

MINUTES OF WORK AND REGULAR CITY COUNCIL MEETING HELD BEGINNING AT NOON, APRIL 21, 2008, CITY COUNCIL CHAMBER, CITY HALL, 711 N. GALLOWAY.

Present: Mayor John Monaco and Councilmembers David Paschall, John Heiman, Dennis Tarpley, Stan Pickett and Shirley Roberts, City Manager Ted Barron and Assistant City Secretary Sonja Land.

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 Work and Regular Agenda and discuss: (1) request from D. R. Horton, Inc., regarding Park Chase Addition, Phase 2, (2) results of speed hump study, (3) water and sewer costs and future rates, (4) proposed regulations regarding secondary metal recyclers and (5) expansion of MTED service and (6) receive an update regarding Texas Engineering Extension Service (TEEX) activity.

(1) It was Council consensus to direct staff to pursue negotiations with D.R. Horton, Inc. regarding the Park Chase Addition, Phase 2.

(2) It was Council consensus to direct staff to pursue the feasibility of pole-mounted speed indicators as a traffic control device and report back to the Council at a future meeting.

WORK SESSION – CITY COUNCIL CHAMBER – 1:10 P.M.

A. **REPORT REGARDING THE TRAILS MASTER PLAN – RECEIVED.**

Lauren Miller, Manager of Park Planning, stated the Trails Master Plan is a culmination of data gathered from a large number of residents who desire a network of trails in their community. Input was received from the public through town hall meetings, telephone surveys and presentations to boards and commissions. Various City departments were involved in the planning process such as the Community Development Department, Public Works Department, Police Department, Economic Development Division, Historic Mesquite, Inc., and Parks and Recreation Department. The goal of the project is to provide a citywide trails system that provides pedestrian and bicycle connections to the City's schools, parks, places of business, key city and civic activities and key regional destinations. This project contributes significantly to Project Renewal and upon implementation will enhance the image of Mesquite as a community of trails.

Mr. Miller introduced Lenny Hughes, Vice President – Director of Landscape Architecture with Halff Associates, Inc., who presented the Parks and Recreation Department's Trails Master Plan. Mr. Hughes stated that the Trails Master Plan will be considered as part of the Comprehensive Plan and the Subdivision Ordinance. During the planning process, key destinations such as the Mesquite Rodeo, Town East Mall, Eastfield College, the historic downtown area and other areas of entertainment and high retail use were considered. The vision for this project is to create a long-range trail spine system which will mainly follow the North and South Mesquite Creek corridors, the utility corridors and some of the major roadways and utilizing some existing infrastructure such as schools and parks. These areas will include trail heads which will provide parking, seating and trail

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information for users. Gateway markers will be placed in areas where the trails enter and exit the City and will contain information kiosks. The Trails Master Plan includes enhanced intersection treatments such as brick pavers, monument signage, widened sidewalks, banners and lighting and landscape improvements.

Mr. Hughes stated that the City currently contains approximately 7-½ miles of built trails or one mile of trail for every 18,000 residents. Many of these trails do not meet the National Recreational Park, Texas Department of Transportation or North Central Texas Council of Governments standards and are short segments which are not connected outside of the parks. The proposed 12-foot-wide trail spine system will provide connectivity throughout the City and will contain approximately one mile of trail for every 3,500 residents. Other trails will include 10-foot-wide trails with one mile for every 2,600 residents and six-to-eight-foot-wide trails with one mile for every 1,700 residents. By 2030, there will be a need for 45 miles of 12-foot-wide trails, 60 miles of 10-foot-wide trails and 90 miles of six-to-eight-foot-wide trails.

Mr. Hughes stated that some of the major issues of this project are to acquire the trail rights-of-way. This is an important issue that should be incorporated into the Subdivision Ordinance and Comprehensive Plan which would require landowners to either donate the land or provide funding for the development of the trails. There are several corridors that have the opportunity to provide connectivity but are blocked by some of the major freeways. To resolve this issue, trails may be reconfigured through some of the drainage areas. The 12-foot-wide trail spine system will cost approximately \$300,000 to \$700,000 per mile to construct. The range of cost varies depending on the type of terrain such as constructing creek bridges, retaining walls or acquiring property.

Mr. Hughes stated that the 20- to 30-year Plan consists of approximately 195 miles of trail construction. Funding sources can include grants through the North Central Texas Council of Governments, Texas Department of Transportation, Federal Highway Administration, State of Texas and Dallas County. Also, development of a Public Improvement District (PID) or a Tax Increment Finance Reinvestment Zone (TIF) is possible.

Mr. Hughes stated that the first steps in making this project a reality is to acquire the land needed to construct three-to-five miles of trail per year and incorporate the Trails Master Plan into the Subdivision Ordinance. As the City grows, the Trails Master Plan should be reviewed every three-to-five years. After the Trails Master Plan is adopted, Mr. Hughes suggests City staff meet with the utility companies regarding the construction of trails in the utility rights-of-way.

Concilmembers expressed support for the Trails Master Plan and for including it in the City's Comprehensive Plan.

The Work Session ended at 1:35 p.m.

EXECUTIVE SESSION – CITY COUNCIL CONFERENCE ROOM – 2:45 P.M.

Mayor Monaco announced that the City Council would meet in Executive Session pursuant to Section 551.072 of the Texas Government Code to consider purchase, exchange, lease or value of real property (acquisition of property near 300 W. Kearney); whereupon, the City Council proceeded to meet in the City Council Conference Room. After the closed meeting ended at 2:48 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING – CITY COUNCIL CHAMBER – 3:02 P.M.

Invocation was given by Kevin Strempe, Pastor, New Covenant United Methodist Church.

The Pledge of Allegiance was led by Luis Bolanos, Reggie Herron, Keidy Hidalgo and Jordan Haynes, fourth grade students from Hanby Elementary School.

SPECIAL ANNOUNCEMENTS.

(1) Councilmember Shirley Roberts presented Charlene Orr, Historical Preservation Officer, the Preservation Dallas Achievement Award for commercial preservation and restoration of the Opal Lawrence Historical Park's house and barn. The Preservation Texas Award will be presented to the City for the same project in Corpus Christi on May 2, 2008. Ms. Roberts announced that citizens may now tour the Opal Lawrence Historical Park on the fourth Saturday of each month from 10:00 a.m. to 1:00 p.m.

(2) David Paschall commended City Manager Ted Barron and the Parks and Recreation Department staff for their efforts in enhancing the appearance of the City's medians and parks. Another asset to the City will be the completion of Town East Boulevard.

A brief recess was taken.

PRESENTATION OF AWARDS.

1. **PRESENTATION OF MERITORIOUS AWARDS TO POLICE DEPARTMENT EMPLOYEES.**

Mayor Monaco and Police Lieutenant Steve Callarman presented meritorious awards to Police Department employees in recognition of their achievements and outstanding service. Awards were presented as follows: (1) Officer of the Year Award to Ron Krajca; (2) Civilian of the Year Award to Bernice Harrell; (3) Certificate of Merit Award to James Nicholson; (4) Life Saving Award to Al Kalota and Scott McNary and (5) Police Commendations to David Boykin, Shane Cannon, Jason Crawford, Kevin Curry, David Faaborg, Richard Houston, Danny Keele, Brad Kelly, LaToya Levingston, Eamon Leyden, Valerie Little, Jolyn Mingo, Richard Ocnashek, Hines Perry, Frank Pontillo, Kevin Rough, Kevin Smiley, Joe Thompson and Tony Zanolini.

Those not present to receive awards included Christopher Adams, Anthony Cooper, Heath Jackson, Pat King, Jason Leyva, Mark Reinhart, Nicolas Sierra, Christopher Smith, Joshua Troquille and J. D. Williams.

CONSENT AGENDA.

Item No. 4 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 Ms. Roberts and approved unanimously.

2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 7, 2008.
3. ORDINANCE NO. 3946 – ADOPTING SUPPLEMENT NO. 35 TO THE CODE OF ORDINANCES FOR THE CITY OF MESQUITE.

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ADOPTING SUPPLEMENT NUMBER 35 (ORDINANCES AUGUST 2007 TO JANUARY 2008) TO “THE CODE OF THE CITY OF MESQUITE, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE FOR EACH OFFENSE AND VIOLATION OF SAID SUPPLEMENT TO THE SAID CODE; AND DECLARING AN EMERGENCY. (Ordinance No. 3946 recorded on page _____ of Ordinance Book No. 90.)

5. RESOLUTION NO. 19-2008 – AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 826 S. SAM HOUSTON ROAD FOR LESS THAN FAIR MARKET VALUE, FINDING CONVEYANCE TO CONSTITUTE A PUBLIC INTEREST OF NEIGHBORHOOD REVITALIZATION AND AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS TO COMPLETE CONVEYANCE.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 826 S. SAM HOUSTON ROAD FOR LESS THAN FAIR MARKET VALUE AND FINDING SAID CONVEYANCE TO CONSTITUTE A PUBLIC PURPOSE IN THE INTEREST OF NEIGHBORHOOD REVITALIZATION; AND AUTHORIZING THE MAYOR TO EXECUE AN AGREEMENT TO CONVEY THE SAID PROPERTY AND A SPECIAL WARRANTY DEED WITH THE OWNER OF SAID PROPERTY FOR THE PURPOSE OF PERFECTING THE CONVEYANCE. (Resolution No. 19-2008 recorded on page _____ of Resolution Book No. 41.)

6. CHANGE ORDER REPORT RECEIVED FROM CITY MANAGER.
(CE2008-025, PURCHASE OF THREE STANDARD 16-PASSENGER BUSES - \$1,704.00 AND CE2008-025, PURCHASE OF THREE STANDARD 16-PASSENGER BUSES - \$780.00.)

CONSENT AGENDA ITEM CONSIDERED SEPARTELY.

4. RESOLUTION NO. 18-2008 – SUPPORTING THE REAL. TEXAS. FESTIVAL. TO BE HELD APRIL 25-27, 2008.

Daren Watkins, Special Events/Economic Development Coordinator, announced that the Real. Texas. Festival. will be held April 25-27, 2008 with gates opening at 5:00 p.m. on Friday. In 2007, the Real. Texas. Festival. attracted approximately 15,000 people over three days with over 20,000 expected this year. Music headliners include Chris Cagle on Friday night, Keith Anderson and Stoney Larue on Saturday night and Little Joe Y La Familia on Sunday. Admission is \$5.00 per person and one child is admitted free with each paid adult admission and includes admission to the rodeo on Friday and Saturday night, all concerts, custom car show, gunfight reenactment by the Brazos River Gunslingers and bar-b-que competition. Overflow parking and free shuttle service will be located at West Mesquite High School.

Councilmembers expressed support for the Real. Texas. Festival. and encouraged citizens to attend the weekend event.

Mr. Paschall moved to approve Resolution No. 18-2008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING THE REAL. TEXAS. FESTIVAL. SIGNATURE EVENT FOR THE MESQUITE COMMUNITY COMMEMORATING THE 51ST ANNIVERSARY OF THE MESQUITE CHAMPIONSHIP RODEO. Motion was seconded by Mr. Heiman and approved unanimously. (Resolution No. 18-2008 recorded on page _____ of Resolution Book No. 41.)

END OF CONSENT AGENDA.

PUBLIC HEARINGS.

7. PUBLIC HEARING – ZONING – APPLICATION NO. 594-33 SUBMITTED BY KEVIN PATEL FOR A ZONING CHANGE FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT TO ALLOW A LIMITED SERVICE HOTEL AT 1,000 FEET EAST OF NORTH GALLOWAY AVENUE FRONTING THE NORTH SIDE OF THE U.S. HIGHWAY 80 EAST FRONTAGE ROAD – DENIED.

A public hearing was held to consider Application No. 594-33 submitted by Kevin Patel for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow a limited service hotel in the William Forman Survey, Abstract 486, and in the Henry Harter Survey, Abstract No. 594. This property is further described as a 2.0-acre tract located 1,000 feet east of North Galloway Avenue fronting the north side of the U.S. Highway 80 East frontage road.

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Kevin Patel, 7429 Marigold Drive, Irving, Texas, presented the proposed zoning application. He currently owns the Comfort Suites hotel located at U.S. Highway 80 and Belt Line Road. He is proposing to construct a three-story, 83-suite, extended-stay Candlewood Suites hotel with a project cost of \$6 to 7 million. He stated that Candlewood Suites is affiliated with Crown Plaza, Hotel Indigo, Holiday Inn, Holiday Inn Express and Staybridge Suites. There are currently 151 Candlewood Suites within the United States and an additional 171 are planned for construction. Mr. Patel stated the average daily rate for the proposed hotel will run from \$70 to \$120 per night with a minimum 12-day stay. The majority of the clientele will consist of corporate business travelers and families that are relocating to the area. The proposed hotel will contain interior corridors, a 500-square-foot meeting room, indoor pool, exercise facility, library and a guest laundry facility. All of the rooms will contain full-size kitchens with a refrigerator, stove top, toaster, coffee pot, dishwasher, 37-inch high-definition flat panel television, DVD player and leather furniture. Marble floors and granite counter tops will be installed throughout the hotel. Guests will be able to purchase snacks, breakfast, lunch and dinner entrees along with various personal items at a small 24-hour convenience store located in the hotel. A dining area will also be provided. A gazebo grill area will be provided to guests and the hotel will offer free hot dogs and hamburgers, Monday through Friday, 5:00 p.m. to 7:00 p.m.

Mr. Patel stated that a restaurant pad site is located between the proposed hotel site and U. S. Highway 80.

No one appeared regarding the proposed zoning change. Mayor Monaco declared the public hearing closed.

Councilmembers expressed opposition to the proposed zoning change.

Mr. Heiman moved to deny Application No. 594-33 for a zoning change from Commercial to Commercial with a Conditional Use Permit to allow a limited service hotel. Motion was seconded by Mr. Tarpley and approved unanimously.

8. PUBLIC HEARING – ZONING – APPLICATION NO. 1462-259 SUBMITTED BY LAKESIDE AUTO AUCTION FOR A ZONING CHANGE FROM PLANNED DEVELOPMENT-COMMERCIAL, ORDINANCE NO. 1110, TO PLANNED DEVELOPMENT-COMMERCIAL TO ALLOW AN AUTO, BOAT AND RECREATIONAL VEHICLE AUCTION AT 3200 EAST U.S. HIGHWAY 80 – DENIED.

A public hearing was held to consider Application No. 1462-259 submitted by Lakeside Auto Auction for a zoning change from Planned Development-Commercial, Ordinance No. 1110, to Planned Development-Commercial to allow an auto, boat and recreational vehicle auction in the Daniel Tanner Survey, Abstract 1462, Tract 1.1. This property is further described as a 20-acre tract located at 3200 East U.S. Highway 80.

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Pete Conley, 3108 Hillside Drive, Highland Village, Texas, owner, operator and manager of Lakeside Auto Auction presented the proposed zoning application. Since Mr. Conley did not attend the Planning and Zoning Commission meeting, he explained to Council the plans for this site. He stated that it would have an atmosphere typical of a Bass Pro Shop or other camping outfitter. He proposed installing a pier on one of the two ponds located on the property. Trees will only be removed along the frontage road of U. S. Highway 80 in order to construct the property's entrances. He stated that all vehicle inventory will be located at the rear of the property.

Mr. Conley stated that the vehicle auction occurs for two to three hours once a week. The auction takes place inside a building with two auctioneers. Texas State Troopers are on-site during the auction. Two marked police vehicles will be located at the facility at all times. Mr. Conley currently has eight employees and will hire 15 temporary employees on the day of the auction. The building will contain 14,000 square feet of total space including the vehicle bays and front office.

Mary and Edwin Stephens, 2312 South Parkway; Charlie Baker, 1713 Huntington Drive; Mark Money, 1423 Bradford; Kathy Garner, 1713 Oxford Place and Elena Juarez, 2300 South Parkway, expressed opposition to the proposed zoning change due to concerns regarding traffic congestion, noise and increased crime.

Gladys Hinojosa, 2308 South Parkway; Gary Garner, 1713 Oxford Place and Brad Morris, 1720 Yorkshire, did not wish to speak but were in opposition to the proposed zoning change.

No others appeared regarding the proposed zoning change. Mayor Monaco declared the public hearing closed.

Mr. Conley stated that he purchased Lakeside Auto Auction in Rockwall, which has been in operation for 15 years, in May 2007 and is leasing the building. He proposes moving the business to Mesquite and constructing a building for this purpose. He explained that the vehicle inventory is obtained from municipalities, vehicle dealerships, banks and various other sources and is auctioned off for these companies. An average of 160 units are auctioned each week. The proposed site will only include the front 10 acres along the frontage road of U. S. Highway 80.

Richard Gertson, Director of Community Development, stated that in order to change the zoning on the front portion of the property, the entire tract must be addressed which is currently zoned Planned Development – Commercial.

Councilmembers expressed concern regarding allowing this type of business along the U. S. Highway 80 corridor and expressed opposition to the proposed zoning change.

Mr. Paschall stated that since this project does not meet the Mesquite Development Guide requirements, he cannot support this application.

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Mr. Heiman moved to deny Application No. 1462-259 for a zoning change from Planned Development-Commercial, Ordinance No. 1110, to Planned Development-Commercial to allow an auto, boat and recreational vehicle auction. Motion was seconded by Mr. Tarpley and approved unanimously.

Mr. Tarpley moved to adjourn the meeting. Motion was seconded by Ms. Roberts and approved unanimously. The meeting adjourned at 4:20 p.m.

Sonja Land
Assistant City Secretary

John Monaco
Mayor