



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, October 26, 2020

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:04 p.m.

Mayor Cook advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.

Present 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:06 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:11 p.m. Mayor Cook adjourned executive session at 7:25 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. 3:20-CV-2061

Seek Advice of City Attorney Regarding Zoning Case ZC#16-008

Seek Advice of City Attorney Regarding Assignment of Developer Agreement

Seek Advice of City Attorney Regarding Reciprocal Easement Agreements

Seek Advice of City Attorney Regarding Potential Annexation and Deannexation

Seek Advice of City Attorney Regarding Human Resource Issue

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

Personnel Matters Pursuant to Section 551.074

Board Appointments - Historic Preservation Advisory Board

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

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

Mayor Cook reconvened into regular business session at 7:32 p.m.

INVOCATION

Bethlehem Baptist Church representative Tamiko Jones gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore 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 Newsom led the Texas Pledge.

PROCLAMATION

Arbor Day

Mayor Cook proclaimed November 6, 2020 as Arbor Day in Mansfield and presented a proclamation to Landscape Administrator Stevon Smith.

PRESENTATIONS

Tree City USA Recognition

Stevon Smith made brief comments and introduced Texas A&M Forest Service Representative Courtney Blevins. Mr. Blevins congratulated the City for the fourteenth year in a row of receiving the Tree City USA Award.

Presentation of the American Association of Code Enforcement 2020 Community Service Award to City Council

Assistant to the City Manager Nicolette Allen read an excerpt from the letter of recommendation City Manager Joe Smolinski submitted to the American Association of Code Enforcement. American Association of Code Enforcement President Barbara Burlingame read an excerpt from a second recommendation letter and presented the American Association of Code Enforcement 2020 Community Service Award to City Council and the Code Compliance Department.

Presentation of the American Association of Code Enforcement 2020 Program of the Year Award to City Council

American Association of Code Enforcement President Barbara Burlingame presented the American Association of Code Enforcement 2020 Program of the Year Award to City Council and the Code Compliance Department and thanked everyone for their hard work. Mayor Cook recognized Joe Smolinski for his involvement in earning the award, and also recognized the volunteers from the churches in Mansfield for the significant amount of volunteer hours they have contributed.

CITIZEN COMMENTS

Richard Dill - 903 Killian Drive - Mr. Dill spoke regarding tree preservation at the Dolce Vita development. Mr. Dill asked the City Council to support him in the request for the plan and plat to not be approved by the Planning and Zoning Commission until tree preservation issues are satisfactorily resolved. He asked that appropriate mitigation measures be given time to be discussed and determined before being finalized with the developer.

Ben Hartman - 500 Alvarado Street - Mr. Hartman spoke in opposition of agenda item 20-3802.

Sheri Bumgardner - 9745 County Road 528, Burleson - Ms. Bumgardner spoke in opposition of agenda item 20-3775.

Mayor Cook read the comment received from the following person:

Steve Nelson - 257 Carlin Road - Mr. Nelson thanked the City Council for serving the City of Mansfield.

COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Short had no announcements.

Council Member Leyman announced he went to Kennedale to vote as there was a long wait time at the Mansfield Tarrant County Subcourthouse.

Council Member Newsom stated the Tarrant County Small Business Assistance Program initiated their second round of funding and encouraged local business owners to take advantage of the program.

Council Member Moore addressed the long wait times during early voting, stated there will be an additional voting location the last two days of early voting, there will be multiple voting locations on Election Day, and encouraged voters not to wait until the

last day of early voting or Election Day to vote. He complimented the candidates who are standing in line, talking to and engaging the voters, and noted there is a strong sense of camaraderie among the candidates.

Council Member Broseh had no announcements.

Council Member Lewis congratulated Joe Smolinski and the Code Compliance Department for the awards presented to them. He stated there was a subcommittee assembled at the Texas House of Representatives to discuss aggregate regulations for items such as concrete batch plants, and asked staff to submit Council's support to the subcommittee.

Mayor Cook had no announcements.

SUB-COMMITTEE REPORTS

Revitalization of Historic Downtown Mansfield Sub-Committee Meeting of October 19, 2020
Report (Brent Newsom, Chair; David Cook; Casey Lewis)

Chairman Newsom provided a brief update.

