



City of Mesquite, Texas

Minutes - Final City Council

Tuesday, July 5, 2022

5:30 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Tandy Boroughs, B. W. Smith, Jeff Casper, Jennifer Vidler and Debbie Anderson, City Manager Cliff Keheley and City Secretary Sonja Land.

PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive departmental strategy and budget presentations, as determined by City Management, related to City Council strategic goals and objectives.

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

INVOCATION

Michael Luster, Pastor, Fellowship of Christian Athletes, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Employees of the Parks and Recreation Department.

SPECIAL ANNOUNCEMENTS

1. Mayor Alemán stated that this past weekend, multiple police patrols were dispatched to various sections of the community to address fireworks and celebratory gunfire through the Celebrate Safely Campaign. Four citations were issued and 13 pounds of fireworks, 16 handguns and three rifles were confiscated. A grant funded DWI task force removed 22 drunk drivers off of the streets. The Fire Department responded to 12 grass fires caused by fireworks. He thanked police and fire staff who worked these extra patrols to keep the neighborhoods safe and recognized the Public Safety Dispatchers who had a very busy weekend. The Mesquite Citizens Police Academy Alumni Association, along with employees and citizens, worked over the weekend to aid the dispatchers with phone calls.
2. Mr. Casper stated that as part of the Clean City Initiative, the solid waste ordinance was approved last summer to help beautify Mesquite through the reduction of scattered trash and debris. Fees for violations of the ordinance are now being assessed. Also, a new Trash Cart Program began on June 1, 2022, to provide an affordable, uniform container that meets the intent of the ordinance. If citizens have an unusual situation preventing them from adhering to the ordinance, contact the Solid Waste Division.

3. Mr. Green stated that volunteer applications for the 18th Annual Addressing Mesquite Day are due by Friday, July 22, 2022. For more details, contact the Office of Neighborhood Vitality.
4. Ms. Vidler invited citizens to attend a District 3 Neighborhood Meeting on Saturday, July 9, 2022, from 1:00 p.m. to 3:00 p.m., at the DeBusk Park Pavilion, 1625 Gross Road. Hot dogs and snacks will be provided.
5. Mr. Boroughs stated that he recently volunteered as a Counselor at the Muscular Dystrophy Association (MDA) Summer Camp, which was a very rewarding experience. This year, 42 children participated in the camp, which is partially funded by the Mesquite Fire Department's Fill-the-Boot Campaign.
6. Mr. Boroughs stated that a Budget Town Hall Meeting will be held on Tuesday, July 19, 2022, at 7:00 p.m., and the annual Budget Retreat will be held on Saturday, July 23, 2022, from 8:00 a.m. to 5:00 p.m. Both meetings will be held at City Hall, Training Rooms A&B, 757 North Galloway Avenue, and citizens are encouraged to attend or view online.
7. Mr. Smith stated that the Downtown Mesquite Farmers Market at Front Street Station will be open this Saturday, July 9, 2022, from 9:00 a.m. to 1:00 p.m. Also at Front Street Station, from 6:00 p.m. to 8:00 p.m., the Off the Rails concert series will feature guitarist Michael Swim.
8. Ms. Anderson encouraged citizens to donate peanut butter and jelly this summer to the Annual Spread the Love Campaign to feed Mesquite children in need. All donations are provided to Sharing Life Community Outreach to redistribute within the Mesquite community.

CITIZENS FORUM

Debbie David, 509 Horseshoe Bend, expressed concerns regarding discharge of fireworks in her neighborhood.

CONSENT AGENDA

Approval of the Consent Agenda

Ms. Vidler requested that Item No. 3 be removed from the Consent Agenda to be considered separately. Mr. Casper moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Green and approved unanimously.

- 2 Minutes of the regular City Council Meeting held June 20, 2022.

Approved on the Consent Agenda.

- 4 Bid No. 2022-073 - Mesquite Animal Shelter & Adoption Center Expansion.
(Staff recommends all bids be rejected.)

Approved on the Consent Agenda.

- 5 Bid No. 2022-125- Annual Telephone Services - Local and Long Distance.
(Staff recommends award to AT&T Corp., through Texas Department of Information Resources Contract No. DIR-TELE-CTSA-002, in an amount not to exceed \$375,000.00.)

Approved on the Consent Agenda.

- 6 Bid No. 2022-126 - Annual Mobile Data and Voice Service.
(Staff recommends award to AT&T Corp. for voice and data plans, through the Texas Department of Information Resources Contract No. DIR-TELE-CTSA-002, in an amount not to exceed \$200,000.00.)

Approved on the Consent Agenda.

- 7 Bid No. 2022-127 - Purchase of One Laymor Broom for the Streets Division (Model SM450ST).
(Staff recommends award to Associated Supply Company, Inc., through BuyBoard Contract No. 597-19, in the amount of \$92,000.00.)

Approved on the Consent Agenda.

- 8 Authorize the City Manager to finalize and execute a Clinical Affiliation Agreement with Dallas College to provide Emergency Medical Services (EMS) education and training in the classroom and through internship with the Mesquite Fire Department. The term of this contract is for a five-year period, with one additional one-year renewal option. The City Manager is authorized to exercise the renewal option, subject to annual appropriation of sufficient funds.

Approved on the Consent Agenda.**CONSENT AGENDA ITEM TO BE CONSIDERED SEPARATELY**

- 3 An ordinance determining the necessity of acquiring real property for construction, operation, and maintenance of a water pipeline and related facilities on property located at 4600 Lawson Road; authorizing appropriation of the real property and/or the use of the power of eminent domain to acquire the real property for public use; and delegating authority to initiate condemnation proceedings to the City Manager.

Ms. Vidler stated, "I move that Agenda Item No. 3 be approved, which includes the City of Mesquite authorizing the use of the power of eminent domain to acquire approximately 1,380-square-foot permanent waterline easement out of an approximately 3.85-acre tract of land located at 4600 Lawson Road in Mesquite for the public use of a water pipeline and related facilities." And to approve Ordinance No. 4963, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THE NECESSITY OF ACQUIRING REAL PROPERTY FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF A WATER PIPELINE AND RELATED FACILITIES ON PROPERTY LOCATED AT 4600 LAWSON ROAD; AUTHORIZING APPROPRIATION OF THE REAL PROPERTY AND/OR THE USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE THE REAL PROPERTY FOR PUBLIC USE; AND DELEGATING AUTHORITY TO INITIATE CONDEMNATION PROCEEDINGS TO THE CITY MANAGER. Motion was seconded by Ms. Anderson and approved unanimously. (Ordinance No. 4963 recorded in Ordinance Book No. 126.)

END OF CONSENT AGENDA

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 9 Consider appointment of one member (Position No. 3) to the Animal Services Advisory Committee for a term to expire December 31, 2023.

Ms. Vidler moved to appoint Meagan King to the Animal Services Advisory Committee (Position No. 3) for a term to expire December 31, 2023. Motion was seconded by Mr. Green and approved unanimously.

PUBLIC HEARINGS

- 10 Conduct a public hearing to receive citizen input on the proposed Fiscal Year 2022-23 budget.

A public hearing was held regarding the proposed Fiscal Year 2022-2023 budget.

Myra Rogers, Manager of Budget and Treasury, stated that this is the first of three public hearings regarding the Fiscal Year 2022-2023 Budget. The State of Texas requires one public hearing. However, the City of Mesquite has typically offered multiple public hearings to receive citizen input. A budget educational video along with a citizen survey is available on the City's website. Citizens are encouraged to complete the survey Sunday, July 10, 2022. Survey information will be reviewed and provided to the City Council for consideration. She stated that survey information will be discussed at the Tuesday, July 19, 2022, Town Hall Meeting at 7:00 p.m. Ms. Rogers reminded residents that a Government Transparency button can be found on the main landing page of the City Website that offers access to most City financial information. Detailed schedules for the proposed budget will be available on the City's website by Friday, July 15, 2022. Two future budget public hearings will be held at the July 18, 2022, and August 1, 2022, City Council meetings.

No one appeared regarding the Fiscal Year 2022-2023 budget.

- 11 Conduct a public hearing and consider an ordinance for Zoning Application No. Z0322-0239, submitted by Sparks Property Holding, LLC, for a change of zoning from Planned Development Ordinance No. 1110 to Planned Development - Commercial to allow a restaurant with accessory uses, located at 3200 East U.S. Highway 80.

(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 with certain stipulations.)

A public hearing was held for Zoning Application No. Z0322-0239.

Jeff Armstrong, Director of Planning and Development Services, stated the applicant proposes construction of a restaurant with an outdoor market, yard games and outdoor live entertainment. The outdoor market would be limited to two days per week. The subject property consists of 7.752 acres, approximately five acres of which would remain in a natural state, but would have a maintenance plan and walking path. Mr. Armstrong stated that the applicant is requesting that a 600-square-foot storage building be added to the stipulations.

Applicant Teresa Sparks, 901 Via Avenida, stated that prior to COVID, she operated Chaser's Lounge on Buckner Boulevard and is proposing to reopen the

establishment at this location with expanded amenities, including outdoor games, live entertainment and an outdoor market. She proposes to construct a 24-hour restaurant with a bar area that will close at 2:00 p.m. No children will be allowed on the property after 9:00 p.m. The restaurant will include an outdoor patio facing the pond and the outdoor market will be open on Fridays and/or Sundays as not to compete with the Downtown Farmers Market at Front Street Station.

Some Councilmembers expressed concerns regarding noise affecting the adjacent neighborhood and that only three property owners were notified of this proposed zoning change.

Ms. Sparks stated that the music speakers will be positioned to direct the sound toward the highway.

Councilmembers suggested that Ms. Sparks meet with the adjacent property owners, present the concept plan for the property and provide feedback to the City Council.

The following persons expressed support for the proposed application: (1) Danny Ford, 5803 Redwood Lane, Rowlett; (2) Eric Smith, 901 Via Avenida; and (3) Trini Jones, 614 Acadia Street, Hurst.

The following persons completed a comment card in support of the proposed application but chose not to speak: (1) Janet England, 3417 U.S. Highway 80; (2) Kevin Ware, 719 Sara Drive; (3) Kim Pyle, 3417 U.S. Highway 80; and (4) Jane Smith, 2473 Wildoak Circle.

Jessica Salgado, 313 Rockcrest, expressed support for the proposed application. However, she expressed concerns regarding the hours of operation.

No others appeared regarding the proposed application.

Ms. Anderson moved to table consideration of Zoning Application No. Z0322-0239 and keep the public hearing open. Motion was seconded by Ms. Vidler and approved unanimously.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 9:09 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to consider the purchase, exchange, lease or value of real property (Item No. 12 – Discuss the purchase of property on Ebrite Street); and pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 13 – Discuss economic development incentives for a prospective development on Gus Thomasson Road near Driftwood Drive); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 9:16 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Smith and approved unanimously. The meeting adjourned at 9:16 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor