

MINUTES OF REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON,
NOVEMBER 17, 2008, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor John Monaco and Councilmembers Shirley Roberts, Stan Pickett, Dennis Tarpley, Greg Noschese and Al Forsythe, City Manager Ted Barron and City Secretary Judy Womack.

PRE-MEETING – CITY COUNCIL CONFERENCE ROOM – NOON.

The City Council met in the City Council Conference Room beginning at noon to discuss the items on the Regular Agenda and discuss: (1) City Council district boundaries, (2) options for banner poles and changeable event signs, (3) consistency of permit and administrative processing fees and (4) weed and grass billing and collections.

(1) More options will be considered at a future meeting.

(2) It was Council consensus to have staff continue to explore banner pole signs and to obtain estimates for Welcome to Mesquite signage to be mounted on more permanent foundations.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 1:43 P.M.

The City Council met in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Prospect seeking to locate in the Rodeo City Tax Increment Finance Reinvestment Zone No. 1); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:00 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:00 P.M.

Invocation was given by Dan Aleman, Pastor, Creek Crossing Harvest Church, Mesquite, Texas.

The Pledge of Allegiance was led by Santos Bernal, Daisy Torres, Nicole Owens and Anthony English, fourth grade students from Range Elementary School.

SPECIAL ANNOUNCEMENTS.

(1) Greg Noschese announced that Taco Cabana had opened and encouraged citizens to visit the restaurant.

(2) Mayor Monaco recognized Boy Scout Michael Keller, Troop 720, who is working on his Citizenship in the Community and Communications merit badges.

CITIZENS FORUM.

Cass Anweiler, P.O. Box 1852, Pottsboro, Texas, expressed concern regarding vacant houses in Mesquite neighborhoods. Mayor Monaco suggested Ms. Anweiler meet with Deputy City Manager Carol Zolnerowich to further discuss her concerns.

CONSENT AGENDA.

Item No. 10 was removed from the Consent Agenda to be considered separately. Mr. Pickett moved to approve the remaining items on the Consent Agenda, as follows. Motion was seconded by Mr. Tarpley and approved unanimously.

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 3, 2008.
2. ORDINANCE NO. 4004 – AMENDING SECTION 9-150 OF THE CITY CODE REVISING THE SPEED LIMIT ALONG A PORTION OF BIG TOWN BOULEVARD FROM THE NORTH CITY LIMITS TO SAMUELL BOULEVARD, EFFECTIVE DECEMBER 1, 2008.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 9, SECTION 9-150 OF THE CODE OF THE CITY OF MESQUITE BY REVISING THE EXTENT OF THE SPEED LIMIT ON BIG TOWN BOULEVARD FROM NORTH CITY LIMITS TO SAMUELL BOULEVARD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4004 recorded on page _____ of Ordinance Book No. 92.)

3. ORDINANCE NO. 4005 – AMENDING THE COMMUNITY APPEARANCE MANUAL PERTAINING TO REHABILITATION AND REMODELING OF EXISTING STRUCTURES.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMMUNITY APPEARANCE MANUAL PERTAINING TO THE REHABILITATION AND REMODELING OF EXISTING STRUCTURES; ESTABLISHING STANDARDS FOR METAL ROOFS AND AWNINGS; CLARIFYING REQUIREMENTS FOR ACCESSORY BUILDINGS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. (Ordinance No. 4005 recorded on page _____ of Ordinance Book No. 92.)

4. ORDINANCE NO. 4006 – AMENDING CHAPTER 16 OF THE CITY CODE ESTABLISHING VARIANCE AND APPEAL PROCEDURES FOR THE EXTENSION OF WATER LINES FOR DEVELOPMENTS.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 16 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY ADDING A NEW SECTION 16-47 THEREBY ESTABLISHING VARIANCE AND APPEAL PROCEDURES FOR THE EXTENSION OF WATER MAINS FOR DEVELOPMENTS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. (Ordinance No. 4006 recorded on page of Ordinance Book No. 92.)

5. RESOLUTION NO. 51-2008 – AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH COLLIN COUNTY FOR PURCHASE OF GOODS AND SERVICES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH COLLIN COUNTY TO ESTABLISH A COOPERATIVE PURCHASING PROGRAM BETWEEN THE TWO ENTITIES. (Resolution No. 51-2008 recorded on page of Resolution Book No. 42.)

6. BID NO 2009-017 – ANNUAL CONTRACT FOR BILLING AND COLLECTION OF EMERGENCY MEDICAL SERVICES – AWARDED TO SOUTHWEST GENERAL SERVICES OF DALLAS, L.L.C., THROUGH AN INTERLOCAL AGREEMENT WITH THE CITY OF RICHARDSON FOR AN ANNUAL COST OF SEVEN PERCENT OF ACTUAL CASH COLLECTIONS, EFFECTIVE UPON ACCEPTANCE OF THE ELECTRONIC PATIENT CARE REPORTING SYSTEM, AND CITY MANAGER AUTHORIZED TO EXECUTE AN AMBULANCE BILLING AND COLLECTION CONTRACT FOR ELECTRONIC PATIENT CARE REPORTING AND PATIENT BILLING.
7. BID NO. 2009-020 – ANNUAL CONTRACT FOR CUSTOM APPLICATION OF BULK FERTILIZER AND PURCHASE OF BAGGED FERTILIZER – AWARDED TO LOW BIDDER JUSTIN SEED COMPANY, INC., JUSTIN, TEXAS, IN THE AMOUNT OF \$56,936.00.
8. BID NO. 2009-027 – RECONSTRUCTION OF WATER MAIN REPLACEMENT PARTS FOR FISCAL YEAR 2008-09 – AWARDED TO LOW BIDDER HD SUPPLY WATERWORKS, LTD IN THE AMOUNT OF \$71,610.75.
9. BID NO. 2009-031 – TWO ¾-TON CAB AND CHASSIS WITH UTILITY BODIES – AWARDED TO CALDWELL COUNTRY CHEVROLET IN CALDWELL, TEXAS, THROUGH BUYBOARD, SPONSORED BY THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE CONTRACT, IN THE AMOUNT OF \$52,281.14.

11. BID NO. 2009-045 – THREE FOUR-DOOR SEDANS – AWARDED TO CALDWELL COUNTRY CHEVROLET IN CALDWELL, TEXAS, THROUGH BUYBOARD, SPONSORED BY THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE CONTRACT, IN THE AMOUNT OF \$54,286.71.
12. BID NO. 2009-053 – INDUSTRIAL TRACTOR WITH THREE-GANG FLAIL MOWING UNIT – AWARDED TO TIGER CORPORATION THROUGH BUYBOARD, SPONSORED BY THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE CONTRACT, IN THE AMOUNT OF \$90,819.36.
13. BID NO. 2009-056 – COMPUTERS AND EQUIPMENT FOR THE NEW POLICE BUILDING – AWARDED TO DELL, INC., FOR PERSONAL COMPUTERS IN THE AMOUNT OF \$84,810.46; SHI-GOVERNMENT SOLUTIONS FOR SOFTWARE LICENSES IN THE AMOUNT OF \$6,180.00 AND WORKHORSE COMPUTERS FOR KVMS AND LCD/KEYBOARD TRAYS IN THE AMOUNT OF \$3,923.00, THROUGH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES, IN THE TOTAL AMOUNT OF \$94,913.46.
14. BID NO. 2009-057 – ANNUAL SUPPLY OF ASPHALTIC MATERIALS – AWARDED TO APAC TEXAS, INC., THROUGH AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH DALLAS COUNTY IN AN AMOUNT NOT TO EXCEED \$395,000.00.
15. CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH VIA PARTNERSHIP, LLP FOR CONSULTING SERVICES IN CONJUNCTION WITH THE CITY HALL/MUNICIPAL COURT PUBLIC ART PROJECT IN THE AMOUNT OF \$26,400.00.
16. CITY MANAGER AUTHORIZED TO EXECUTE AMENDMENT NO. 3 TO A CONTRACT WITH BINKLEY & BARFIELD CONSULTING ENGINEERS, INC., FOR ADDITIONAL ENGINEERING AND PLANNING SERVICES IN CONJUNCTION WITH THE 2005-06 ALLEY RECONSTRUCTION AND DRAINAGE IMPROVEMENT PROJECT IN THE AMOUNT OF \$18,600.00.
17. CITY MANAGER AUTHORIZED TO EXECUTE AN AMENDMENT TO AN ENGINEERING SERVICES CONTRACT WITH FREEMAN-MILLICAN, INC., FOR ADDITIONAL ENGINEERING AND PLANNING SERVICES IN CONJUNCTION WITH DESIGN IMPROVEMENTS AND REHABILITATION OF THE BARNES BRIDGE PUMP STATION IN THE AMOUNT OF \$40,453.50.

18. CITY MANAGER AUTHORIZED TO EXECUTE A CHANGE ORDER TO CITY CONTRACT NO. 2008-027, ANNUAL CONTRACT FOR TEMPORARY PERSONNEL SERVICES, WITH LABOR READY.
19. CITY MANAGER AUTHORIZED TO EXECUTE CHANGE ORDER NO. 4 TO CITY CONTRACT NO. 2007-004 WITH REBCON, INC., IN CONJUNCTION WITH THE TRIPP ROAD PAVING, DRAINAGE, WATER, SANITARY SEWER AND AESTHETIC ENHANCEMENT PROJECT IN THE AMOUNT OF \$43,682.87.
20. CITY MANAGER AUTHORIZED TO EXECUTE AMENDMENT NO. 2 TO THE CITY HALL/MUNICIPAL COURT PROJECT CONTRACT WITH BRINKLEY SARGENT ARCHITECTS FOR ADDITIONAL CIVIL ENGINEERING SERVICES IN THE AMOUNT OF \$81,000.00.
21. CHANGE ORDER REPORT RECEIVED FROM CITY MANAGER.
(CE28-8420, T-HANGAR CONSTRUCTION – \$2,291.54; CE2008-020, MESQUITE ARTS CENTER PARKING EXPANSION, PHASE 1 AND UTILITY RELOCATIONS – \$15,865.00; CE2008-097, ANNUAL PURCHASE OF STREET SIGNS – \$11,124.99; CEI133-2008, CONTRACT FOR REPLACEMENT OF LANDSCAPE MATERIALS AT VARIOUS CITY LOCATIONS – \$2,500.00.)
 - B. RFP NO. 2009-008 – MESQUITE POLICE FACILITY AUDIO-VISUAL SYSTEMS – CITY MANAGER AUTHORIZED TO EXECUTE A CONTRACT WITH THE WHITLOCK GROUP IN THE AMOUNT OF \$220,624.33.
 - C. BID NO. 2009-058 – MESQUITE POLICE BUILDING RADIO EQUIPMENT RELOCATION – AWARDED TO SOLE SOURCE PROVIDER MOTOROLA, INC., IN THE AMOUNT OF \$208,027.40.

CONSENT AGENDA ITEM CONSIDERED SEPARATELY.

10. BID NO. 2009-032 – FIVE ½-TON PICKUPS – CONSIDER AWARD TO CALDWELL COUNTRY CHEVROLET IN CALDWELL, TEXAS, THROUGH BUYBOARD, SPONSORED BY THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE CONTRACT, IN THE AMOUNT OF \$99,570.85 – POSTPONED UNTIL THE DECEMBER 1, 2008, CITY COUNCIL MEETING.

Ms. Roberts moved to postpone consideration of Bid No. 2009-032, Five ½-Ton Pickups, until the December 1, 2008, City Council meeting. Motion was seconded by Mr. Forsythe and approved unanimously.

END OF CONSENT AGENDA.

PUBLIC HEARINGS.

22. A. PUBLIC HEARING – RECEIVE INPUT FROM CITIZENS REGARDING THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET FOR FISCAL YEAR 2008-09 – HELD.

A public hearing was held regarding the Neighborhood Stabilization Program budget for fiscal year 2008-09.

Cliff Keheley, Director of Housing and Community Services, stated that the City has been designated as the recipient of Neighborhood Stabilization Program grant funds from the Department of Housing and Urban Development in the amount of \$2,083,933.48.

No one appeared regarding the Neighborhood Stabilization Program budget for fiscal year 2008-09. Mayor Monaco declared the public hearing closed.

- B. RESOLUTION NO. 52-2008 – APPROVING AND ADOPTING THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET AND AMENDMENTS TO THE FISCAL YEAR 2008-09 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN IN AN AMOUNT NOT TO EXCEED \$2,083,933.48 – APPROVED.

Mr. Noschese moved to approve Resolution No. 52-2008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING AND ADOPTING THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET AND AMENDMENT TO THE 2008-09 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN IN AN AMOUNT NOT TO EXCEED \$2,083,933.48. Motion was seconded by Ms. Roberts and approved by all voting “Aye.” (Resolution No. 52-2008 recorded on page of Resolution Book No. 42.)

23. A. PUBLIC HEARING – CONSIDER AMENDMENTS TO THE MESQUITE COMPREHENSIVE PLAN TO CREATE AND MODIFY NEIGHBORHOOD-RELATED LAND USES AND DEVELOPMENT POLICIES – POSTPONED UNTIL THE DECEMBER 15, 2008, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider amendments to the Mesquite Comprehensive Plan to create and modify neighborhood-related land uses and development policies.

Mr. Noschese moved to postpone a public hearing to consider amendments to the Mesquite Comprehensive Plan to create and modify neighborhood-related land uses and development policies until the December 15, 2008, City Council meeting. Motion was seconded by Mr. Forsythe and approved unanimously.

- B. PUBLIC HEARING – ZONING TEXT AMENDMENT NO. 2008-8 CREATING A NEW ZONING CLASSIFICATION TO BE KNOWN AS THE NORTH GUS THOMASSON CORRIDOR (NGTC) DISTRICT, WHICH SHALL INCORPORATE THE GUS THOMASSON REVITALIZATION CODE CONTAINING NEW OR AMENDED PROCEDURAL REQUIREMENTS, STANDARDS FOR SITE DESIGN, AND REGULATIONS AFFECTING BUILDING FORM, BUILDING DESIGN, SETBACK, PARKING, SIGNAGE, LANDSCAPING AND PERMITTED USES – POSTPONED UNTIL THE DECEMBER 15, 2008, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider Zoning Text Amendment No. 2008-8 creating a new zoning classification to be known as the North Gus Thomasson Corridor (NGTC) District, which shall incorporate the Gus Thomasson Revitalization Code containing new or amended procedural requirements, standards for site design, and regulations affecting building form, building design, setback, parking, signage, landscaping and permitted uses.

Mr. Noschese moved to postpone a public hearing to consider Zoning Text Amendment No. 2008-8 creating a new zoning classification to be known as the North Gus Thomasson Corridor (NGTC) District until the December 15, 2008, City Council meeting. Motion was seconded by Mr. Forsythe and approved unanimously.

- C. PUBLIC HEARING – APPLICATION NOS. 705-7, 706-4, 1461-144 AND 545-22 TO REZONE ALL PROPERTIES WITH FRONTAGE ON GUS THOMASSON ROAD FROM IH 30 NORTH TO THE CITY LIMIT LINE, AND, IN ADDITION, ALL PROPERTIES LYING WITHIN 1,500 FEET OF GUS THOMASSON ROAD EXCEPT FOR SUCH PROPERTIES THAT ARE CURRENTLY ZONED R-1, R-2 OR R-3 SINGLE-FAMILY RESIDENTIAL FROM THEIR CURRENT ZONING CLASSIFICATIONS TO THE NEW NORTH GUS THOMASSON CORRIDOR DISTRICT CLASSIFICATION – POSTPONED UNTIL THE DECEMBER 15, 2008, CITY COUNCIL MEETING.

A public hearing was scheduled to be held to consider Application Nos. 705-7, 706-4, 1461-144 and 545-22 to rezone all properties with frontage on Gus Thomasson Road from IH 30 north to the city limit line, and, in addition, all properties lying within 1,500 feet of Gus Thomasson Road except for such properties that are currently zoned R-1, R-2 or R-3 Single-Family Residential from their current zoning classifications to the new North Gus Thomasson Corridor District classification.

Mr. Noschese moved to postpone a public hearing to consider Application Nos. 705-7, 706-4, 1461-144 and 545-22 until the December 15, 2008, City Council meeting. Motion was seconded by Mr. Forsythe and approved unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS.

24. APPOINTMENT OF TWO REPRESENTATIVES TO ATTEND THE JOINT CITY/SCHOOL TAX OFFICE ADVISORY BOARD MEETING ON DECEMBER 2, 2008, AT 10:30 A.M.

Mr. Pickett moved to appoint Councilmembers Greg Noschese and Al Forsythe as representatives to attend the Joint City/School Tax Office Advisory Board meeting on December 2, 2008, at 10:30 a.m. Motion was seconded by Mr. Tarpley and approved unanimously.

Mr. Pickett moved to adjourn the meeting. Motion was seconded by Ms. Roberts and approved unanimously. The meeting adjourned at 3:12 p.m.

Judy Womack
City Secretary

John Monaco
Mayor