



City of Mesquite, Texas

Minutes - Final City Council

Monday, May 7, 2018

4:00 PM

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

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

PRE-MEETING - TRAINING ROOMS A&B - 4:00 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:07 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 (Review of North Texas Municipal Water District Board Appointee Terry Anderson); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 4:30 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 4:30 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 (Discuss annual review of Municipal Court Judge); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 5:18 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:18 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 businesses seeking to locate on Peachtree Road); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 6:05 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:15 P.M.**INVOCATION**

Deputy Mayor Pro Tem Dan Aleman.

PLEDGE OF ALLEGIANCE

National Elementary Honor Society students, Price Elementary School.

PRESENTATIONS

- 1 Recognize Small Business Week video participants.

Kim Buttram, Assistant Director of Economic Development, stated that small businesses, consisting of 10 or fewer employees, comprise approximately 78 percent of Mesquite's companies. In recognition of National Small Business Week, April 28, 2018, through May 5, 2018, five locally-owned businesses and their owners were featured. A video was shown highlighting Mayor Pickett's recent visit to each of the five businesses. Mayor Pickett presented a certificate to the owner of each featured business – Roy and Marci LaBeach with Reggae Wings and Tings, Andrea Simpson Perez with Aim High Bounce, Juan Davila with Dos Panchas Mexican Restaurant, Scott Higgins with J & R Manufacturing, Inc., and Dustin and Melanie Palmer with Mesquite BBQ. Ms. Buttram stated that the Small Business Week program will be expanded to feature one local business each month.

- 2 Recognize Real. Texas. Service. Employee Champions.

City Manager Cliff Keheley stated that the Real. Texas. Service. Champions program was created as an opportunity for employees to be recognized for their service to the organization and Mesquite community. A brief video was shown describing each employee's contributions to the City of Mesquite.

Mayor Pickett, City Councilmembers and City Manager Cliff Keheley presented Certificates of Appreciation to the following employees in honor of their service to the City of Mesquite: Cynthia Sanchez, Finance Department; Richard Pegue, Parks and Recreation Department; Debbie Randall, Housing and Community Services and Blake Watts, Water Utilities.

SPECIAL ANNOUNCEMENTS

- (1) Mr. Miklos announced that a neighborhood meeting will be held on Thursday, May 17, 2018, at 6:30 p.m., at Rugel Elementary School to receive citizen input regarding the alignment of Skyline Drive from Town East Boulevard to Peachtree Road and invited residents to attend.
- (2) Mr. Archer stated that he and Mayor Pickett recently greeted approximately 700 students and parents at McWhorter Elementary School and read to the students in support of the Mesquite Independent School District's (MISD) ReadPlayTalk initiative.
- (3) Mr. Archer invited residents to meet at the corner of Woodcrest Drive and Hickory Tree Road to participate in the Edgemont Park neighborhood trash pick up on Saturday, May 12, 2018, at 10:00 a.m.
- (4) Mr. Archer announced that an Edgemont Park neighborhood meeting will be held on Thursday, May 31, 2018, at 7:00 p.m., at McWhorter Elementary School and invited residents to attend.
- (5) Mr. Archer stated that a reception and fundraiser will be held on Thursday, May 10, 2018, at 6:45 p.m., at Dos Panchas Mexican Restaurant, 103 South Broad Street, in support of the homeless students in the community. Teresa Jackson, CEO and Executive Director of Sharing Life Community Outreach, and Dr. David Vroonland, MISD Superintendent, will attend and share their experiences regarding homeless students. Mr. Archer encouraged citizens to support this critical need.
- (6) Mr. Boroughs stated that he participated in the City of Mesquite Employee Golf Tournament at the Mesquite Municipal Golf Course this past Sunday, May 6, 2018, and complimented City staff on their dedication to making this one of the best municipal golf courses in the area.
- (7) Mr. Aleman stated that the general election was held this past Saturday, May 5, 2018, and thanked the voters for the opportunity to serve another term on the City Council and congratulated City Council Candidate Shannon Long for a well-run race.
- (8) Mr. Aleman thanked Mayor Pickett for continuing to participate in the National Day of Prayer which was held last Thursday, May 3, 2018, at the Family Cathedral. He thanked the Mesquite Police Association for sponsoring the breakfast and everyone that worked on making this event possible.
- (9) Mr. Aleman wished everyone a Happy Mother's Day.
- (10) Mr. Noschese praised Real. Texas. Service. Employee Champion Blake Watts for reading 1.6 million water meters over the past 15 years.
- (11) Mr. Pickett congratulated Mr. Archer, Mr. Aleman and Mr. Noschese on their election win this past Saturday, May 5, 2018. He stated that staff will provide information in the coming months regarding details of the charter amendment propositions that were approved at the election.

APPOINTMENTS FOR PERSONAL APPEARANCE

- 3 Appointment - Representatives of Hilltop Securities, Inc.
(Representatives of Hilltop Securities, Inc., will review pricing for the issuance and sale of bonds.)

Jason Hughes, Managing Director, Hilltop Securities, Inc., reviewed pricing for the issuance and sale of three bond issues: (1) \$16,050,000, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2018; (2) \$30,515,000, General Obligation Refunding and Improvement Bonds, Series 2018 and (3) \$7,505,000, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2018. Mr. Hughes stated that Standard and Poor's (S&P) affirmed the City's bond rating of "AA" for the General Obligation Bonds and Water and Sewer Bonds and Moody's assigned a rating of "Aa2" to both bonds. He noted that S&P stated that the City has the strongest rating on the management side with strong financial practices.
- 4 An ordinance of the City of Mesquite, Texas, authorizing the issuance and sale

of City of Mesquite, Texas, General Obligation Refunding and Improvement Bonds, Series 2018; laying a tax in payment thereof; prescribing the form of said bonds; approving execution and delivery of a deposit agreement and a bond purchase agreement; approving the official statement; and enacting other provisions relating thereto.

Mr. Casper moved to approve Ordinance No. 4556, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MESQUITE, TEXAS, GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2018 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$31,475,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID BONDS; APPROVING EXECUTION AND DELIVERY OF A DEPOSIT AGREEMENT AND A BOND PURCHASE AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4556 recorded in Ordinance Book No. 111.)

- 5 An ordinance of the City of Mesquite, Texas, authorizing the issuance and sale of City of Mesquite, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2018; levying a tax in payment thereof; prescribing the form of said certificates; approving a purchase agreement; approving the official statement; approving and enacting other provisions relating thereto.

Mr. Archer moved to approve Ordinance No. 4557, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MESQUITE, TEXAS COMBINATION TAX AND LIMITED SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2018, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$16,050,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING A PURCHASE AGREEMENT; APPROVING THE OFFICIAL STATEMENT; APPROVING AND ENACTING OTHER PROVISIONS RELATING THERETO. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4557 recorded in Ordinance Book No. 111.)

- 6 An ordinance of the City of Mesquite, Texas, authorizing the issuance of City of Mesquite, Texas, Waterworks and Sewer System Revenue Refunding and Improvement Bonds, Series 2018; approving an official statement; authorizing the execution of a purchase agreement and deposit agreement; making provisions for the security thereof; providing an effective date; and ordaining other matters relating to the subject.

Mr. Casper moved to approve Ordinance No. 4558, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF MESQUITE, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2018; APPROVING AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT AND DEPOSIT AGREEMENT; MAKING PROVISIONS FOR THE SECURITY THEREOF; PROVIDING AN EFFECTIVE DATE; AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT. Motion was seconded by Mr. Boroughs and approved unanimously. (Ordinance No. 4558 recorded in Ordinance Book No. 111.)

- 7 A resolution approving and authorizing the execution and delivery of a project agreement with Mesquite Quality of Life Corporation for the payment of costs related to reconstruction of Town East Boulevard from US Highway 80 to

Skyline Drive and construction and installation of an adjacent pedestrian trail on the east side of Town East Boulevard in the area to be reconstructed, reconstruction of Scyene Road from Clay Mathis Road to Lawson Road and reconstruction of Gus Thomasson Road in the area of the Thomasson Square redevelopment project; approving expenditure of funds by the Corporation in connection therewith; and containing other provisions related thereto.

Mr. Aleman moved to approve Resolution No. 25-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT WITH MESQUITE QUALITY OF LIFE CORPORATION FOR THE PAYMENT OF COSTS RELATED TO RECONSTRUCTION OF TOWN EAST BOULEVARD FROM US HIGHWAY 80 TO SKYLINE DRIVE AND CONSTRUCTION AND INSTALLATION OF AN ADJACENT PEDESTRIAN TRAIL ON THE EAST SIDE OF TOWN EAST BOULEVARD IN THE AREA TO BE RECONSTRUCTED, RECONSTRUCTION OF SCYENE ROAD FROM CLAY MATHIS ROAD TO LAWSON ROAD AND RECONSTRUCTION OF GUS THOMASSON ROAD IN THE AREA OF THE THOMASSON SQUARE REDEVELOPMENT PROJECT; APPROVING EXPENDITURE OF FUNDS BY THE CORPORATION IN CONNECTION THEREWITH; AND CONTAINING OTHER PROVISIONS RELATED THERETO. Motion was seconded by Mr. Noschese and approved unanimously. (Resolution No. 25-2018 recorded in Resolution Book No. 54.)

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. Aleman and approved unanimously.

- 8 Minutes of the regular City Council meeting held April 16, 2018.

Approved on the Consent Agenda.

- 9 A resolution consenting to the assignment by Industrial Developments International (Texas), L.P., ("IDI") to IDIL Skyline D, LLC ("IDIL Skyline"), of IDI's interest in that certain economic development program agreement (Chapter 380 Agreement) dated January 26, 2018, between IDI and the City of Mesquite, Texas, relating to an industrial building project located at 2250 Skyline Drive, Mesquite, Texas, and authorizing the City Manager to execute all documents necessary or requested in connection therewith.

Approved on the Consent Agenda.

Resolution No. 26-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CONSENTING TO THE ASSIGNMENT BY INDUSTRIAL DEVELOPMENTS INTERNATIONAL (TEXAS), L.P. ("IDI"), TO IDIL SKYLINE D, LLC ("IDIL SKYLINE"), OF IDI'S INTEREST IN THAT CERTAIN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT (CHAPTER 380 AGREEMENT) DATED JANUARY 26, 2018, BETWEEN IDI AND THE CITY OF MESQUITE, TEXAS, RELATING TO AN INDUSTRIAL BUILDING PROJECT LOCATED AT 2250 SKYLINE DRIVE, MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY OR REQUESTED IN CONNECTION THEREWITH. (Resolution No. 26-2018 recorded in Resolution Book No. 54.)

- 10 A resolution adopting policy issue priorities for the year 2018 and strategic goals for the future of Mesquite.

Approved on the Consent Agenda.

Resolution No. 27-2018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING POLICY ISSUE PRIORITIES FOR THE YEAR 2018 AND STRATEGIC GOALS FOR THE FUTURE OF MESQUITE. (Resolution No. 27-2018 recorded in Resolution Book No. 53.)

- 11 Bid No. 2018-052 - Neighborhood Stabilization Program for residential repairs located at 3708 Hilton Drive, Mesquite, Texas 75150.
(Authorize the City Manager to finalize and execute a contract with Provement, Inc., in the amount of \$97,468.30.)

Approved on the Consent Agenda.

- 12 Bid No. 2018-064 - Annual Contract for Utility Concrete Repair (Area 2).
(Authorize the City Manager to finalize and execute a contract with low bidder Overall Concrete Solutions, in the amount of \$263,612.50.)

Approved on the Consent Agenda.

- 13 Bid No. 2018-075 - Purchase of Portable Radios for Police Officers.
(Staff recommends award to Motorola Solutions in the amount of \$76,858.20.)

Approved on the Consent Agenda.

- 14 Authorize the City Manager to execute a revised Economic Development Program Agreement (Chapter 380 Agreement) with W. A. Ridge Ranch, LLC, extending the date of delivery of lots to the builders from the third quarter of 2015 to the third quarter of 2020, extending the construction date of homes from 2016 to 2019, the completion of home construction by December 31, 2036, and extending the term of the agreement from December 31, 2031, to a term of 22 years from date of execution, and authorizing the City Manager to administer the agreement on behalf of the City.

Approved on the Consent Agenda.

- 15 Approve Amendment No. 4 to the 2017-18 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 \$103,000.00.

Approved on the Consent Agenda.

PUBLIC HEARINGS

- 16 Conduct a public hearing and consider an ordinance amending the Mesquite Thoroughfare Plan.

A public hearing was held regarding amending the Mesquite Thoroughfare Plan.

Matt Holzapfel, Director of Public Works, stated that the last review and amendment to the Mesquite Thoroughfare Plan (MTP) occurred in November

2005. Recent development and land-use planning changes have occurred that call for approximately 13 changes to the MTP. The MTP is an important planning document that requires developers to dedicate right-of-way for roadways during their development plan and platting process. The current MTP is focused only on roadways; however, future revisions will be titled "Mobility Plan" to incorporate other elements of transportation such as pedestrian, trails and transit. Mr. Holzapfel reviewed the 13 MTP recommended updates, as outlined in Exhibit "B" of the proposed ordinance.

Mr. Noschese moved to approve Ordinance No. 4559, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE THOROUGHFARE PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. Motion was seconded by Mr. Archer and approved unanimously. (Ordinance No. 4559 recorded in Ordinance Book No. 111.)

17

Conduct a public hearing and consider an ordinance for Application No. Z0218-0022, submitted by Ryan Dykstra on behalf of Vaquero Ventures, to amend Planned Development Ordinance No. 3872 to allow additional uses on the property located at 705 State Highway 352.

(One response in opposition to the application has been received from a property owner within the statutory notification area. The Planning and Zoning Commission recommends approval of the application with certain stipulations. This item was postponed at the April 16, 2018, City Council meeting.)

A public hearing was held for Zoning Text Amendment No. Z0218-0022.

Jeff Armstrong, Interim Director of Planning and Development Services, stated that staff has worked with the applicant regarding the permitted uses and reviewed the revised concept plan.

Applicant Ryan Dykstra agreed with the additional proposed restrictions of the permitted uses. He stated that an end user has not been identified for this tract; however, he is working with a medical group to develop the remaining property.

No one appeared regarding the application.

Mr. Miklos moved to postpone consideration of Application No. Z0218-0022, to the May 21, 2018, City Council meeting to allow time to address the concerns expressed by Council. Motion was seconded by Mr. Noschese and approved unanimously.

18

Conduct a public hearing and consider an ordinance for Application No. Z0318-0025, submitted by Fenton Motors, for a change of zoning from Light Commercial to Planned Development-Light Commercial with a Conditional Use Permit to allow outdoor display of new and used vehicles, located at 16200 Interstate Highway 635.

(No responses in favor or 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 Zoning Text Amendment No. Z0318-0025.

Jeff Armstrong, Interim Director of Planning and Development Services, stated that the City Council approved a zoning change in 2017 to allow Fenton Motors to

expand and relocate their car dealership. The applicant has since been able to purchase additional property located at 16200 IH 635 and is requesting approval for sale of used vehicles.

Mark Exposito, representing the applicant, stated that Fenton Motors purchased the property located at 16230 IH 635, which will be utilized to sell new vehicles, and the property located at 16200 IH 635 will be utilized to sell used vehicles.

No one appeared regarding the application.

Mr. Noschese moved to postpone consideration of Application No. Z0218-0025, submitted by Fenton Motors, to the June 4, 2018, City Council meeting, to allow time to address the concerns expressed by Council. Motion was seconded by Mr. Boroughs and approved unanimously.

19

Conduct a public hearing and consider an ordinance for Application No. Z0318-0028, submitted by Les Pritchett of Urban Air Mesquite, for a change of zoning from General Retail to Light Commercial with a Conditional Use Permit to allow an indoor recreational facility, located at 1220 North Town East Boulevard, Suite 650.

(No responses in favor or opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval of rezoning from General Retail to Planned Development-General Retail with a Conditional Use Permit to allow an indoor recreational facility with certain stipulations.)

A public hearing was held for Application No. Z0318-0028.

Jeff Armstrong, Interim Director of Planning and Development Services, stated that the applicant plans to open an indoor adventure-trampoline park that includes a variety of recreational activities such as trampolines, a ninja warrior obstacle course, climbing walls, ropes course and laser tag. Mr. Armstrong reviewed the stipulations for the application.

Applicant Les Pritchett stated that he recently opened a franchise location in North Dallas and is interested in adding a location in Mesquite. Urban Air Trampoline and Adventure Park hosts teen nights as well as organized jump time, which allows parents to sign their children in-and-out; however, most parents accompany their children. Mr. Pritchett plans to invest \$2-3 million in building renovations and will employ 60 to 90 part-time positions.

Bryan Odom, 1330 Buena Vista, expressed support for the application. No others appeared regarding the application.

Mr. Miklos moved to approve Application No. Z0318-0028, as recommended by the Planning and Zoning Commission, with the following stipulations:

1. The uses permitted shall be limited to those uses permitted by right in the General Retail zoning district provided that a CUP may be granted to allow indoor recreation facilities.
2. A CUP for indoor recreation is hereby approved with the following conditions:
 - a. This CUP shall be limited to Suite 650, a 36,515+/- square-foot building.
 - b. The CUP is granted specifically to Mesquite Jump LLC, doing business as Urban Air Mesquite, and is not assignable or transferrable.

And to approve Ordinance No. 4560, 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 GENERAL RETAIL TO PLANNED DEVELOPMENT – GENERAL RETAIL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 1220 NORTH TOWN EAST BOULEVARD, SUITE 650 THEREBY ALLOWING AN INDOOR RECREATIONAL FACILITY 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. Archer and approved unanimously. (Ordinance No. 4560 recorded in Ordinance Book No. 111.)

20

Conduct a public hearing and consider an ordinance for Application No. Z0318-0029, submitted by Brian Lingle of Lingle Engineers, for a change of zoning from Agriculture to Planned Development-General Retail, located at 3401 McKenzie Road.

(One response in favor and two responses 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. Z0318-0029.

Jeff Armstrong, Interim Director of Planning and Development Services, stated that the three-acre triangular-shaped vacant tract was originally planned as part of a larger subdivision; however, it was not developed due to the construction of Interstate Highway 20 dissecting the subdivision. There is no proposed end user or developer for the property at this time. However, the applicant is pursuing rezoning in order to move forward with marketing the property.

Applicant Brian Lingle stated that he originally developed the subdivision in the early 1980s and the owner has requested that he pursue rezoning to allow development of the property. The Texas Department of Transportation is limiting the ingress and egress to the site from the frontage road.

Mark Rush, 240 Woodgrove, expressed concerns regarding the application. No others appeared regarding the application.

Mr. Miklos moved to approve Application No. Z0318-0029, as recommended by the Planning and Zoning Commission, with the following stipulations, and amending Stipulation No. 1 as follows:

1. All uses permitted by right in the General Retail zoning district are allowed on the Property except the prohibited uses listed in Subsections a, b and c of this paragraph. Uses listed in the Mesquite Zoning Ordinance as permitted by Conditional Use Permit in the General Retail zoning district are prohibited on the Property.

a. The following Retail Trade uses are prohibited on the Property:

5947 Gift, Novelty, Souvenir Shops

5993 Tobacco Stores

b. The following Services uses are prohibited on the Property:

75 Automotive Repair, Services – all, including:
7514 Passenger Car Rental
7515 Passenger Car Leasing
752 Automobile Parking (Lots and Structures)
753 Automobile Repair Shops
7542 Car Washes, including Detail Shops
7549 Other Automotive Services

And to approve Ordinance No. 4561, 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 AGRICULTURE TO PLANNED DEVELOPMENT – GENERAL RETAIL ON PROPERTY DESCRIBED AS BEING LOTS 22– 30, BLOCK E; LOTS 16– 25, BLOCK F; LOTS 20– 21, BLOCK G, IN THE WOODLAND PARK ADDITION AND LOCATED AT 3401 MCKENZIE ROAD THEREBY ALLOWING USES ALLOWED BY RIGHT IN THE GENERAL RETAIL ZONING DISTRICT WITH CERTAIN LIMITATIONS; 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. Archer. On call for a vote on the motion, the following votes were cast:

Ayes: Miklos, Archer, Aleman, Boroughs
Nays: Pickett, Casper, Noschese

Motion carried. (Ordinance No. 4561 recorded in Ordinance Book No. 111.)

21

Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2018-02 amending Chapter 1-600, Temporary Uses and Structures; Chapter 2-200, Use Regulations; Chapter 3-200, Use Regulations; Chapter 3-500, Supplementary Use Regulations; and Chapter 6-100, Definitions and Interpretation of Terms; thereby providing new and revised regulations for primary and secondary educational uses and temporary classrooms. (The Planning and Zoning Commission recommends approval of the zoning text amendment.)

A public hearing was held for Zoning Text Amendment No. 2018-02.

Jeff Armstrong, Interim Director of Planning and Development Services, stated that elementary and secondary public, private and open-enrollment charter schools are currently permitted by right. Concerns have been raised about the impacts of these schools in neighborhoods, particularly concerning traffic. Staff is proposing amendments to the Zoning Ordinance that would require a Conditional Use Permit (CUP) for new and expanded elementary and secondary schools along with a Traffic Impact Analysis and Traffic Management Plan. A temporary building will be prohibited unless it is located on a site where an existing permanent building housing an authorized main use, for which a certificate of occupancy has been issued, is located.

No one appeared regarding the proposed amendment.

Mr. Noschese moved to approve Zoning Text Amendment No. 2018-02, as recommended by the Planning and Zoning Commission, and to approve

Ordinance No. 4562, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY MAKING CERTAIN DELETIONS AND ADDITIONS IN SECTIONS FOUND UNDER CHAPTERS 1-600, 2-200, 3-200, 3-500 AND 6-100 THEREBY PROVIDING NEW AND REVISED REGULATIONS FOR PRIMARY AND SECONDARY EDUCATIONAL USES AND TEMPORARY CLASSROOMS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4562 recorded in Ordinance Book No. 111.)

APPOINTMENTS TO BOARDS AND COMMISSIONS

- 22 Consider appointment of two alternate members to the Municipal Library Advisory Board for terms to expire December 4, 2018.
- Mr. Noschese moved to appoint Angel Blackstock as an alternate member of the Municipal Library Advisory Board for a term to expire December 4, 2018. Motion was seconded by Mr. Casper and approved unanimously.

EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 9:42 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 proposed development at Rodeo Center Boulevard and Military Parkway/Scyene Road, Consider proposed economic development incentives for a prospective homebuilder in southeast Mesquite and Consider proposed economic development incentives for a prospective industrial business park in southeast Mesquite); whereupon, the City Council proceeded to meet in the Executive Conference Room. After the closed meeting ended at 10:35 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Aleman moved to adjourn the meeting. Motion was seconded by Mr. Archer and approved unanimously. The meeting adjourned at 10:35 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Stan Pickett, Mayor