



CITY OF MANSFIELD

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

Meeting Minutes - Final City Council

Monday, March 26, 2012

5:00 PM

Council Chambers

REGULAR MEETING AMENDED AGENDA

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

Mayor Cook called the meeting to order at 5:00 p.m. in the Multi-Purpose Room.

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

WORK SESSION TO BE HELD IN MULTI-PURPOSE ROOM

Mayor Cook called the work session to order at 5:00 p.m. and turned it over to City Manager Clayton Chandler.

Council/Staff Discussion Regarding Goals and Objectives for FY12/13 Budget

Mr. Chandler made brief comments on the goals and objectives submitted by the Council. The Council participated in a goals and objectives exercise. Mr. Chandler made a power point presentation and answered Council questions.

Capital Improvement Program/Bond Election and Current Modified Strategic Plan

There was no discussion on this item.

Mayor Cook adjourned the work session at 6:15 p.m.

RECESS INTO EXECUTIVE SESSION

Pursuant to Section 551.071 of the Texas Government Code, the Council reserves the right to convene into executive session(s) from time to time as deemed necessary during the meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:16 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:23 p.m. Mayor Cook adjourned 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 Initiative Petition Relating to Adoption of the Fire Fighters' and Police Officers' Civil Service Law for the Mansfield Fire Department

Seek Advice of City Attorney Regarding Current Rules and Regulations Regarding Gas Wells

Seek Advice of City Attorney Regarding Contract Operations at the Law Enforcement Center

Seek Advice of City Attorney Regarding Legal Requirements Relating to VDC Mansfield Reserve I, LLC

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

Possible Future Linear Park Acreage

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

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

Mayor Cook reconvened into regular business session at 7:08 p.m.

INVOCATION

Mayor Pro Tem Broseh led the Invocation.

PLEDGE OF ALLEGIANCE

Council Member 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 Hoffman led the Texas Pledge.

PRESENTATION

Mansfield Pickle Parade Winners

Pickle Queen Amanda Rogers thanked the Council for approving the parade and thanked city staff for all of their hard work. She announced the parade winners:

Best Irish Entry - Summit Key Club

*Totally Pickle - Mansfield FFA
Best Maid Sweepstakes Award - Pickle Queens and Best Maid Men*

Mayor Cook thanked Amanda and Best Maid Pickles.

CITIZEN COMMENTS

Lucretia Mills - 1215 Brookfield Lane - Mrs. Mills spoke as President of the Mansfield Area Chamber of Commerce. She gave the Chamber's first Quarterly Report for 2012

Bryan Miller - 602 Saint Eric Drive - Mr. Miller invited the Council and all public servants to the annual 24 hour feeding for public servants the Mansfield Masonic Lodge will be holding from March 30, 2012 6:00 p.m. to March 31, 2012 6:00 p.m.

James Sellers and Amber Gosser - Mr. Sellers and Ms. Gosser spoke about the Leadership Mansfield Group. Mr. Sellers stated Leadership Mansfield is a great program that involves the whole community. Ms. Gosser stated they are currently recruiting for the upcoming Leadership class in September.

COUNCIL ANNOUNCEMENTS

Council Member Haynes had no announcements.

Council Member Hoffman made comments about the Mansfield Pickle Parade mentioning it was a great parade and it was very well attended.

Council Member Newsom had no announcements.

Council Member Lindsey echoed Council Member Hoffman's comments regarding the Pickle Parade. He also echoed citizen comments regarding the Masonic Lodge 24 hour feeding event and encouraged everyone to attend. He stated he appreciates the Mansfield Fire Department also mentioning that right now is not the time for civil service.

Council Member Burgess made comments about the Pickle Parade. She invited everyone to the retirement celebration for Lucretia Mills at the Mansfield Area Chamber of Commerce on Friday, March 30, 2012 from 10:00 a.m. to 2:00 p.m.

Mayor Pro Tem Broseh had no announcements.

Mayor Cook thanked Lucretia Mills for her service to the City of Mansfield. He appointed a Sub-Committee to study the Fire Department budget to explore funding alternatives to stay within current funding levels in the event that the civil service election is successful for the Fire Department. He appointed Council Member Burgess as the Chair and Council Members Lindsey and Newsom.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mr. Chandler appreciated Lucretia Mills for her contribution to the city. He thanked

Stormwater Manager Howard Redfearn and the volunteers for their participation in the Household Hazardous Waste Collection event. He acknowledged Mr. Sellers for the upcoming grand opening of his business, Sellmark. He made comments about the Pickle Parade. Mr. Chandler thanked the sub-committee members who keep giving their time to discuss the cities growth and strategies. He pointed out highlights on the financial report.

Director of Public Works Steve Freeman gave an update on the road activity and answered Council questions.

Business Services Department

[12-0092](#)

Presentation of the Monthly Financial Report for the Period Ending January 31, 2012

Director of Business Services Peter Phillis made comments and answered Council questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

[12-0040](#)

Ordinance - Third and Final Reading of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Summer Youth Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program; Providing for Facility Standards; Providing for a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

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, SETTING FORTH THE STANDARDS OF CARE FOR THE RECREATION DEPARTMENT'S SUMMER YOUTH PROGRAM FOR THE CITY OF MANSFIELD; PROVIDING FOR THE OPERATIONAL STANDARDS OF THE ADMINISTRATION FOR THE PROGRAM; PROVIDING FOR THE INSPECTING, MONITORING, AND ENFORCEMENT OF THE STANDARDS OF CARE; PROVIDING FOR THE STAFFING LEVELS, TRAINING AND RESPONSIBILITIES FOR THOSE WORKING IN THE PROGRAM; PROVIDING FOR FACILITY STANDARDS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

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

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

Enactment No: OR-1832-12

[12-0095](#)

Resolution - A Resolution Authorizing an Engineering Contract with Kimley-Horn and Associates, Inc. for an Amount Not to Exceed \$85,000 for a Traffic Study and Preliminary Schematic Design for Access Improvements Along US 287 Between Debbie Lane and Walnut Creek Drive. (Bond Funds and Tarrant County Participation)

A motion was made by Mayor Pro Tem Broseh to approve the following resolution:

A RESOLUTION AUTHORIZING A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR A TRAFFIC STUDY AND PRELIMINARY SCHEMATIC DESIGN ALONG US 287 BETWEEN DEBBIE LANE AND WALNUT CREEK DRIVE

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

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

Enactment No: RE-2787-12

[12-0098](#)

Resolution - A Resolution Authorizing a Contract with Freese & Nichols, Inc. for Design Services for an amount not to exceed \$328,000.00 and a Contract with Brittain and Crawford for Surveying Services for an amount not to exceed \$79,050.00 for the South Holland Road Improvements to be funded from the Street Bond Fund

A motion was made by Mayor Pro Tem Broseh to approve the following resolution:

A RESOLUTION AUTHORIZING A CONTRACT WITH FREESE & NICHOLS, INC. FOR DESIGN SERVICES AND WITH BRITTAIN & CRAWFORD FOR SURVEYING SERVICES FOR THE SOUTH HOLLAND ROAD IMPROVEMENTS

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

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

Enactment No: RE-2788-12

[12-0099](#)

Resolution - A Resolution Awarding Bids for Food for the Mansfield Law Enforcement Center

A motion was made by Mayor Pro Tem Broseh to approve the following resolution:

A RESOLUTION AWARDING BIDS FOR FOOD FOR THE MANSFIELD LAW ENFORCEMENT CENTER

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

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

Enactment No: RE-2789-12

[12-0102](#)

Grant an Extension for Submission of Receipts for Reimbursement from Hotel-Motel Occupancy Funds Submitted by Approved Recipients of Hotel-Motel Funds

A motion was made by Mayor Pro Tem Broseh to approve the grant extension. 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

[12-0089](#)

Minutes - Approval of the February 27, 2012 Regular City Council Meeting Minutes

A motion was made by Mayor Pro Tem Broseh to approve the minutes of the February 27, 2012 Regular City Council Meeting as presented. 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

[12-0090](#)

Minutes - Approval of the March 5, 2012 Regular City Council Meeting Minutes

A motion was made by Mayor Pro Tem Broseh to approve the minutes of the March 5, 2012 Regular City Council Meeting as presented. 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

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[12-0093](#)

Resolution - Resolution Approving Certain Public Improvements know as Cannon Drive North within the Tax Increment Financing Reinvestment Zoned Number One and the Expenditure of Tax Increment Funds for the Public Improvements

Mayor Cook removed this item from the consent agenda. Steve Freeman made comments and answered Council questions.

A motion was made by Mayor Cook to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING CERTAIN PUBLIC IMPROVEMENTS KNOWN AS CANNON DRIVE NORTH WITHIN THE TAX INCREMENT FINANCING REINVESTMENT ZONED NUMBER ONE AND THE EXPENDITURE OF TIF INCREMENT FUND; 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-2790-12

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

[12-0088](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 3.46 Acres, Located at 840 S. Mitchell Road; XTO Energy, Inc. (ZC#12-001)

Vicki Collins read the caption into the record. XTO Energy representative Walter

Dueease made a presentation and answered Council questions. Mayor Cook opened the public hearing at 8:04 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:05 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 GRANT AN AMENDED SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION ON THE HEREINAFTER DESCRIBED PROPERTIES; 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

PUBLIC HEARING CONTINUATION AND SECOND READING

[12-0076](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR to PD for Single-Family Residential on Approximately 23.84 Acres, Generally Located at the Northwest Corner of Newt Patterson Road and Cardinal Road by Tipton Engineering (ZC#11-010)

Steve Freeman gave an update on the drainage issue and answered Council questions. Council requested something definitive from staff regarding the drainage issue by the next reading. Bloomfield Homes representative Charles Jowell made brief comments and answered Council questions.

Mayor Cook continued the public hearing at 8:11 p.m. The following person spoke during the public hearing:

Alison Goodson - 850 Newt Patterson Road

With no one else wishing to speak, Mayor Cook closed the public hearing at 8:16 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY RESIDENTIAL, 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

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 8:17 p.m. 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

_____ David L. Cook, Mayor

ATTEST:

_____ Vicki Collins, City Secretary