



City of Mesquite, Texas

Minutes - Final City Council

Monday, August 16, 2021

5:00 PM

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

Present: Mayor Bruce Archer and Councilmembers Robert Miklos, Dan Aleman, Tandy Boroughs, Kenny Green, B. W. Smith and Sherry Wisdom, City Manager Cliff Keheley and City Secretary Sonja Land.

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

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding the proposed Neighborhood Speed Management Program.
- 2 Discuss the proposed budget and tax rate for Fiscal Year 2021-22.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:28 P.M.

Mayor Archer 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 (Item No. 30 – Discuss economic development incentives for a proposed development at the southeast corner of IH-635 and U.S. Highway 80); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:33 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:33 P.M.

Mayor Archer 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 guidance regarding upcoming election); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:43 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

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

Daniel Rorie, Regional Director for the Men & Ladies of Honor, Honor Academy.

PLEDGE OF ALLEGIANCE

Business owners and representatives in recognition of Black-Owned Business Month.

PRESENTATIONS

- 3** Recognize Real. Texas. Service. 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 highlighting each employee's accomplishments and contributions to the City of Mesquite. The following employees were honored and presented with a certificate: Joe Martinez - Building Inspection Division, Quo Lucas - Animal Services Division, Johnny Snell - Public Works Department and Jarrod Thurman - Fire Department.**
- 4** Receive presentation regarding the Mesquite Fire Department's achievement in becoming a Texas Fire Chiefs Association Best Practices Recognized Department.
- Donnie Norman, representing the Texas Fire Chiefs Association, introduced the Executive Board of the Texas Fire Chiefs Association. Mr. Norman presented Fire Chief Russell Wilson with a plaque recognizing the Mesquite Fire Department as a Texas Fire Chiefs Association Best Practices Recognized Department.**
- 5** Presentation of an award to Ron Ward in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors.
- Mayor Archer presented an award to Ron Ward in recognition of his service as a member of the Mesquite Quality of Life Corporation Board of Directors from June 2017 to June 2021.**
- 6** Presentation of an award to Debbie Anderson in recognition of her service as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee.
- Mayor Archer presented an award to Debbie Anderson in recognition of her service as a member of the Planning and Zoning Commission and Capital Improvements Advisory Committee from September 2017 to July 2021.**

SPECIAL ANNOUNCEMENTS

1. Mr. Aleman stated that local artists and food vendors are encouraged to take part in the Dia de los Muertos celebration on October 30, 2021. This event will be hosted at the Mesquite Arts Center, 1527 North Galloway Avenue, from 4:00 p.m. to 7:00 p.m. To apply for a vendor space, call 972-216-8132.

2. Mr. Smith stated that Mesquite Independent School District (MISD) students went back to school last week. He thanked the Mesquite Police Department and Mesquite Fire Department staff for welcoming parents and students on the first day of school. He reminded residents to “Drive Like Your Family Lives Here.”

3. Mr. Smith stated that this past weekend, he and his wife were in a café in the small town of Yantis, Texas, population 388, and met a family from Pennsylvania who are thinking of moving to Texas. They said they are headed to the Mesquite Rodeo and asked if Mr. Smith knew where it was. Mr. Smith thanked City staff and Mesquite citizens for working hard to make the City of Mesquite a place that people from all over the country come to visit.

4. Mr. Boroughs invited the community to attend the virtual Community Health Forum on Thursday, August 19, 2021, at 7:00 p.m. The Mesquite Fire Department will provide panelists to discuss ways to prevent house fires, health safety tips, the basics of CPR and answer questions. This is part of the City’s “Recovery Mesquite” efforts to help the community move forward and onward from the impacts of the COVID-19 pandemic.

5. Mr. Miklos announced that the City of Mesquite will participate in the nationwide “Clear the Shelter” event which takes place from August 23, 2021, to September 19, 2021. This nationwide pet adoption drive helps find homes for shelter animals. This is a great opportunity to adopt a pet and receive special services that will be included in the adoption process.

6. Mr. Green stated that the City is in the initial phase of implementing the water meter replacement project. This advanced metering will include replacing old water meters at homes and businesses with upgraded meters. This upgrade will allow for better accuracy for transparency of water meters for all water utility customers. Although it will take approximately two years to complete the installation of upgraded meters, the City plans to send a letter to all water utility customers soon to fully explain the plans and provide contact information for any questions.

7. Ms. Wisdom stated that new requirements for solid waste customers goes into effect in October, 2021. This includes placing trash in a bag then placing the bag into a trash can. Frequently asked questions can be found on the City’s website at www.cityofmesquite.com/SolidWaste.

8. Mayor Archer announced that this month, the Mesquite Library System was recognized by MISD as a Community Partner of the ReadPlayTalk initiative. Library staff and volunteers promote the importance of reading and parent-child engagement year-round through their programs and services. This summer, the library system played a large role in the ReadPlayTalk “Bus Pop-Ups at the Park.” At each pop-up, the library offered information about the library summer reading program, provided resources to families and led an interactive story time. He congratulated the library staff on this achievement.

9. Mayor Archer encouraged citizens to participate in litter pickups in their neighborhoods this week as part of the Clean City Initiative.

CITIZENS FORUM

1. Terri White, 505 Riggs Circle, expressed concerns regarding the use of herbicides, ground spraying for mosquitos and industrial development drainage issues.

CONSENT AGENDA**Approval of the Consent Agenda**

Mr. Miklos requested that Item No. 17 be removed from the Consent Agends to be considered separately. Mr. Aleman moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Green and approved unanimously.

- 7 Minutes of the regular City Council meeting held August 2, 2021.

Approved on the Consent Agenda.

- 8 An ordinance, on first reading, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division ("Company") regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the ACSC's legal counsel.

Approved on the Consent Agenda.

AN ORDINANCE, ON FIRST READING, OF THE CITY OF MESQUITE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY'S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

- 9 A resolution authorizing the City Manager to finalize and execute an Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System for BioTel/EMS System social work and Emergency Medical Technician (EMT)/paramedic support for the Southeast Collaboration Crisis Intervention Team in the amount of \$176,089.00 for Fiscal Year 2021-22.

Approved on the Consent Agenda.

Resolution No. 44-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE DALLAS COUNTY HOSPITAL DISTRICT d/b/a PARKLAND HEALTH & HOSPITAL SYSTEM FOR BIOTEL/EMS SYSTEM SOCIAL WORK AND EMERGENCY MEDICAL TECHNICIAN (EMT)/PARAMEDIC SUPPORT FOR THE SOUTHEAST COLLABORATION CRISIS INTERVENTION TEAM IN THE AMOUNT OF \$176,089.00 FOR FISCAL YEAR 2021-22; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 44-2021 recorded in Resolution Book No. 63.)

- 10 Bid No. 2021-046 - Annual Supply of Neptune Mach 10 V5 Electronic Water Meters.
(Staff recommends award to sole source provider Core & Main, LP, for an amount not to exceed \$96,618.00.)

Approved on the Consent Agenda.

- 11 Bid No. 2021-098 - Annual Pavement Lifting Project.
(Authorize the City Manager to finalize and execute a contract with low bidder PJM Construction, LLC, in the amount of \$490,000.00. The term of the contract is for a one-year period, with two additional one-year options. The City Manager is authorized to exercise the renewal option, subject to annual appropriation of funds.)

Approved on the Consent Agenda.

- 12 Approve removal of Quinton Middleton as a member of the Parks and Recreation Advisory Board and Tree Board.

Approved on the Consent Agenda.

- 13 Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Binkley & Barfield, Inc. for preliminary engineering in the amount of \$221,473.00 for Utility Engineering for CSJ 2374-02-162 - IH 635 at US Highway 80 Interchange.

Approved on the Consent Agenda.

- 14 Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Binkley & Barfield, Inc., for the survey, engineering design and preparation of bidding and construction documents for the installation of large water valves and other water and sewer adjustments at various locations in the amount of \$80,500.00.

Approved on the Consent Agenda.

- 15 Authorize the City Manger to finalize and execute Change Order No. 7 to Bid No. 2021-048, 117 West Main Renovation, for the purchase and installation of trusses to support roof top HVAC units in the amount of \$21,547.28

Approved on the Consent Agenda.

- 16 An ordinance approving an update of the Service and Assessment Plan and Assessment Roll for Phase #1 Improvements and Phase #2 Major

Improvements for the Heartland Town Center Public Improvement District (the "District"); making and adopting findings; accepting and approving the Annual Service Plan Update and updated Assessment Roll for the District; requiring compliance with Chapter 372, Texas Local Government Code, as amended; providing a cumulative repealer clause; providing for severability and providing an effective date.

Approved on the Consent Agenda.

Ordinance No. 4884, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS APPROVING AN UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR PHASE #1 IMPROVEMENTS AND PHASE #2 MAJOR IMPROVEMENTS FOR THE HEARTLAND TOWN CENTER PUBLIC IMPROVEMENT DISTRICT (THE "DISTRICT"); MAKING AND ADOPTING FINDINGS; ACCEPTING AND APPROVING THE ANNUAL SERVICE PLAN UPDATE AND UPDATED ASSESSMENT ROLL FOR THE DISTRICT; REQUIRING COMPLIANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 4884 recorded in Ordinance Book No. 124.)

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

17

An ordinance approving an update of the Service and Assessment Plan and Assessment Roll for Phase #1 Improvements and Phases #2-6 Major Improvements for the Polo Ridge Public Improvement District No. 2 (the "District"); making and adopting findings, accepting and approving the Fiscal Year 2021-2022 Annual Service Plan Update and updated Assessment Roll for the District; requiring compliance with Chapter 372, Texas Local Government Code, as amended; providing a cumulative repealer clause; providing for severability and providing an effective date.

Mr. Miklos left the meeting.

Mr. Aleman moved to approve Ordinance No. 4885, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING AN UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR PHASE #1 IMPROVEMENTS AND PHASES #2-6 MAJOR IMPROVEMENTS FOR THE POLO RIDGE PUBLIC IMPROVEMENT DISTRICT NO. 2 (THE "DISTRICT"); MAKING AND ADOPTING FINDINGS, ACCEPTING AND APPROVING THE FISCAL YEAR 2021-2022 ANNUAL SERVICE PLAN UPDATE AND UPDATED ASSESSMENT ROLL FOR THE DISTRICT; REQUIRING COMPLIANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:

Ayes: Aleman, Green, Archer, Wisdom, Boroughs, Smith

Nays: None

Abstentions: Miklos

Motion carried. (Ordinance No. 4885 recorded in Ordinance Book No. 124.)

END OF CONSENT AGENDA**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 18 Consider appointment of one regular member (Position No. 3) to the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire December 31, 2021 and one alternate member (Alternate No. 2) for a term to expire December 31, 2022.

Mr. Miklos entered the meeting.

Mr. Miklos moved to change the appointment of Roger Melend from an alternate member (Alternate No. 1) to a regular member (Position No. 3) of the Planning and Zoning Commission/Capital Improvements Advisory Committee for a term to expire December 31, 2021, and to appoint Debbie Screws as an alternate member (Alternate No. 2) for a term to expire December 31, 2022. Motion was seconded by Ms. Wisdom and approved unanimously.

PUBLIC HEARING AND CONSIDER PASSAGE OF THE FOLLOWING ORDINANCES AND RESOLUTIONS RELATING TO THE FISCAL YEAR 2021-22 BUDGET

- 19 An ordinance providing funds for the 2021-22 Fiscal Year by adopting and approving the budget for said period and appropriating and setting aside the necessary funds out of the general and other revenues of the City for said fiscal year for the maintenance and operation of various departments and activities of the City, for capital and other improvements of the City and for all other expenditures included in said budget.

(This item was postponed at the August 2, 2021, City Council meeting.)

Mr. Miklos moved to approve Ordinance No. 4886, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING FUNDS FOR THE 2021-22 FISCAL YEAR BY ADOPTING AND APPROVING THE BUDGET FOR SAID PERIOD AND APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES OF THE CITY FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF VARIOUS DEPARTMENTS AND ACTIVITIES OF THE CITY, FOR CAPITAL AND OTHER IMPROVEMENTS OF THE CITY AND FOR ALL OTHER EXPENDITURES INCLUDED IN SAID BUDGET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 4886 recorded in Ordinance Book No. 124.)

- 20 An ordinance ratifying the property tax revenue increase reflected in the 2021-22 Fiscal Year budget for said period.

(This item was postponed at the August 2, 2021, City Council meeting.)

Mr. Miklos moved to approve Ordinance No. 4887, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, RATIFYING THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE 2021-22 FISCAL YEAR BUDGET FOR SAID PERIOD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 4887 recorded in Ordinance Book No. 124.)

21 A. Conduct a public hearing regarding the proposed Fiscal Year 2021-22 ad valorem tax rate of \$0.70862 per \$100 valuation.

B. Approve an ordinance levying the ad valorem taxes for tax year 2021 (Fiscal Year 2021-22).

A public hearing was held to receive input from citizens regarding the proposed Fiscal Year 2021-2022 ad valorem tax rate of \$0.70862 per \$100 valuation.

Cindy Smith, Director of Finance, stated that the proposed tax rate of \$0.70862 per \$100 of assessed valuation exceeds the calculated no-new-revenue tax rate of \$0.65190. In order to be approved, at least 60 percent (5 or more) of the City Councilmembers will be required to vote in favor of the proposed tax rate.

No one appeared regarding the proposed Fiscal Year 2021-2022 ad valorem tax rate of \$0.70862 per \$100 valuation.

Mr. Miklos stated, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.70862 per \$100 of valuation, which is effectively an 8.7 percent increase in the tax rate" and to approve Ordinance No. 4888, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2021 AT A RATE OF \$0.70862 PER \$100.00 ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS, ON JANUARY 1, 2021, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR PLACE OF PAYMENT; APPROVING THE 2021 TAX ROLLS AND ANY SUPPLEMENT THERETO; PROVIDING CERTAIN EXEMPTIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Mr. Miklos confirmed that the motion was to approve Item No. 21B. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 4888 recorded in Ordinance Book No. 124.)

22 A resolution ordering a Special Election on November 2, 2021, for the purpose of submitting a proposed tax rate that exceeds the voter-approval tax rate for the 2021 tax year.

Mr. Miklos moved to approve Resolution No. 45-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ORDERING A SPECIAL ELECTION ON NOVEMBER 2, 2021, FOR THE PURPOSE OF SUBMITTING A PROPOSED TAX RATE THAT EXCEEDS THE VOTER-APPROVAL TAX RATE FOR THE 2021 TAX YEAR. Motion was seconded by Mr. Green and approved unanimously. (Resolution No. 45-2021 recorded in Resolution Book No. 63.)

23 A resolution ordering a general election on November 2, 2021, for the purpose of electing a Mayor and Councilmembers for Places 1, 2, 3, 4, 5 and 6, and adopting Kaufman County Elections Department's voting system for use in the City of Mesquite elections conducted in Kaufman County.

Mr. Miklos moved to approve Resolution No. 46-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ORDERING A GENERAL ELECTION ON NOVEMBER 2, 2021, FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEMBERS FOR PLACES 1, 2, 3, 4, 5, AND 6, AND ADOPTING

KAUFMAN COUNTY ELECTIONS DEPARTMENT'S VOTING SYSTEM FOR USE IN THE CITY OF MESQUITE ELECTIONS CONDUCTED IN KAUFMAN COUNTY. Motion was seconded by Ms. Wisdom and approved unanimously. (Resolution No. 46-2021 recorded in Resolution Book No. 63.)

PUBLIC HEARINGS

24

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0521-0196, submitted by Lori Lusk of Kimley-Horn and Associates, Inc., for a change of zoning from Agriculture to Planned Development - Single-Family Residential to allow a 235-lot single-family residential subdivision, located at 2400, 2402, 2404 and 2800 Mesquite Valley Road.

(One response in favor and five 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. Z0521-0196.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes development of a single-family residential subdivision consisting of 235 lots. The minimum dwelling size will be 1,500 square feet with front entry garages and a Homeowner's Association will be required. Trails and sidewalks will be provided throughout the development, including connections to the future Copeland Park. Two points of entry will be provided along Mesquite Valley Road along with enhanced landscaping. Mr. Armstrong stated that the applicants are working on a reclamation study to determine if the property located in the floodplain can be reclaimed.

Applicant Phillip Duncan, representing Taylor Duncan Interests, LLC, stated that this development will be known as Valley Brooke and the homebuilders will be MI Homes and Impression Homes. The homes will be a mix of one-story and two-story homes on 40 and 50-foot lots. The cost of the homes is estimated to be from \$325,000.00 to over \$400,000.00. They have dealt with many issues at this site including decades of dumping which will cost approximately \$1 million to reclaim and clean up. They are also working on floodplain reclamation on a portion of the property.

Craig Malan, representing Kimley Horn and Associates, Inc., stated the area to be reclaimed is on the outer banks of the 100-year floodplain. He stated that they will follow engineering procedures and the approval process for the reclamation.

Mr. Duncan stated that the builders are willing to commit that one-half of the homes on the 40 foot lots will contain a minimum of 1,600 square feet and 100 percent of the homes on the 50 foot lots will contain a minimum of 1,800 square feet.

No one appeared regarding the proposed application.

Mr. Aleman moved to approve Zoning Application No. Z0521-0196, as recommended by the Planning and Zoning Commission with certain stipulations, and to revise the Planned Development Standards requiring that 50 percent of the homes on the 40-foot lots shall have a minimum floor area of 1,600 square feet and all of the 50-foot lots shall have a minimum floor area of 1,800 square

feet, and to approve Ordinance No. 4889, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURE TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL WITH AN UNDERLYING ZONING DISTRICT OF R3 TO ALLOW A SINGLE FAMILY SUBDIVISION ON PROPERTY LOCATED AT 2400, 2402, 2404, AND 2800 MESQUITE VALLEY ROAD; 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. 4889 recorded in Ordinance Book No. 124.)

25

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0521-0200, submitted by Rob Baldwin of Baldwin Associates, for a change of zoning from Commercial with Skyline Logistics Hub Overlay to Planned Development - Industrial with Skyline Logistics Hub Overlay to allow uses permitted in the Industrial zoning district, located at 2500, 2526 and 2614 Big Town Boulevard.

(No responses in favor and four 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. Z0521-0200.

Jeff Armstrong, Director of Planning and Development Services, stated the applicant proposes construction of a 211,112 square foot building for office, warehouse and distribution uses at the former TravelCenters of America truck stop site on Big Town Boulevard. The development will include enhanced landscaping along the property boundary, restrictions on the location of unmounted trailers and screening requirements.

Applicant Rob Baldwin, Baldwin Associates, introduced the developer, Kyle Raynor, representing RMR Development. Mr. Raynor stated that the appearance of the building will be consistent with the design of other warehouses in Mesquite. Truck parking will only be allowed for tenants of the building. He agreed to install a fence around the trailer parking area.

No one appeared regarding the proposed application.

Mr. Green moved to approve Zoning Application No. Z0521-0200, as recommended by the Planning and Zoning Commission with certain stipulations, and to revise the Development Standards to require that the overnight parking area, as designated on the Concept Plan, shall be fenced using fencing in the Industrial District, and to approve Ordinance No. 4890, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT TO PLANNED DEVELOPMENT INDUSTRIAL WITHIN THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT TO ALLOW A WAREHOUSE AND DISTRIBUTION DEVELOPMENT ON PROPERTY LOCATED AT 2500, 2526, AND 2614 BIG TOWN BOULEVARD; 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. 4890 recorded in Ordinance Book No. 64.)

A brief recess was taken at 9:09 p.m. The meeting resumed at 9:17 p.m.

26

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0621-0204, submitted by Allen Perez of JM Civil Engineering, for a change of zoning from Planned Development - Service Station Ordinance No. 3016 to Planned Development - General Retail Ordinance No. 3016 to allow a convenience store and fueling station, located at 1712 West Scyene Road. (One response in favor and none 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. Z0621-0204.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant proposes to demolish the existing Chevron convenience store, fuel pumps and carwash building. The applicant is proposing to construct a new 2,824-square-foot Murphy Express convenience store with eight fuel pumps (16 fueling positions).

Mr. Armstrong stated that the request would rezone the property to Planned Development-General Retail with a modification to reduce the separation requirement from residential districts from a minimum of 500 feet to 410 feet.

No one appeared regarding the proposed application.

Mr. Boroughs moved to approve Application No. Z0621-0204, as recommended by the Planning and Zoning Commission with certain stipulations, and to approve Ordinance No. 4891, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT-SERVICE STATION ORDINANCE NO. 3016 TO PLANNED DEVELOPMENT-GENERAL RETAIL ORDINANCE NO. 3016 WITH MODIFICATIONS TO THE SPECIAL CONDITIONS TO ALLOW A CONVENIENCE STORE WITH LIMITED FUEL SALES WITHIN 500 FEET OF A RESIDENTIAL DISTRICT AND TO ALLOW AN INCREASE IN THE MAXIMUM NUMBER OF VEHICLE FUELING POSITIONS ON PROPERTY LOCATED AT 1712 WEST SCYENE ROAD; 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. 4891 recorded in Ordinance Book No. 124.)

27

Conduct a public hearing and consider a resolution approving the terms and conditions of a program to promote local economic development and stimulate business and commercial activity in the City, authorizing the City Manager to finalize and execute an Economic Development Program Chapter 380 Agreement with Landmark at the Meadows, LLC, for the construction and development of the property located at 2401 and 2601 East Meadows Boulevard, Mesquite, Texas, and authorizing the City Manager to finalize, execute and administer the agreement on behalf of the City.

A public hearing was held to consider an Economic Development Program Chapter 380 Agreement with Landmark at the Meadows, LLC for construction and

development of the property located at 2401 and 2601 East Meadows Boulevard.

Kim Buttram, Director of Economic Development, stated the agreement would require the developer to construct 335,000 square feet of new industrial space. An estimated 71 new jobs will be created with a minimum investment of \$28 million. East Meadows Boulevard will be rebuilt from U.S. Highway 80 to Flamingo Road, which will include a six foot-wide sidewalk on both sides of the road. The project will include enhanced landscaping and a buffer zone. The Chapter 380 Agreement provides a water, sewer and roadway impact fee grant to the developer.

Ms. Buttram introduced John Hawpe, Regional Director of Construction, Landmark Companies. Mr. Hawpe presented the site plan for two buildings. He stated that a 25-foot-wide landscape buffer, between the street and the buildings, will be constructed which will include a four-foot berm with trees and shrubs. He stated that there will be a 180 foot distance between residential property lines and the buildings.

No one appeared regarding the proposed Chapter 380 Agreement.

Mr. Green moved to approve Resolution No. 47-2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN ECONOMIC DEVELOPMENT PROGRAM CHAPTER 380 AGREEMENT WITH LANDMARK AT THE MEADOWS, LLC, FOR THE CONSTRUCTION AND DEVELOPMENT OF THE PROPERTY LOCATED AT 2401 TO 2601 EAST MEADOWS BOULEVARD, IN THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE AND ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY. Motion was seconded by Mr. Miklos and approved unanimously. (Resolution No. 47-2021 recorded in Resolution Book No. 63.)

28

Conduct a public hearing and consider an ordinance repealing and replacing the Mesquite Thoroughfare Plan.

A public hearing was held repealing and replacing the Mesquite Thoroughfare Plan.

Eric Gallt, Manager of Traffic Engineering and Street Lighting, stated that the City uses the Thoroughfare Plan to preserve future corridors for transportation use. This revision is necessary due to the expansive growth throughout the City, especially in Kaufman County.

No one appeared regarding repealing and replacing the Mesquite Thoroughfare Plan.

Mr. Boroughs moved to approve Ordinance No. 4892, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REPEALING AND REPLACING THE MESQUITE THOROUGHFARE PLAN; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE. Motion was seconded by Mr. Aleman and approved unanimously. (Ordinance No. 4892 recorded in Ordinance Book No. 124.)

OTHER BUSINESS

29 Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms to expire in August 2022.

Mr. Green moved to appoint Robert Miklos as Mayor Pro Tem and Dan Aleman as Deputy Mayor Pro Tem for one-year terms to expire August 2022. Motion was seconded by Mr. Boroughs and approved unanimously.

ADJOURNMENT

Mr. Aleman moved to adjourn the meeting. Motion was seconded by Mr. Smith and approved unanimously. The meeting adjourned at 9:35 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Bruce Archer, Mayor