



CITY OF MANSFIELD

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

Meeting Minutes - Draft City Council

Monday, August 11, 2014

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:10 p.m.

Mayor Pro Tem Broseh led the Invocation. Council Member Burgess led the Pledge of Allegiance and the Texas Pledge.

Absent 2 - Stephen Lindsey and Darryl Haynes

Present 5 - David Cook; Wendy Burgess; Cory Hoffman; Larry Broseh and Brent Newsom

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Mayor Cook called the work session to order at 5:10 p.m. Mansfield Park Facilities Development Corporation President Harold Bell called the work session to order at 5:18 p.m.

Absent 1 - Stephen Lindsey

Present 6 - David Cook; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Mansfield Park Facilities Development Corporation - Proposed Chandler Park Improvements

Park Planner James Fish made brief comments. La Terra Studios representative Michael Black made a power point presentation. There was discussion between the Council, Mansfield Park Facilities Development Corporation, staff and the consultant. A representative from the Mansfield Area Tennis Association made brief comments. Michael Black will review the plan and add additional tennis courts to the conceptual design with acreage as is and with additional acreage, as well as adding a sand volleyball pit, basketball courts and a water facility.

Mayor Cook adjourned the work session with the Mansfield Park Facilities Development Corporation at 5:56 p.m. Mansfield Park Facilities Development Corporation President Harold Bell adjourned the work session at 5:56 p.m.

FY 14-15 Preliminary Budget - Capital Improvement Program

Director of Public Works Steve Freeman made comments regarding the Capital Improvement Program. There was discussion regarding additional pedestrian signage downtown and a crosswalk or flashing light close to Wisteria St. and E. Broad St.

Mayor Cook adjourned the work session at 6:20 p.m.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:21 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:25 p.m. Mayor Cook adjourned the executive session at 7:00 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 on Legal Considerations in Utilizing Names on Public Structures

Seek Advice of City Attorney Regarding Assignment of Lease Agreement with EAGL Mansfield, L.P.

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**

Project #13-19 - Hospitality Project Briefing and Update

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

Mayor Cook reconvened into regular business session at 7:05 p.m.

INVOCATION

Baylor Medical Center Reverend Rich Weathersby 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 Newsom led the Texas Pledge.

PRESENTATIONS

2014 TAMI Awards - Communications & Marketing, Water Utilities and Parks & Recreation Departments

Mayor Cook and City Manager Clayton Chandler presented the following awards to the Communications and Marketing Department staff and Parks and Recreation staff:

From Texas Association of Municipal Information Officers

**TAMI Award for Best External Newsletter for the Mansfield Citizen*

**TAMI Award for Best Report for the 2012 Water Quality Report*

**TAMI Award for Best Marketing Plan or Campaign for Marketing efforts for the Elmer W. Oliver Nature Park Grand Opening*

Awards to Mansfield Utilities Department in 2014

Mayor Cook and Mr. Chandler presented the following awards to the Utilities Department staff:

From American Water Works Association:

**American Water Works Association's Public Communications Achievement Award*

From Texas Section of the American Water Works Association:

**Water Mark Award*

From Keep Texas Beautiful Conference:

**Best Civic Organization*

**Best Media Campaign*

**Keep Texas Beautiful Citation for Merit for Innovation*

From Texas Commission on Environmental Quality

**Environmental Excellence Award*

From Texas Water Utilities Association

**H2Outreach Program*

From North Central Texas Region of the Texas Water Utilities Association

**Arianne Shipley - Public Educator of the Year*

CITIZEN COMMENTS

Trina Gibbs - 902 Riviera - Mrs. Gibbs spoke on behalf of the Mansfield Area Tennis Association. She spoke on the need for additional tennis courts and promoted tennis in Mansfield.

COUNCIL ANNOUNCEMENTS

Council Member Haynes wished Council Member Burgess a Happy Birthday.

Council Member Hoffman commended the Water Department for a great job done on a water main break on Aspen Lane. He wished Council Member Burgess a Happy Birthday.

Council Member Newsom congratulated city staff for the awards received. He

wished Council Member Burgess a Happy Birthday.

Council Member Lindsey was absent.

Council Member Burgess thanked everyone for the kind words. She stated it was an honor to serve the city and the citizens.

Mayor Pro Tem Broseh wished Council Member Burgess a Happy Birthday.

Mayor Cook wished Council Member Burgess a Happy Birthday. Council Member Burgess' family presented her with flowers and balloons wishing her a happy birthday as well. Council, staff and the audience sang Happy Birthday to Council Member Burgess. Mayor Cook read the following letter:

Dear Mayor Cook:

I wanted to compliment the City of Mansfield and Mansfield Fire Department for the outstanding job done last week in hosting the Firefighter Summer Games. This was quite an event for our city to host. The games came off without a hitch. The city did a tremendous job of coordination of what was a safe, fun filled event.

I would like to congratulate the Parks and Recreation Department, Water Department, Police Department, and the Convention and Visitors Bureau on a job well done. I am sure I have left out a department but please add them to my list.

Obviously, a huge amount of praise goes to our Fire Chief Barry Bondurant, his staff, and firefighters for helping pull off this event. I know they spent countless hours in the planning and implementation of the week. They all did a great job and you should be very proud of them.

I have many friends from across the state of Texas that are firefighters. Every one of them mentioned how welcome they felt in our community. They also commented on how well planned the event was. They all acknowledged the variety of things to do and see in Mansfield. They could not say enough positive things about our community!

As a citizen of Mansfield and a long time employee of Methodist Health System it was a pleasure being part of this important event. I hope that our community continues to pursue opportunities such as this. Please pass on my remarks to all individuals and departments that made this a great week of activities.

Sincerely,
Karen Yates, RN, BS, CEN, LP
ER Ches Pain Coordinator & EMS Liaison

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

14-0960

Ordinance - Third and Final Reading for Zoning Change from 2F to PD for Zero-Lot-Line Homes on Approximately 0.36 Acres Located at the Southeast Corner of South Second Avenue and Alvarado Street; Barmont, LP (ZC#14-005)

City Secretary Vicki Collins read the caption into the record.

A motion was made by Mayor Pro Tem Broseh 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 ZERO-LOT-LINE HOMES, 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 Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

Enactment No: OR-1914-14

14-0982

Minutes - Approval of the July 21, 2014 Special City Council Meeting Minutes

A motion was made by Mayor Pro Tem Broseh to approve the July 21, 2014 Special City Council Meeting minutes as presented. Seconded by Council Member Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

14-0983 Minutes - Approval of the July 28, 2014 Regular City Council Meeting Minutes

A motion was made by Mayor Pro Tem Broseh to approve the July 28, 2014 Regular City Council Meeting minutes as presented. Seconded by Council Member Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

14-0984 Minutes - Approval of the July 29, 2014 Special City Council Meeting Minutes

A motion was made by Mayor Pro Tem Broseh to approve the July 29, 2014 Special City Council Meeting minutes as presented. Seconded by Council Member Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

14-0986 Ordinance - Public Hearing and First Reading on an Ordinance Approving an Amendment to the Existing PD for Church and Related Facilities on Approximately 53.6 Acres, Generally Located at 1201 N. SH360; Walnut Ridge Baptist Church (ZC#05-019B)

Vicki Collins read the caption into the record. Walnut Ridge Baptist Church representative Scott Martsolf made a power point presentation and answered Council questions. Mayor Cook opened the public hearing at 7:40 p.m. The following person spoke during the public hearing:

Nathan Carnker - 1010 High Lake Trail

With no one else wishing to speak, Mayor Cook continued the public hearing through second reading at 7:40 p.m.

A motion was made by Council Member Haynes 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 A CHURCH AND RELATED FACILITIES, 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 Broseh. The
motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND READING

14-0976

Ordinance - Public Hearing Continuation and Second Reading on an
Ordinance Approving a Zoning Change from C-2 to SF-12/22 on
Approximately 4.02 Acres Located at 780 Turner Warnell Rd.; Ropo-Tusins
Holdings (ZC#14-006)

*Mayor Cook continued the public hearing at 7:45 p.m. With no one wishing to speak,
Mayor Cook closed the public hearing at 7:45 p.m.*

A motion was made by Council Member Hoffman 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 SF-12/22, 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." Seconded by Council Member Newsom. The motion
CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

14-0977

Ordinance - Public Hearing Continuation and Second Reading for Zoning
Change from C-2 to C-4 on Approximately .35 Acres, Generally Located at
102 West Oak Street and 201 N. Main Street; Luis Alegria (ZC#14-008)

*Mayor Cook continued the public hearing at 7:46 p.m. With no one wishing to speak,
Mayor Cook closed the public hearing at 7:46 p.m.*

A motion was made by Council Member Hoffman 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 C-4, DOWNTOWN BUSINESS DISTRICT CLASSIFICATION, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; 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: 6 - David Cook; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

NEW BUSINESS

14-0981

Resolution - A Resolution Recognizing that the City Council of the City of Mansfield, Texas is Proposing to Adopt a Tax Rate on a Future Agenda

Director of Business Services Peter Phillis made brief comments and answered Council questions. Peter notified the Council that the public hearings scheduled for the budget and tax rate would be at the regular meeting on August 25, 2014 and a special meeting on September 2, 2014. The three readings for the adoption of the tax rate and budget were scheduled for the regular meeting of September 8, 2014 and special meetings on September 9 & 10, 2014. There was Council consensus to hold the special meeting of September 2, 2014 at 6:00 p.m. and the special meetings of September 9 & 10, 2014 at 8:00 a.m.

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

A RESOLUTION RECOGNIZING THAT THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS IS PROPOSING TO ADOPT A TAX RATE ON A FUTURE AGENDA, THE PROPOSED TAX RATE ON THE FUTURE AGENDA IS CURRENTLY EXPECTED TO BE 71 CENTS PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2014. THE CITY COUNCIL WILL HAVE PUBLIC HEARINGS ON THE EXPECTED TAX RATE OF 71 CENTS PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION AT THE NEXT REGULARLY SCHEDULED MEETING AND A SPECIAL MEETING BEFORE THE ADOPTION OF A TAX RATE

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

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

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

Enactment No: RE-3026-14

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 7:53 p.m. Seconded by Council Member Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Stephen Lindsey

Abstain: 0

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary