

Jeff Armstrong, Director of Planning and Development Services, stated that the City Council granted a sign variance in 1986 for the Market East Shopping Center sign tower. The variance approval included a condition that there be no other freestanding signs for the shopping center. The applicant is requesting a new large monument sign to be located on the eastern portion of the property near an existing driveway from Town East Boulevard, the ability to advertise on all four sides of the existing tower sign and to allow any business located in the shopping center to advertise on the freestanding signs regardless of which lot the business and signs are located. Mr. Armstrong provided proposed renderings of the new sign.

Rick Coe, representing the owner of the Market East Shopping Center, stated that the Emporium on LBJ Owners Association has architectural control over the shopping center and can add signage to the Association's control.

No one appeared regarding the proposed zoning change.

Mr. Noschese moved to approve Application No. Z1218-0080, as recommended by the Planning and Zoning Commission, with the following stipulations:

- (1) The boundary of the Planned Development ("PD") shall be limited to those lots as identified in Exhibit "A" of the ordinance.
- (2) The tower-type ground sign as shown in Exhibit "B" of the ordinance shall be allowed to have up to 450 square feet of signage on each of the four sides of the tower.
- (3) An oversized multi-tenant monument sign shall be permitted as shown in Exhibit "C" of the ordinance and located as shown in Exhibit "D" of the ordinance, provided that the sign complies with the City's traffic visibility requirements.
- (4) Freestanding signs permitted by this ordinance may advertise any business located within the PD, regardless of individual lot lines, without being considered off-premises (billboard) signage.

And to approve Ordinance No. 4653, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT TO PLANNED DEVELOPMENT – COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT ON PROPERTY LOCATED AT 1505, 1515, 1519, 1601, 1645, 1649 AND 1705 NORTH TOWN EAST BOULEVARD; ALLOWING REVISED SIGN REGULATIONS SUBJECT TO 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. Miklos and approved unanimously. (Ordinance No. 4653 recorded in Ordinance Book No. 114.)

16

Conduct a public hearing and consider an ordinance for Application No. Z1218-0082, submitted by Nancy Juarez, on behalf of Dhaliwal Pharmaceutical Labs, for a change of zoning from Industrial and Skyline Logistics Hub Overlay to Industrial and Skyline Logistics Hub Overlay with a Conditional Use Permit to allow manufacturing of over-the-counter drugs and cosmetic supplies, located at 4400 U.S. Highway 80, Suite 100.

(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 of the application.)

A public hearing was held for Application No. Z1218-0082.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant is proposing to lease a 79,200-square-foot space in the Mesquite Business Center to manufacture over-the-counter drugs and cosmetic supplies.

Applicant Nancy Juarez stated that all safety data sheets and additional documentation have been submitted to the Mesquite Fire Department for review.

Tehsel Dhaliwal, Owner, stated that he currently operates two manufacturing facilities located in Chicago and Dallas and the proposed Mesquite facility will be the company's third location. He proposes to begin manufacturing on March 1, 2019, and will have 200 employees by the end of the year.

No one appeared regarding the proposed zoning change.

Mr. Archer moved to approve Application No. Z1218-0080, as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 4654, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM INDUSTRIAL WITHIN THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT TO INDUSTRIAL WITHIN THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 4400 US HIGHWAY 80 EAST, SUITE 100; ALLOWING THE MANUFACTURING OF OVER-THE-COUNTER DRUGS AND COSMETIC SUPPLIES; 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. Miklos and approved unanimously. (Ordinance No. 4654 recorded in Ordinance Book No. 114.)

OTHER BUSINESS

- 17 Consideration and possible action on a request from Aaron Katz of Katz Parkridge, LLC, for a waiver from the multifamily residential moratorium to submit applications for improvements to an existing multifamily development, located at 2453 U.S Highway 80.

Aaron Katz, representing a group of owners, stated that the group acquired the property in November 2018 and desires to make capital improvements to enhance the property.

Jeff Armstrong, Director of Planning and Development Services, stated that permits for maintenance of existing structures and facilities are allowed during the moratorium.

Councilmembers expressed appreciation to the applicant for wanting to improve the property.

Mr. Miklos moved to deny a waiver from the multifamily residential moratorium to submit applications for improvements to an existing multifamily development, located at 2453 U.S Highway 80. Motion was seconded by Mr. Aleman and approved unanimously.

RECEIPT OF RESIGNATION

- 18 Receive resignation from Jack Love as a member of the Keep Mesquite Beautiful, Inc., Board of Directors.

Mr. Noschese moved to accept the resignation of Jack Love as a member of the Keep Mesquite Beautiful, Inc., Board of Directors. Motion was seconded by Mr. Archer and approved unanimously.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:25 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 (Consider economic development incentives for a prospective business in the Skyline Industrial District); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:35 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 8:35 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 (Consider economic development incentives for a retail prospect seeking to locate in south Mesquite, south of Clay Mathis Road, north of IH-20, west of Lawson Road, and east of Pioneer Road in the City of Mesquite, Texas); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 8:45 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Noschese moved to adjourn the meeting. Motion was seconded by Mr. Miklos and approved unanimously. The meeting adjourned at 8:45 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor