



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, December 10, 2018

7:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 7:03 p.m.

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

INVOCATION

Council Member Leyman 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 Lewis led the Texas Pledge.

PROCLAMATION

18-2992

IT'S TIME TEXAS Community Challenge

Mayor Cook read a proclamation supporting the IT'S TIME TEXAS Community Challenge and encouraged all residents to register for the challenge. Mayor Cook gave a brief overview of the challenge and along with a group of Mansfield Independent School District students challenged the City of Burleson to join the challenge.

PRESENTATION

Texas Municipal League - Municipal Excellence Award to the City of Mansfield for Mansfield Volunteer Program

City Manager Clayton Chandler made brief comments regarding the Municipal Excellence Award received from Texas Municipal League for the Mansfield Volunteer Program. A brief video was shown detailing the program. Mayor Cook made brief

comments and recognized the city's Volunteer Coordinator Priscilla Sanchez and representatives from Bethlehem Baptist Church, Walnut Ridge Baptist Church, and Mansfield Bible Church for their hard work and dedication to the volunteer program. Deputy City Manager Joe Smolinski and Priscilla Sanchez made brief comments.

Farmers Insurance Thank America's Teachers Grant - Award Winner Tarver-Rendon Elementary School

Farmers Insurance Group representative Joe Jenkins presented the Farmers Insurance Thank America's Teachers Grant to Tarver-Rendon Elementary School. AG teacher Shaye Atwood made brief comments and thanked everyone who helped the school win. A brief video was shown detailing the school's AG program.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Council Member Short had no announcements.

Council Member Lewis thanked staff for a great job done on the Hometown Holidays Event and wished everyone a Merry Christmas.

Council Member Moore wished everyone a Merry Christmas.

Mayor Pro Tem Newsom had no announcements.

Council Member Broseh had no announcements.

Mayor Cook stated the Salvation Army Mayoral Challenge would be taking place on Saturday, December 15, 2018. He mentioned this is the tenth year Mansfield has participated; Mansfield has won eight of the nine previous years and has won the last six years in a row. He encouraged everyone to come out and help ring the bell at Walmart on Walnut Creek Drive and at Sam's Club.

SUB-COMMITTEE REPORTS

Council Member Moore spoke as the chairperson of the Public Memorials Sub-Committee. He introduced all the members of the sub-committee from Council, staff, and citizens. Terry turned the presentation over to Director of Parks and Recreation Matt Young. Matt gave a brief overview of potential locations for the memorial. He stated staff would be working with students from Ben Barber and Frontier High School as well as the Masters Program of Landscape and Architecture students from UTA. Council Member Moore thanked Matt for all the work he has put into this project and stated this project will incorporate other parts of the community to provide a great Veterans Memorial Park in Mansfield.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Veterans Day Parade Video

Mr. Chandler made brief comments thanking the Mayor, the community, Council, and staff for their hard work in making the parade possible. A video was shown of the 2018 Veterans Day Parade Event. Mayor Cook made brief comments and asked residents to submit names of current Veterans who live in or around the Mansfield area to the City Secretary so they can be recognized at the salute event next year.

OLD BUSINESS

18-2947

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District and I-1 Light Industrial District to PD Planned Development District for Single-Family Residential and C-2 Uses on Approximately 185.644 Acres Out of the B.B. & C.R.R. Survey, Abstract No. 83, the A. Bedford Survey, Abstract No. 60, and the P. George Survey, Abstract No. 299, Johnson Co., TX, Generally Located at 1601 & 1651 Bedford St. and 1621 Lone Star Rd.; Clayton Snodgrass of BBCP Acquisitions, LLC on behalf of Brian Dalton of Dalton's Best Maid Products, Inc. (ZC#18-020)

City Secretary Tracy Norr read the caption into the record. Deputy City Manager Joe Smolinski made brief comments. BBCP Acquisitions, LLC representative Clayton Snodgrass made brief comments and answered Council questions.

A motion was made by Council Member Moore 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 C-2 COMMUNITY BUSINESS 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 Lewis. The motion CARRIED by the following vote:

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

Nay: 1 - Mike Leyman

Abstain: 0

Enactment No: OR-2110-18

PUBLIC HEARING**18-2988**

Public Hearing and Consideration of a Request for a Specific Use Permit for an Auto Repair Garage on Approximately 1.86 Acres Known as Lots 5R1 & 5R2, Block 1, Golden Acres Addition, Located at 130 W. Debbie Lane and 1821 Towne Crossing Blvd.; Sidney Stratton of Manhard Consulting, Ltd., on behalf of William L. Dismuke, Trustee, of Mansfield Lane, Ltd. and Britt Lane, Manager of Bobby & Leona Cox, LLC, General Partner of BDC Family Limited Partnership (ZC#18-029)

Joe Smolinski made brief comments. Manhard Consulting representative Sidney Stratton gave a brief presentation and answered Council questions. Cross Development representative Mac McCloud answered Council questions. Mayor Cook opened the public hearing at 8:04 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:05 p.m.

A motion was made by Council Member Broseh to approve this agenda item. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

PUBLIC HEARING AND FIRST READING**18-2986**

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 Bar, Eating Place, and Outdoor Entertainment Uses on Approximately 0.297 Acres Located at 101 E. Kimball Street.; Debi and Billy McGill of Crescent Moon Drink Café (ZC#18-027)

Tracy Norr read the caption into the record. Joe Smolinski made brief comments. Level 5 Design Group representative Justin Gilmore gave a brief presentation and answered Council questions. Interim Director of Planning Lisa Sudbury answered Council questions. Property owner Debi McGill made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:27 p.m. Mayor Cook recognized the following non-speakers in support of this agenda item:

*Tracy Thompson - 2804 N. Camino Lagos, Grand Prairie
David S. Duke - 1849 Tucson Drive*

With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:27 p.m.

A motion was made by Council Member Moore 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 BAR, EATING PLACE, AND OUTDOOR ENTERTAINMENT 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 a wrought iron fence along Main Street. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

18-2987

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 C-2 Uses with Additional Use for Campground or Recreational Vehicle Park on Approximately 15.115 Acres Known as Lot 1-R, Block 1, Eaton Estates Campground, Located at 1961 Lone Star Road; Craig Turner of Via Bayou, Inc. d.b.a. Texan RV Resort (ZC#18-028)

Tracy Norr read the caption into the record. Joe Smolinski made brief comments. Texas R.V. Resort representative Craig Turner gave a brief presentation and answered Council questions. Lisa Sudbury answered Council questions. City Attorney Allen Taylor made brief comments. Senior Planner Art Wright made brief comments and answered Council questions. Deputy City Manager Peter Phillis answered Council questions. Mayor Cook opened the public hearing at 9:21 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:21 p.m.

A motion was made by Council Member 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR C-2 USES WITH ADDITIONAL USE FOR CAMPGROUND OR RECREATIONAL VEHICLE PARK, 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 Leyman. The motion CARRIED by the following vote:

Aye: 4 - David Cook;Larry Broseh;Julie Short and Mike Leyman

Nay: 3 - Brent Newsom;Terry Moore and Casey Lewis

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND READING

18-2975

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from PD Planned Development District to PD Planned Development District for a Church and Associated Uses on Approximately 7.59 Acres Known as Lot 6R, Block 4, Hillcrest West

Addition and Approximately 4.74 Acres out of the W.C. Price Survey, Abstract No. 1240, Tarrant County, TX, Totaling Approximately 12.33 Acres Located at 500 & 600 E. Dallas St., 310 Graves St., and 303 & 305 S. Waxahachie St.; Justin S. Gilmore of Level 5 Design Group, on behalf of Pastor Thu Nguyen of St. Jude Catholic Church (ZC#18-026)

Joe Smolinski made brief comments. Level 5 Design Group representative Justin Gilmore made brief comments. Mayor Cook continued the public hearing through second reading at 9:35 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:35 p.m.

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 A CHURCH AND ASSOCIATED 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 Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Enactment No: OR-2112-19

18-2977

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Section 4500.B of the Zoning Ordinance to Increase the Minimum Floor Area for Houses in the SF-12/22, PR, SF-9.6/20 and SF-8.4/18 Zoning Districts (OA#18-002A)

Art Wright made brief comments. Mayor Cook continued the public hearing through second reading at 9:36 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:36 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, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 4500.B, "AREA AND HEIGHT REGULATIONS," TABLE 1, "RESIDENTIAL DISTRICTS" OF SAID ORDINANCE TO INCREASE THE MINIMUM FLOOR AREA FOR HOUSES IN THE SF-12/22, SF-9.6/20, AND SF-8.4/18, SINGLE FAMILY RESIDENTIAL DISTRICTS; 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: 7 - David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: OR-2113-19

18-2978

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Section 4600.D.15 of the Zoning Ordinance to Revise the Regulations on Reduced Size Lots (OA#18-002B)

Art Wright made brief comments. Mayor Cook continued the public hearing through second reading at 9:37 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:37 p.m.

A motion was made by Council Member Lewis to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 4600.D.15 OF SAID ORDINANCE TO REVISE THE REGULATIONS RELATED TO REDUCED SIZE LOTS; 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: 7 - David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: OR-2114-19

18-2979

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Section 6300.E.6 of the Zoning Ordinance to Revise the Criteria for a Special Exception to Allow an Increase in the Maximum Allowable Area or Height, or a Reduction of the Minimum Setback Requirements for Accessory Buildings or Structures on Lots of 12,000 Square Feet or Larger (OA#18-003)

Mayor Cook continued the public hearing through second reading at 9:37 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:37 p.m.

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, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 6300.E.6 OF SAID ORDINANCE TO REVISE THE CRITERIA FOR A SPECIAL EXCEPTION TO ALLOW AN INCREASE IN THE MAXIMUM ALLOWABLE AREA OR HEIGHT, OR A REDUCTION OF THE MINIMUM SETBACK REQUIREMENTS FOR ACCESSORY BUILDINGS OR STRUCTURES ON LOTS OF 12,000 SQUARE FEET OR LARGER; 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 Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Enactment No: OR-2115-19

NEW BUSINESS

18-2969

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving Terms and Conditions of a Tax Abatement Agreement by and Between the City of Mansfield, Texas and Mouser Electronics, Inc.; Establishing and Providing a Tax Abatement and Authorizing its Execution by the Mayor; and Providing an Effective Date

Director of Economic Development Richard Nevins made brief comments and answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING TERMS AND CONDITIONS OF A TAX ABATEMENT AGREEMENT BY AND BETWEEN THE CITY OF MANSFIELD, TEXAS AND MOUSER ELECTRONICS, INC., ESTABLISHED AND PROVIDING A TAX ABATEMENT AND AUTHORIZING ITS EXECUTION BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3534-18

18-2970

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving Terms and Conditions of a Tax Abatement Agreement by and Between the City of Mansfield, Texas and Mouser Electronics, Inc.; Establishing and Providing a Tax Abatement and Authorizing its Execution by the Mayor; and Providing an Effective Date

Richard Nevins made brief comments. Mouser Electronics representative Pete Shoppe answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS,

**APPROVING TERMS AND CONDITIONS OF A TAX ABATEMENT AGREEMENT BY
AND BETWEEN THE CITY OF MANSFIELD, TEXAS AND MOUSER ELECTRONICS,
INC., ESTABLISHING AND APPROVING A TAX ABATEMENT AND AUTHORIZING
ITS EXECUTION BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

Nay: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3535-18

18-2994

Ordinance - Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2019; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Approving Execution and Delivery of a Paying Agent/Registrar Agreement and a Bond Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Relating Thereto

Tracy Norr read the caption into the record. Peter Phllis made brief comments and answered Council questions. Hilltop Securities representative Nick Bulach made brief comments. Deputy City Manager Shelly Lanners answered Council questions. Bracewell and Associates representative Rob Collins answered Council questions.

**A motion was made by Council Member Short 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 2019, IN THE AGGREGATE
PRINCIPAL AMOUNT OF \$_____; LEVYING A TAX IN PAYMENT
THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING
EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT AND
A BOND COUNSEL ENGAGEMENT LETTER; APPROVING THE OFFICIAL
STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO**

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

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

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

Nay: 0

Abstain: 0

Enactment No: OR-2111-18

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****IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION****TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

No action taken by the Council.

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 10:02 p.m. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary