



# City of Mesquite, Texas

## Minutes - Final City Council

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Monday, April 15, 2019

5:30 PM

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

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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 - 5:30 P.M.**

#### **AGENDA REVIEW**

### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 6:04 P.M.**

Mayor Pickett announced that the City Council would meet 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 (Annual review of Municipal Court Judge); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:32 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

### **CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:36 P.M.**

1 Presentation of meritorious awards to Police Department employees.

Mayor Pickett and Lt. Stephen Biggs presented meritorious conduct awards to members of the Mesquite Police Department and citizens of Mesquite in recognition of their achievements and outstanding service. Awards were presented as follows:

- Citizen's Certificate of Merit to Elizabeth Minera, Charles Smith, Jacob DeRieux, Stephen Adams and Joseph Garcia-Avina;
- Certificate of Merit to Drew Chasney, Dustin Chautin, Matthew Hailey, Jonathan Halbert, Matt Heidelberg, Colby Odom, Ellen Onorato and David Phillips;
- Life Saving Award to Jeffrey Andersen, Matt Gardner, Christopher Odom, Marcus Rodriguez and Bruce Sales;
- Police Medal of Honor to Scott Jimenez, Brian Hill and Douglas Coyle;
- Civilian of the Year to James Harrison and
- Sergeant H. Kent Tyler Award (Officer of the Year) to Paul Wathen.

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**REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:12 P.M.****INVOCATION**

Ron Ward, Pastor, A Church Without Walls, Mesquite, Texas.

**PLEDGE OF ALLEGIANCE**

Barbara Dunn, Member of the Mesquite Citizens Police Academy Alumni Association.

**SPECIAL ANNOUNCEMENTS**

(1) Mr. Boroughs announced that the Mesquite Community Theatre will present 100 Years of Broadway at the Mesquite Arts Center, 1527 North Galloway Avenue, from April 26, 2019, through May 12, 2019, to celebrate the history of Broadway and the heritage of musical theater. He invited citizens to visit the Mesquite Arts Center during this special event.

(2) Mr. Boroughs stated that the Easter Egg Hunt held this past Saturday, April 13, 2019, at Evans Recreation Center was moved indoors due to inclement weather. Many families attended and enjoyed "Breakfast with the Bunny." He thanked the Parks and Recreation staff for making this event a success.

(3) Mr. Miklos stated that the office of Neighborhood Vitality will hold a Neighborhood Leadership Workshop on Thursday, April 18, 2019, from 6:00 p.m. to 8:00 p.m., at Rutherford Recreation Center, 900 Rutherford Drive. This free event will teach participants how to conduct a neighborhood meeting, as well as gain engagement ideas and problem-solving techniques.

(4) Mr. Miklos invited residents to attend a Town East/Astronaut streets/Range neighborhood meeting on Tuesday, April 30, 2019, at 6:30 p.m., at Town East Baptist Church, 3117 North Town East Boulevard.

(5) Mr. Miklos invited residents to attend a Skyline/Rugel neighborhood meeting on Tuesday, April 30, 2019, at 7:00 p.m., at Rugel Elementary School, 2701 Sybil Drive.

(6) Mr. Aleman stated that Thursday, May 2, 2019, is the National Day of Prayer and invited citizens to attend a brief prayer service for our community, at Noon, in the City Council Chambers at City Hall, 757 North Galloway Avenue.

(7) Mr. Aleman stated that he attended Rutherford Elementary School's Spring Fling this past Saturday, April 13, 2019, and commended the PTA on this successful event.

(8) Mr. Archer reminded everyone that the Mesquite Police Department will host the free "Drug Take-Back Day" on Saturday, April 27, 2019, from 10:00 a.m. to 2:00 p.m. Residents may bring expired, unwanted or unused medications, sealed in the original container, to the Mesquite Police Department lobby, 777 North Galloway Avenue, and deposit them for destruction.

(9) Mr. Noschese stated that early voting for the May 4, 2019, Special Election will be held April 22 – April 30, 2019. On the ballot is a proposition regarding the sale of more than 171 acres of property owned by the City of Mesquite, which is dedicated as park land, and located in the City of Balch Springs. If the proposition is approved, proceeds from the sale of the land will fund enhancements to Mesquite's park and recreation system.

(10) Mr. Noschese commended the City Council for funding the Mesquite Police Department's K-9 Unit several years ago. K-9 Officers Kosmo and Axel recently assisted police officers with the discovery and recovery of drugs and cash after the search of a residence and vehicle.

(11) Mr. Casper announced that the Mesquite Animal Shelter is seeking places to relocate colonies of feral cats and is offering free adoption to residents.

(12) Mr. Pickett invited residents to the 16th Annual Mayor's Prayer Breakfast on Thursday, May 2, 2019, at 7:00 a.m., at Family Cathedral, 790 Windbell Circle. This event will offer a free breakfast, music and fellowship.

(13) Mr. Pickett wished his wife a very Happy Birthday.

## **CITIZENS FORUM**

(1) Mike Brasovan, 7700 Camp Bowie West Boulevard, Fort Worth, spoke regarding an electrical aggregate program for residents.

(2) Michael Hooker, 1516 Quapaw Trail, expressed concerns regarding drainage issues 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.**

**2** Minutes of the regular City Council meeting held April 1, 2019.

**Approved on the Consent Agenda.**

**3** An ordinance amending Chapter 2 of the City Code authorizing the City Manager to execute City facility use agreements that do not exceed a term of one year and authorizing City departments to execute vendor and concessionaire contracts that do not exceed \$5,000.00.

**Approved on the Consent Agenda.**

**Ordinance No. 4663, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2 OF THE MESQUITE CITY CODE, AS AMENDED, BY RENUMBERING SECTION 2-5(a)(4)(g) AS SECTION 2-5(a)(4)(h) AND ADDING NEW SECTIONS 2-5(a)(3)(c) AND 2-5(a)(4)(g); AUTHORIZING THE CITY MANAGER TO EXECUTE CITY FACILITY USE AGREEMENTS THAT DO NOT EXCEED A TERM OF ONE YEAR; AUTHORIZING CITY DEPARTMENTS TO EXECUTE VENDOR AND CONCESSIONAIRE CONTRACTS THAT DO NOT EXCEED FIVE THOUSAND DOLLARS; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. (Ordinance No. 4663 recorded in Ordinance Book No. 114.)**

**4** A resolution authorizing the City Manager to execute an agreement with the Texas Department of Transportation for the temporary closure of State Highway 352, between Galloway Avenue and Walker Street, on May 16, 2019, for the Texas Main Street Program event.

**Approved on the Consent Agenda.**

**Resolution No. 31-2019, 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, BETWEEN GALLOWAY AVENUE AND WALKER STREET, ON MAY 16, 2019. (Resolution No. 31-2019 recorded in Resolution Book No. 57.)**

- 5 Bid No. 2019-054 - Annual Landscaping & Property Preservation Maintenance for Environmental Code.  
(Authorize the City Manager to finalize and execute a contract with DaltexPro Facility Services, LLC, in the amount of \$206,825.00. This contract is for a one-year period with two additional one-year renewal options, subject to annual appropriation of sufficient funds.)  
**Approved on the Consent Agenda.**
- 6 Bid No. 2019-073 - Outfitting of Patrol Cars.  
(Authorize the City Manager to finalize and execute a contract with Pursuit Safety, Inc., through an interlocal agreement with the City of Allen in an amount not to exceed \$225,000.00.)  
**Approved on the Consent Agenda.**
- 7 Authorize the City Manager to approve the City of Seagoville as a participant in the Project 25 (P25) Radio System to be constructed, operated and administered in accordance with the City of Garland and the City of Mesquite Radio System Interlocal Agreement authorized by the City Council on June 15, 2015, and authorize the City Manager to execute the Participant and Usage Agreements between the City of Garland, the City of Mesquite and the City of Seagoville setting forth the terms of the City of Seagoville's participation in the System.  
**Approved on the Consent Agenda.**
- 8 Authorize the City Manager to approve the Town of Sunnyvale as a User in the Project 25 (P25) Radio System to be constructed, operated and administered in accordance with the City of Garland and the City of Mesquite Radio System Interlocal Agreement authorized by the City Council on June 15, 2015, and authorize the City Manager to execute the Usage Agreement between the City of Garland, City of Mesquite and the Town of Sunnyvale setting forth the terms of the Town of Sunnyvale's participation in the System.  
**Approved on the Consent Agenda.**
- 9 Authorize the City Manager to finalize and execute a Fire Hydrant Access Agreement with Kaufman County Municipal Utility District No. 11 to authorize use of fire hydrants for fire protection purposes for a 0.8746-acre tract of land on the southwest corner of Interstate Highway 20 and Farm to Market Road (FM) 741.  
**Approved on the Consent Agenda.**
- 10 Authorize the City Manager to finalize and execute a Transfer and Service Agreement with Kaufman County Municipal Utility District No. 12 (District), Deal A Day Real Estate, LLC, a Texas limited liability company (DADRE), and Talty Special Utility District of Kaufman County (Talty SUD) to provide retail sanitary sewer service to a 0.8746-acre tract of land on the southwest corner of Interstate Highway 20 and Farm to Market Road (FM) 741 by the District for a temporary period until such time as permanent sanitary sewer service

becomes available from Mesquite.

**Approved on the Consent Agenda.**

## **PUBLIC HEARINGS**

**11**

Conduct a public hearing and consider an ordinance extending the moratorium first imposed December 7, 2018, on applications and plans for development for permits, plats, verifications, rezonings, site plans and new or revised certificates of occupancy for multifamily residential developments within the corporate city limits of Mesquite, adopting written findings that identify the problem requiring the need for extending the moratorium, describing the reasonable progress made to alleviate the problem, specifying a definite duration for the renewal period of the moratorium and summarizing evidence demonstrating that the problem will be resolved within the extended duration of the moratorium.

**A public hearing was held regarding extending the moratorium first imposed December 7, 2018, regarding multifamily residential developments.**

**Garrett Langford, Manager of Planning and Zoning, stated that the 120-day moratorium is set to expire on April 16, 2019, and the public hearing is required to extend the moratorium. The proposed ordinance would extend the existing moratorium to June 14, 2019, and would allow additional time for staff, the Planning and Zoning Commission and the City Council to complete the drafting, review and approval of new and revised regulations for multifamily developments.**

**Ron Ward, 430 Running Brook Lane, Mesquite, expressed concerns regarding the multifamily moratorium.**

**No others appeared regarding the extension of the moratorium.**

**Mr. Miklos moved to approve Ordinance No. 4664, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, EXTENDING THE EXISTING MORATORIUM ON APPLICATIONS AND PLANS FOR DEVELOPMENT, PERMITS, PLATS, VERIFICATIONS, REZONINGS, SITE PLANS AND NEW OR REVISED CERTIFICATES OF OCCUPANCY FOR MULTIFAMILY DEVELOPMENTS WITHIN THE CORPORATE CITY LIMITS OF MESQUITE; PROVIDING FOR WAIVERS AND LIMITED EXCEPTIONS TO THE MORATORIUM; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING AN EXPIRATION DATE; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Archer. On call for a vote on the motion, the following votes were cast:**

**Ayes: Miklos, Archer, Pickett, Aleman, Boroughs, Noschese**

**Nays: Casper**

**Motion carried. (Ordinance No. 4664 recorded in Ordinance Book No. 114.)**

**12**

Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2019-01 amending Section 1A-300, Screening and Buffering Requirements; Section 2-100, Districts Established; Section 2-203, Schedule of Permitted Uses; Section 2-400, Off-Street Parking; Section 2-501, Multifamily Residential/Permitted Nonresidential Uses in A Districts; Section 2-600,

Accessory Structure Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for multifamily residential uses. (This item was postponed at the March 18, 2019, and the April 15, 2019, City Council meetings. The Planning and Zoning Commission recommends approval of the zoning text amendment.)

Mr. Miklos moved to postpone consideration of Zoning Text Amendment No. 2019-01 amending Section 1A-300, Screening and Buffering Requirements; Section 2-100, Districts Established; Section 2-203, Schedule of Permitted Uses; Section 2-400, Off-Street Parking; Section 2-501, Multifamily Residential/Permitted Nonresidential Uses in A Districts; Section 2-600, Accessory Structure Regulations; and Section 6-102, Definitions; all pertaining to new and revised regulations for multifamily residential uses to the May 20, 2019, City Council meeting. Motion was seconded by Mr. Aleman and approved unanimously.

**APPOINTMENT TO BOARDS AND COMMISSIONS**

13

Consider appointment of one alternate member to the Mesquite Housing Board for a term to expire December 3, 2019.

Mr. Archer moved to appoint Carol Ann Hooker as an alternate member to the Mesquite Housing Board for a term to expire December 3, 2019. Motion was seconded by Mr. Boroughs and approved unanimously.

**ADJOURNMENT**

Mr. Casper moved to adjourn the meeting. Motion was seconded by Mr. Aleman and approved unanimously. The meeting adjourned at 7:48 p.m.

Attest:

Approved:

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Sonja Land, City Secretary

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Stan Pickett, Mayor