



City of Mesquite, Texas

Minutes - Final City Council

Monday, May 20, 2024

6:00 PM

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

Present: Mayor Daniel Alemán, Jr., and Councilmembers B. W. Smith, Jeff Casper, Kenny Green, Elizabeth Rodriguez-Ross and Brandon Murden, Assistant City Manager Raymond Rivas and City Secretary Sonja Land.

Absent: Councilmember Tandy Boroughs and City Manager Cliff Keheley.

PRE-MEETING - TRAINING ROOMS A&B - 6:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding the proposed Downtown Overlay ordinance.

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

INVOCATION

Jones Doughton, Pastor, First Presbyterian Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

Members of the Mesquite Citizens Police Academy Alumni Association in honor of National Police Appreciation Week.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper announced Addressing Mesquite Day will be held on Saturday, October 5, 2024. For 20 years, this annual day of service has changed the lives of thousands of Mesquite homeowners and their families. If you know someone who needs assistance with exterior house or yard projects, encourage them to complete an Addressing Mesquite Day request form. Projects could include painting, landscaping, building a ramp or tearing down an old shed. The last day for homeowners to submit applications for assistance is Friday, June 28, 2024. The last day for volunteer groups to sign up is Friday, July 26, 2024. Find out more at www.cityofmesquite.com/AMD.
2. Mr. Green announced that Keep Mesquite Beautiful, Inc., awarded \$3,300.00 in grants to seven local schools to promote environmental education and hands-on experiences. Grants were awarded to McWhorter Elementary School, Horn High School, McDonald Middle School, Pioneer Technology & Art Academy (Mesquite Campus), Tisinger Elementary School, Wilkinson Middle School and Seabourn Elementary School.

3. Mr. Green invited citizens to attend a District 2 Picnic on Saturday, June 1, 2024, at 11:00 a.m., at Florence Recreation Center, 2501 Whitson Way.
4. Ms. Rodriguez-Ross encouraged citizens to attend the next Town Hall Meeting on Tuesday, May 28, 2024, at 6:30 p.m., at City Hall, 757 North Galloway Avenue, in Training Rooms A & B. Representatives from the Mesquite Police Department, Mesquite Fire Department and Neighborhood Services will share information and answer questions in English and Spanish and free dessert will be offered to those who attend in person. The meeting will be live streamed on the City's Facebook account. Visit www.cityofmesquite.com/TownHallTuesday to learn more or submit questions in advance.
5. Ms. Rodriguez-Ross invited citizens to attend a District 3 Picnic on Saturday, June 8, 2024, at 11:00 a.m., at KidsQuest Pavilion at DeBusk Park, 1625 Gross Road.
6. Mr. Smith stated that the City is hosting the Eclipse Glasses Roundup through Monday, July 15, 2024, to collect gently used solar glasses. They will be donated to Astronomers Without Borders to send to places around the world that have eclipses coming up. You can turn in your solar glasses at either of the Mesquite Public Libraries, City Hall, Municipal Center or any of the City's Recreation Centers. Glasses that have scratched, ripped or punctured lenses or detached solar filters from the frame cannot be recycled and should be discarded. Learn more at www.cityofmesquite.com/EclipseGlassesRoundup.
7. Mr. Smith stated that he recently posted a picture on his Facebook page of four generations of Smith's which included his first Great-Granddaughter, Wren Lynette Smith, who was born four weeks ago.
8. Mr. Murden announced the Dive-In Movie on Friday, June 7, 2024, from 7:00 p.m. to 10:00 p.m., at City Lake Aquatic Center, 200 Parkview Street. Pre-movie activities include fun pool games for all ages with prizes. The movie, Disney-Pixar's "Elemental," will begin at sundown. Admission is limited to the first 500 people.
9. Mr. Murden stated that Family Fish got rained out in April but it's been rescheduled for Saturday, June 15, 2024, from 9:00 a.m. to Noon, at City Lake Park, 200 Parkview Street. The first 100 kids will receive a free fishing rod while supplies last.
10. Mr. Murden invited citizens to a District 6 Picnic on Saturday, June 8, 2024, at 11:00 a.m., at Rorie-Galloway Day Camp, 3100 Lawson Road.
11. Mayor Alemán announced the Mesquite Mayor 1,000 Page Reading Challenge program will run from June 1, 2024, to July 31, 2024, and includes lots of prizes, ending with a pizza party for those who make the 1,000-page goal. The program is part of the Mesquite Public Library's Summer Reading Club for kids ages 12 and under. The program kick-off parties launching the Summer Reading Club will be held at on Saturday, June 1, 2024, at 10:30 a.m., at the North Branch Library, 2600 Oates Drive, and on Monday, June 3, 2024, at 10:00 a.m., at the Main Library, 300 West Grubb Drive.
12. Mayor Alemán invited citizens to attend the City's Remembrance Service on Memorial Day, Monday, May 27, 2024. The brief program will be held at the Mesquite Veterans Memorial, 425 South Galloway Avenue. Men and women who died while serving in the United States Armed Forces will be honored by reading the names of Mesquite heroes on the memorial and by participating in the National Moment of Remembrance at exactly 3:00 p.m. Attendees are encouraged to arrive no later than 2:50 p.m. to allow time to park and enter the memorial area. The service will begin at 2:55 p.m.

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. Green and approved unanimously.

Approved on the Consent Agenda.

- 3 An ordinance amending Chapter 5 (Buildings and Construction), Article V (Construction of Fences, Section 5-143 (Height Restrictions) of the City Code for the purpose of providing updated regulations for side yard fence setbacks.

Approved on the Consent Agenda.

Ordinance No. 5107, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE CITY CODE, CHAPTER 5 (BUILDINGS AND CONSTRUCTION), ARTICLE V (CONSTRUCTION OF FENCES), SECTION 5-143 (HEIGHT RESTRICTIONS) FOR THE PURPOSE OF PROVIDING UPDATED REGULATIONS FOR SIDE YARD FENCE SETBACKS; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE. (Ordinance No. 5107 recorded in Ordinance Book No. 131.)

- 4 A resolution authorizing the Mayor to execute the First Amendment to the Lower East Fork Wastewater Interceptor System (LEFIS) Contract with the North Texas Municipal Water District (NTMWD).

Approved on the Consent Agenda.

Resolution No. 20-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LOWER EAST FORK WASTEWATER INTERCEPTOR SYSTEM (LEFIS) WITH THE NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD); AND PROVIDING AN EFFECTIVE DATE. (Resolution No. 20-2024 recorded in Resolution Book No. 69.)

- 5 A resolution authorizing the Mayor to execute a Certification Agreement for the Certified Local Government Program and officially appointing a Historic Preservation Officer.

Approved on the Consent Agenda.

Resolution No. 21-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS ASSOCIATED WITH THE CITY'S APPLICATION FOR THE CERTIFIED LOCAL GOVERNMENT ("CLG") PROGRAM MADE TO THE TEXAS HISTORICAL COMMISSION AND THE NATIONAL PARK SERVICE THEREBY REQUESTING CLG STATUS; OFFICIALLY APPOINTING A HISTORIC PRESERVATION OFFICER; AND AUTHORIZING THE EXECUTION OF THE CERTIFICATION AGREEMENT AND ANY OTHER DOCUMENTS FOR THE CITY'S CONTINUED PARTICIPATION IN THE CLG PROGRAM. (Resolution No. 21-2024 recorded in Resolution Book No. 69.)

- 6 A resolution adopting the City Council's Strategic Goals and Objectives for Fiscal Year 2024-2025.

Approved on the Consent Agenda.

Resolution No. 22-2024, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING STRATEGIC GOALS AND OBJECTIVES FOR FISCAL YEAR 2024-2025. (Resolution No. 22-2024 recorded in Resolution Book No.

69.)

- 7 Bid No. 2024-119 - Purchase of a New 2024 Horton Model 603 Ford F-550 Chassis Ambulance.
(Staff recommends award to Southern Emergency Rescue Vehicle Sales (SERVS), through the Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC Buy) Contract No. AM10-23, in an amount not to exceed \$368,763.00.)

Approved on the Consent Agenda.

- 8 Bid No. 2024-122 - Purchase of MPD Rifle Plates Replacement
(Staff recommends award to Rules of Engagement (ROE) Tactical, through BuyBoard Contract No. 698-23, in an amount not to exceed \$258,561.00.)

Approved on the Consent Agenda.

- 9 Appoint Terry Anderson to the North Texas Municipal Water District Board of Directors for a term to expire May 31, 2026.

Approved on the Consent Agenda.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- 10 Consider appointment of one Regular Member (Position No. 5) and one Alternate Member (Alternate No. 1) to the Housing Board for terms to expire December 31, 2025, and one Alternate Member (Alternate No. 2) for a term to expire December 31, 2024.

Mr. Green moved to appoint Okemar Weatherall as a Regular Member (Position No. 5) and Faraz Wood as an Alternate Member (Alternate No. 1) to the Housing Board for terms to expire December 31, 2025, and Yolanda Rodriguez as an Alternate Member (Alternate No. 2) for a term to expire December 31, 2024. Motion was seconded by Mr. Casper and approved unanimously.

- 11 Consider appointment of one Regular Member (Position No. 9) to the Mesquite Downtown Development Advisory Board for a term to expire December 31, 2024.

Mr. Green moved to appoint Ashley Clark as a Regular Member (Position No. 9) to the Mesquite Downtown Development Advisory Board for a term to expire December 31, 2024. Motion was seconded by Mr. Smith and approved unanimously.

PUBLIC HEARINGS

- 12 Conduct a public hearing and consider an ordinance for Zoning Application No. Z0324-0353, submitted by Foresite Group, LLC, for a change of zoning from Agricultural to Planned Development - General Retail to allow an auto parts retailer and other uses permitted in the General Retail zoning district, located at 6491 FM 741.

(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. Z0324-0353.

Jeff Armstrong, Director of Planning and Development Services, stated that the applicant initially applied for General Retail zoning but agreed to modify the request to Planned Development - General Retail. The property was annexed and zoned Agricultural in 2010. At the time of annexation, the building on the property was under construction for use as a flooring store. Upon annexation, the flooring store became a legal nonconforming use. The applicant would like to demolish the existing building and construct a new building to be an AutoZone store. To do so requires rezoning. Even if the existing building was kept and utilized for the new use, rezoning of the property would still be required.

No one appeared regarding the proposed application.

Mr. Murden moved to approve Zoning Application No. Z0324-0353, as recommended by the Planning and Zoning Commission, and to approve Ordinance No. 5108, AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURAL TO PLANNED DEVELOPMENT - GENERAL RETAIL TO ALLOW USES PERMITTED IN THE GENERAL RETAIL ZONING DISTRICT ON PROPERTY LOCATED AT 6491 FM 741 SUBJECT TO PLANNED DEVELOPMENT STANDARDS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Smith and approved unanimously. (Ordinance No. 5108 recorded in Ordinance Book No. 131.)

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 7:30 P.M.

Mayor Alemán 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 update on pending litigation cases); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 8:20 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. Murden and approved unanimously. The meeting adjourned at 8:20 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor