



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
mansfieldtexas.gov

## Meeting Minutes - Final

### City Council

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Monday, December 12, 2016

7:00 PM

Council Chambers

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#### REGULAR MEETING

#### 7:00 P.M. - CALL MEETING TO ORDER

*Mayor Cook called the meeting to order at 7:05 p.m.*

**Present** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

#### INVOCATION

*First Methodist Mansfield Reverend Jim Connor led the Invocation.*

#### PLEDGE OF ALLEGIANCE

*Council Member Burgess 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 Hoffman led the Texas Pledge.*

#### PRESENTATION

Salvation Army/Mayor Red Kettle Challenge Kick-off Presentation - December 17, 2016

*Salvation Army Lieutenant Timothy Israel made brief comments regarding the 7th Annual Mayoral Challenge. Mayor Cook announced the following locations and encouraged everyone to come out and support the Salvation Army on Saturday, December 17, 2016 from 8:00 a.m. to 6:00 p.m.:*

*Walmart on Walnut Creek  
Sam's Club  
Both Chick-fil-A locations*

Heart Healthy City

*Fire Chief Barry Bondurant made brief comments and introduced representatives from the Mansfield Independent School District, Mansfield Methodist Hospital and various city departments. Fire Department Captain Kevin Sandifer made brief*

*comments regarding the process to obtain a Heart Healthy City recognition.*

### **CITIZEN COMMENTS**

*John Pressley - 1306 Brittany Lane - Mr. Pressley spoke as the President of the Pickled Mansfield Society. He stated his support for agenda item 16-2134 requesting additional funding from the Hotel/Motel Tax Fund.*

*Alma Pressley - 1388 Fairhaven - Mrs. Pressley spoke in support of agenda item 16-2134.*

*Mayor Cook recognized the following non-speakers in support of agenda item 16-2134:*

*Cindy Pressley - 1306 Brittany Lane  
Paulette Ciesynski - 6916 Shady Hills Lane  
Alex Kowalski - 4 River Crest Court  
Joe Kowalski - 4 River Crest Court  
Bob Kowalski - 4 River Crest Court  
Amanda Kowalski - 4 River Crest Court  
Ed Haidusek - 14520 CR 511  
Lorie Tomlin - 2923 Ladoga Drive, Grand Prairie  
Charles Jowell - 1812 Woodridge Drive  
Annette Geisel - 5 Brook Arbor Court*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman wished everyone a Merry Christmas.*

*Council Member Haynes wished everyone a Merry Christmas.*

*Council Member Burgess wished everyone a Merry Christmas.*

*Council Member Newsom wished everyone a Happy New Year.*

*Mayor Pro Tem Broseh wished everyone a Merry Christmas and Happy New Year.*

*Mayor Cook had no announcements.*

### **STAFF COMMENTS**

#### **City Manager Report or Authorized Representative**

Current/Future Agenda Items

Stormwater Management Program Annual Report - Stormwater Manager Howard Redfearn and Stephanie Zavala

*Stormwater Manager Howard Redfearn made a powerpoint presentation and answered Council questions regarding the Stormwater Management Program.*

**PUBLIC HEARING AND FIRST READING****16-2125**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development to I-1, Light Industrial District on Approximately 14.5 Acres Generally Located West of S. 7th Avenue and North of Hanks Drive; Mansfield Economic Development Corporation (ZC#16-021)

*City Secretary Jeanne Heard read the caption into the record. Director of Planning Felix Wong made brief comments. Mayor Cook opened the public hearing at 7:35 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:35 p.m.*

**A motion was made by Mayor Pro Tem Broseh to approve the first 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 I-1 LIGHT INDUSTRIAL 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." Seconded by Council Member Haynes. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

**16-2127**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development to PD, Planned Development for Single-Family Residential Use on Approximately 15.5 Acres Generally Located East of Newt Patterson Road and South of Sabine Trail, Peycos Court and Columbia Court; Bloomfield Homes (ZC#16-022)

*Bloomfield Homes, LP representative Charles Jowell requested this item be tabled.*

**A motion was made by Mayor Cook to table this agenda item. Seconded by Council Member Hoffman. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

**16-2138**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development to PD, Planned Development for Single Family Residential Use on Approximately 15.46 Acres Generally Located About 1,300' South of the Southeast Corner of N. Matlock Road and E. Debbie Lane; Skorburg Company (ZC#16-017)

Jeanne Heard read the caption into the record. Skorburg Company representative Noah Flabiano made a powerpoint presentation and answered Council questions. Skorburg Company representative Adam Bucek answered Council questions. Mayor Cook opened the public hearing at 7:55 p.m. Mayor Cook recognized the following non-speakers in support:

Mary Holland - 2804 Matlock Rd.

Jeanette Holland - 2804 Matlock Rd.

Jeremy Holland - 2804 Matlock Rd.

With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:56 p.m.

**A motion was made by Council Member Hoffman to approve the first 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," with a maximum of 20% of the homes being 1,800-2,000 sq ft. Seconded by Council Member Haynes. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

## **PUBLIC HEARING CONTINUATION AND SECOND READING**

### **16-2113**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development to SF-7.5/18, SF-9.6/20 and SF-12/22, Single-Family Residential Districts on Approximately 187.85 Acres Generally Located West of Gertie Barrett Road and the End of Cancun Drive, North of Country Meadow Drive and Chimney Hill Circle; Alluvium Development (ZC#16-001)

**A motion was made by Mayor Cook to table this agenda item until two neighborhood meetings have occurred and the applicant has met with city staff regarding possible park connections with regard to the subject property nearby owned by the city. Seconded by Council Member Newsom. The motion CARRIED by the following vote.**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

### **16-2115**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development to

Planned Development for Office/Retail Uses on Approximately 3.95 Acres  
Located at 1209 N Day Miar Road; HCC Contracting, Inc (ZC#16-013)

*Property owner Darren McDougald made a powerpoint presentation and answered Council questions. Felix Wong answered Council questions. Mayor Cook continued the public hearing at 8:20 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:20 p.m. Council requested the applicant bring back the gauge of the metal roof by the next reading.*

**A motion was made by Council Member Newsom 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 OFFICE/RETAIL USES, 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 Council Member Hoffman. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

### **PUBLIC HEARING CONTINUATION AND THIRD AND FINAL READING**

#### **[16-2094](#)**

Ordinance - Public Hearing Continuation and Third and Final Reading on an Ordinance Approving a Historic Landmark Overlay District for the Property Located at 114 N. Main Street; City Staff (ZC#16-020)

*Jeanne Heard read the caption into the record. Felix Wong made brief comments. Mansfield Area Chamber of Commerce President Lori Williams answered Council questions. Historical Landmark Commission Chairman Robert A. Smith made brief comments. Mayor Cook continued the public hearing at 8:31 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:32 p.m.*

**A motion was made by Council Member Newsom 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 114 NORTH MAIN STREET; 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 Council Member Haynes. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2027-16

## **NEW BUSINESS**

### **16-2126**

Consideration of a Detailed Site Plan for an Apartment Development Named The Julian at Southpointe on Approximately 18.8 Acres Generally Located at the Northwest Corner of Lowe Road and Harmon Road; Mansfield Multifamily Land, LLC (DS#16-005)

*MR Development representative Kim McCaslin made a brief powerpoint presentation and answered Council questions.*

**A motion was made by Council Member Haynes to approve this agenda item with a total of 20% covered parking. Seconded by Mayor Pro Tem Broseh. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

### **16-2123**

Resolution - A Resolution Approving a Development Agreement for Proposed Improvements Related to a Residential Development Known as The View at The Reserve Within the Tax Increment Reinvestment Zone No. 1, Generally Located East of S. Mitchell Road, North of South Pointe and Mathis Road

*Sowell Reserve Associates, LP representative James Cornelius made a power point presentation and answered Council questions.*

**A motion was made by Council Member Hoffman to approve the following resolution:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH SOWELL RESERVE ASSOCIATES, L.P. FOR PUBLIC IMPROVEMENTS WITHIN THE TAX INCREMENT FINANCING REINVESTMENT ZONED NUMBER ONE; AND PROVIDING AN EFFECTIVE DATE**

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

**Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3318-16

[16-2134](#)

Resolution - A Resolution Approving a Supplemental Disbursement of the City of Mansfield Hotel/Motel Tax Funds in the Amount of \$20,000 to The Pickled Mansfield Society

*Hotel/Motel Chairperson Wendy Burgess made a report to the Council regarding the supplemental request by the Pickled Mansfield Society.*

**A motion was made by Council Member Burgess to approve the following resolution:**

**A RESOLUTION APPROVING A SUPPLEMENTAL DISBURSEMENT OF THE CITY OF MANSFIELD HOTEL/MOTEL TAX FUNDS IN THE AMOUNT OF \$20,000 TO THE PICKLED MANSFIELD SOCIETY**

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

**Seconded by Council Member Newsom. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3319-16

[16-2136](#)

Resolution - A Resolution of the City of Mansfield, Texas Authorizing the Filing of Eminent Domain Proceedings for the Purpose of Obtaining Real Property and Easements for Use by the City for the Construction of Sanitary Sewer Line Improvements and Facilities to Serve Existing and New Development and for Other Public Purposes Permitted by Law

*Director of Public Works Bart VanAmburgh made brief comments.*

**Council Member Hoffman made the following statement:**

**Resolution No. RE-3313-16 addresses two separate properties. The first record vote applies to all units of property to be condemned under the resolution. And the minutes shall reflect that the first record vote we take will apply to all units of property to be condemned under the resolution.**

**I move that the City of Mansfield authorize the use of the power of eminent domain to acquire the following property: A Permanent Sanitary Sewer Easement and Temporary Construction Easement from Soap Creek Ranch, LP, out of the property generally located on the northwest corner of US 287 and Prairie Ridge Boulevard, Grand Prairie, Ellis County, Texas, and said property interests being more particularly described in Exhibits A-B to Resolution No. RE-3313-16; and Permanent Sanitary Sewer Easement and two Temporary Construction Easements from Owen Hendrick and Toni Hendrick, out of the property generally located on the south corner of US 287 and Lakeview Drive, Grand Prairie, Ellis County, Texas, and said property interests being more particularly described in Exhibits C-D to Resolution No. 3313-16; for the construction and maintenance of sanitary sewer line improvements and**

facilities for the Mountain Creek Sanitary Sewer Interceptor project, and further move to approve Resolution No. 3313-16 as presented.

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

Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-3313-16

16-2137

Ordinance - An Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2017; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Awarding the Sale of the Certificates; Approving the Official Statement; Approving an Engagement Letter; and Enacting Other Provisions Relating Thereto

*Jeanne Heard read the caption into the record. Deputy City Manager Peter Phillis made brief comments. FirstSouthwest representative Boyd London made brief comments and answered Council questions.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2017, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$18,975,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; AWARDED THE SALE OF THE CERTIFICATES; APPROVING THE OFFICIAL STATEMENT; APPROVING AN ENGAGEMENT LETTER; AND ENACTING OTHER PROVISIONS RELATING THERETO**

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

Seconded by Council Member Lindsey. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: OR-2028-16

**RECESS INTO EXECUTIVE SESSION**

*The Council did not recess into executive session.*

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

**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 Commercial or Financial Information Received From or the Offer of a Financial or Other Incentive Made to a Business Prospect Seeking to Locate, Stay or Expand in or Near the Territory of the City and with which the City is Conducting Economic Development Negotiations Pursuant to Section 551.087**

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 9:23 p.m. Seconded by Council Member Newsom. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

\_\_\_\_\_ David L. Cook, Mayor

ATTEST:

\_\_\_\_\_ Jeanne Heard, City Secretary