20-3836

Minutes - Approval of the October 19, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee) (Newsom, Cook, Lewis)

A motion was made by Council Member Newsom to approve the minutes of the October 19, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 3 - Brent Newsom; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Non-Voting: 4 - Larry Broseh; Terry Moore; Julie Short and Mike Leyman

Public Memorials Sub-Committee Meeting of October 20, 2020 Report (Terry Moore, Chair; Mike Leyman; Larry Broseh)

Chairman Moore provided a brief update.

20-3837

Minutes - Approval of the October 20, 2020 Public Memorials Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee) (Moore, Leyman, Broseh)

A motion was made by Council Member Moore to approve the minutes of the Public Memorials Sub-Committee Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh; Terry Moore and Mike Leyman

Nay: 0

Abstain: 0

Non-Voting: 4 - Brent Newsom; Julie Short; Casey Lewis and David Cook

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Joe Smolinski thanked Council for their support of City programs through the budget approval process every year.

Music Alley Event Update

Parks and Recreation Marketing and Communications Manager Ann Beck provided an update regarding the Music Alley Event.

Salute to Mansfield Veterans Update

Director of Communications and Marketing Belinda Willis provided an update regarding the City's efforts to recognize Mansfield veterans.

Hometown Holidays Event Update

Ann Beck provided an update regarding the Hometown Holidays Event.

Citizen Satisfaction Survey Update

Joe Smolinski provided a brief update regarding the Citizen Satisfaction Survey.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Mayor Pro Tem Short to appoint Annette Hamill to the Historic Preservation Advisory Board to serve a one year term. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

CONSENT AGENDA

[20-3778](#)

Ordinance - Third and Final Reading of an Ordinance Amending Sections 5100.E.7, 5100.F.19, 6100.D.8 and 6400.D.8 of the Zoning Ordinance to Revise the Submittal Requirements for Applications for Concept Plans, Planned Developments, Specific Use Permits and Industrial Use Permits (OA#20-002)

Susana Marin read the caption into the record.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 5100.E.7, 5100.F.9, 6100.D.8 AND 6400.D.8 OF SAID ORDINANCE TO REVISE THE SUBMITTAL REQUIREMENTS FOR APPLICATIONS FOR CONCEPT PLANS, PLANNED DEVELOPMENTS, SPECIFIC USE PERMITS AND INDUSTRIAL USE PERMITS; 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 Moore. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: OR-2189-20

[20-3780](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Request to Abandon Certain Utility Easements and Drainage Easements Relating to the M3 Ranch Addition

Susana Marin read the caption into the record.

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

AN ORDINANCE VACATING AND ABANDONING CERTAIN UTILITY EASEMENTS AND DRAINAGE EASEMENTS RELATING TO THE M3 RANCH ADDITION; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: OR-2190-20

[20-3797](#)

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Section 111.22 "Time Restrictions"

Susana Marin read the caption into the record.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 111, "PEDDLERS AND SOLICITORS," OF THE CODE OF MANSFIELD, TEXAS BY AMENDING SECTION 111.22, "TIME RESTRICTIONS," ALLOWING COMMERCIAL HOME SOLICITATION AND HANDBILL DISTRIBUTION ON CERTAIN HOLIDAYS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: OR-2191-20

[20-3824](#)

Minutes - Approval of the October 12, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Newsom to approve the minutes of the October 12, 2020 Regular City Council Meeting as presented. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[20-3768](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Single-family Residential and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S.

2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

Council Member Leyman removed this item from the consent agenda. Susana Marin read the caption into the record. Director of Planning Matt Jones answered Council questions.

A motion was made by Council Member Leyman 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL AND ACCESSORY DWELLING 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

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: OR-2192-20

[20-3777](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Sections 2200B, 4400.B Table G and 7800.B.38 of the Zoning Ordinance to Create a Body Art & Piercing Studio Use; to Permit Such Use in the I-1 and I-2 Zoning Districts; to Require a Specific Use Permit in C-2 and C-3 Zoning Districts; and to Establish Separation Criteria from Such Use from Certain Other Land Uses (OA#20-001)

Council Member Lewis removed this item from the consent agenda. Susana Marin read the caption into the record. Matt Jones and City Attorney Allen Taylor answered Council questions.

A motion was made by Mayor Pro Tem Short to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 2200B, 4400.B TABLE G AND 7800.B.38 OF SAID ORDINANCE TO CREATE A BODY ART & PIERCING STUDIO USE; TO PERMIT SUCH USE IN THE PD ZONING DISTRICT; AND TO ESTABLISH SEPARATION CRITERIA FROM SUCH USE FROM CERTAIN OTHER LAND 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

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

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

Aye: 6 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and David Cook

Nay: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2193-20

20-3801

Ordinance - Second Reading of an Ordinance Amending Title XV of the Mansfield Code of Ordinances, "Land Usage" to provide regulations for Vacant Buildings and Properties (OA#20-003)

Council Member Lewis removed this item from the consent agenda. Matt Jones answered Council questions.

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XV OF THE MANSFIELD CODE OF ORDINANCES, "LAND USAGE," PERTAINING TO REGULATIONS FOR VACANT BUILDINGS AND PROPERTIES; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

20-3802

Ordinance - Second Reading of an Ordinance Amending Title VII of the Mansfield Code of Ordinances, "Traffic Code" to Provide Regulations for Historic Downtown No Parking Zones (OA#20-004)

Council Member Lewis removed this item from the consent agenda. Police Chief Tracy Aaron answered Council questions.

A motion was made by Council Member Leyman to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 72 OF THE MANSFIELD CODE OF ORDINANCES, "STOPPING, STANDING AND PARKING," BY AMENDING SECTION 72.18 AND ADDING NEW SECTIONS 72.22 THROUGH 72.23, TO ESTABLISH REGULATIONS RELATED TO PARKING IN THE DOWNTOWN AREA AND PARKING DURING SPECIAL EVENTS; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER

ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

20-3775

Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Multi-family Residential Uses on Approximately 0.535 Acres Located at 505 W. Kimball Street; Ben Hartman, Owner/Developer (ZC#20-013)

A motion was made by Council Member Lewis to table this agenda item until such time that the applicant requests to place this item back on the agenda. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

20-3834

Resolution - A Resolution to Adopt the 2020 Parks, Recreation, Open Space and Trails Master Plan

Director of Parks and Recreation Matt Young made a brief presentation.

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

A RESOLUTION TO ADOPT THE 2020 PARKS, RECREATION, OPEN SPACE AND TRAILS MASTER PLAN

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3703-20

PUBLIC HEARING AND RESOLUTION

[20-3826](#)

Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2020/2021 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

Deputy City Manager Peter Phillis made brief comments. Neighborhood Management representative Audrey Beard made brief comments. Mayor Cook opened the public hearing at 9:55 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:55 p.m.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING THE FISCAL YEAR 2020/2021 SERVICES AND ASSESSMENT PLAN FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT ("PID"); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Enactment No: RE-3704-20

PUBLIC HEARING AND FIRST READING

[20-3767](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Single-Family Residential Attached Townhome Uses on Approximately 12.638 Acres out of the M. Rockerfellow Survey, Abstract No. 1267, Tarrant County, TX, Located at 1675 N. Main St.; Brian Cotter of Cotter Associates, LLC on Behalf of Adlai Pennington of MKP Associates, Inc. (Developer) and Randy Hague of Valdar Properties #4, LLC (Owner) (ZC#20-009)

Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. Cotter Associates, LLC representative Brian Cotter made a brief presentation and answered Council questions. MKP Associates, Inc. representative Adlai Pennington answered Council questions. Mayor Cook opened the public hearing at 10:46 p.m. The following people spoke:

Donna Timmons - 1314 Ivy Creek Drive - Opposed
Charles Norton - 1404 Ivy Creek Drive - Opposed

With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 10:56 p.m.

A motion was made by Council Member Lewis 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 ATTACHED TOWNHOME 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," to include the three comments from the staff report in reference to the Lot 1x Block A, the upper portion of the right side elevation enhanced with windows and the documentation for the gas pipeline, the western boundary at 8 foot cedar fence being one fence and replacing the existing fence of the existing homeowners, as well as the provisions of the owner-occupied townhomes from the south Main PD that was passed last year. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 11:00 p.m. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

Nay: 0

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary