



CITY OF MANSFIELD

1200 East. Broad St.
Mansfield, TX 76063
www.mansfield-tx.gov

Meeting Minutes City Council

Monday, June 8, 2015

5:00 PM

Council Chambers

REGULAR MEETING

5:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 5:00 p.m.

Absent 1 - Wendy Burgess

Present 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:02 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:08 p.m. Mayor Cook adjourned executive session at 7:45 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. D-1-GN-15-000999 and Settlement Discussion Related to that Action

Seek City Attorney Advice on Implementation of Regulations on Gas Wells, Compressor and Pipelines

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

Personnel Matters Pursuant to Section 551.074

Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087

Lease of Industrial Space Located at 208 Sentry

Project # 13-20 - Entertainment Prospect Briefing and Update

Project # 14-14 - Entertainment Prospect Briefing and Update

Project # 15-02 - Business Prospect Briefing and Update

**7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE
INTO REGULAR BUSINESS SESSION**

Mayor Cook reconvened into regular business session at 7:55 p.m.

INVOCATION

Pastor Paul Mints, The Community at Lake Ridge Church, led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Newsom led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God;
One and Indivisible"

Council Member Haynes led the Texas Pledge.

PROCLAMATION

[15-1373](#)

Juneteenth Day

Mayor Cook proclaimed June 20, 2015 as Juneteenth Day in Mansfield and presented the proclamation to Norm and Brenda Norwood. Mrs. Norwood made comments regarding the Juneteenth celebration. City Secretary Vicki Collins presented a handmade t-shirt quilt to Norm and Brenda Norwood.

CITIZEN COMMENTS

Tim McCann, 1313 Spyglass, Mansfield – thanked the City for their support of the Women's World Cup Watch Party special event scheduled for this weekend and also thanked the Parks Department for their assistance.

COUNCIL ANNOUNCEMENTS

Council member Lindsey had no announcements.

Council member Hoffman had no announcements.

Council Member Haynes mentioned his dear friend Living Word Outreach Pastor Gary Whetzel had passed away today and he will be missed.

Council member Burgess – absent from the meeting.

Mayor Pro Tem Newsom had no announcements.

Council member Broseh had no announcements.

Mayor Cook echoed the comments made by Council Member Haynes related to Pastor Gary Whetzel. He stated Pastor Whetzel's leadership will be missed and asked everyone to wrap their arms around Kay and their church family during this time of grief.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

No staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

15-1311

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR and C-2 to SF-7.5/18 on Approximately 12.4 Acres, Generally Located West of S. Main Street and East of Chase Trail; Vintage Development (ZC#15-002)

A motion was made by Council Member Haynes to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO SF-7.5/18 SINGLE FAMILY RESIDENTIAL DISTRICT CLASSIFICATION, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

(Ordinance in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: OR-1949-15

[15-1323](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Request to Abandon Part of a Drainage Easement in the D. Delay Survey, Abstract No. 209 by Plainco Properties, LP.

A motion was made by Council Member Haynes to approve the following ordinance:

AN ORDINANCE VACATING AND ABANDONING A DRAINAGE EASEMENT RELATING TO PLAINCO PROPERTIES, L.P., DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID DRAINAGE EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

(Ordinance in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: OR-1950-15

[15-1364](#)

Resolution - A Resolution of the City of Mansfield Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funds from the FY2015 U.S. Department of Justice Grant under the Community Oriented Policing Services (COPS) Hiring Program. Maximum Federal Share of \$125,000 per Officer (total over 3 year period) Must be Used for Salary and Benefits (City Cash Match of 25% per Year for 3 Year Period is Required and then 100% Cash Match for the 4th Year)

A motion was made by Council member Haynes to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDS, NOT TO EXCEED \$500,000, FROM THE FY2015 U.S. DEPARTMENT OF JUSTICE GRANT UNDER THE COMMUNITY ORIENTED POLICING SERVICES (COPS) FISCAL YEAR 2015 COPS HIRING PROGRAM (CHP). CHP WILL PROVIDE UP TO 75 PERCENT OF APPROVED SALARIES AND BENEFITS FOR A 36-MONTH GRANT PERIOD WITH A 25 PERCENT LOCAL CASH MATCH AND A MAXIMUM FEDERAL SHARE OF \$125,000 PER OFFICER POSITION

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by a vote of 6 ayes and 0 nays.

Enactment No: RE-3116-15

[15-1368](#)

Resolution - A Resolution Authorizing the City of Mansfield to Enter into an Advance Funding Agreement with the Texas Department of Transportation for the Historic Mansfield Hike and Bike Trail Connection

A motion was made by Council member Haynes to approve the following resolution:

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD TO ENTER INTO AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE HISTORIC MANSFIELD HIKE AND BIKE TRAIL CONNECTION

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by a vote of 6 ayes and 0 nays.

Enactment No: RE-3117-15

[15-1374](#)

A Resolution of the City Council of the City of Mansfield, Texas, Approving Lease Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and STEPP/WCJ, and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date.

A motion was made by Council member Haynes to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING LEASE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION ("MEDC") AND STEPP/WCJ, AND AUTHORIZING ITS EXECUTION BY THE PRESIDENT OF THE MEDC; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: RE-3118-15

[15-1375](#)

Resolution - A Resolution Determining the Best Value in Awarding the

Construction Contract Regarding Mansfield Fieldhouse USA

A motion was made by Council member Haynes to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, DETERMINING THE CONSTRUCTION MANAGER AT RISK AS THE BEST VALUE THE CITY OF MANSFIELD REGARDING THE MANSFIELD FIELDHOUSE USA PROJECT

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: RE-3119-15

[15-1376](#)

Resolution - A Resolution Awarding a Contract for Architectural Services for Mansfield Fieldhouse USA

A motion was made by Council member Haynes to approve the following resolution:

A RESOLUTION AUTHORIZING ARCHITECTURAL SERVICES WITH MAGEE ARCHITECTS, L.P. FOR MANSFIELD FIELDHOUSE PROJECT

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: RE-3120-15

[15-1377](#)

Ratify the Execution of the Settlement Agreement and its Component Elements with RedAway, LLC, as Authorized for Implementation by the City Council Following Closed Session on May 26, 2015, Providing for the Relocation of the RedAway Medical Waste Processing Operation to a New Location Outside the City Limits and Extraterritorial Jurisdiction of the City of Mansfield

A motion was made by Council member Haynes to approve the execution of

the settlement agreement and its component elements with RedAway, LLC. Seconded by Mayor Pro Tem Newsom. The motion CARRIED by a vote of 6 ayes and 0 nays.

[15-1365](#)

Minutes - Approval of the May 26, 2015 Regular City Council Meeting Minutes

A motion was made by Council member Haynes to approve the May 26, 2015 Regular City Council Meeting Minutes as presented. Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

[15-1366](#)

Minutes - Approval of the May 27, 2015 Special City Council Meeting Minutes

A motion was made by Council member Haynes to approve the May 27, 2015 Special City Council Meeting Minutes as presented. Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

[15-1367](#)

Minutes - Approval of the June 1, 2015 Special City Council Meeting Minutes

A motion was made by Council member Haynes to approve the June 1, 2015 Special City Council Meeting Minutes as presented. Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

No items were removed from the Consent Agenda.

END OF CONSENT AGENDA

OLD BUSINESS**15-1325**

Review and Consideration of Proposed Amendments of Section 4400.B, Table J in the Permitted Use Table of the Zoning Ordinance Requiring a Specific Use Permit for Industries Not Elsewhere Listed and Eliminating Certain Permitted Uses in the I-1 and I-2 Zoning Districts (OA#15-006)

Director of Planning Felix Wong made brief comments.

No action taken by the Council.

15-1327

Resolution - A Resolution Approving a Development Agreement with and Authorizing the City Manager to Execute the Agreement for Public and Private Improvements Related to a Development Known as Main Street Lofts within the Boundary of Tax Increment Reinvestment Zone No. 2, Generally Located West of N. Main Street and South of Newt Patterson Road

Director of Planning Felix Wong made brief comments.

A motion was made by Council member Lindsey to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING A DEVELOPEMNT AGREEMENT WITH RCM NRP MANSFIELD LP FOR IMPROVEMENTS WITHIN THE TAX INCREMENT FINANCING REINVESTMENT ZONED NUMBER TWO; AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council member Haynes. The motion CARRIED by the folowing vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: RE-3121-15

PUBLIC HEARING CONTINUATION AND SECOND READING**15-1331**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance approving a zoning change from OP, Office Park to PD for Single-Family Residential on approximately 0.39 acres, generally located at 502 E. Broad Street; Valerie Crowe (ZC#15-003)

Mayor Cook continued the public hearing through second reading at 8:18 p.m. With no one wishing to speak, Mayor Cook closed the public hearing through at 8:19 p.m.

A motion was made by Council member Broseh to approve the second reading

of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL USE, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

Enactment No: OR-1951-15

ADJOURN

A motion was made by Council member Hoffman to adjourn the meeting at 8:20 p.m. Seconded by Council member Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Wendy Burgess

Abstain: 0

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary