



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, July 11, 2016

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:00 p.m.

Absent 1 - Brent Newsom

Present 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh
and Darryl Haynes

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:03 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:10 p.m. Mayor Cook recessed executive session at 7:02 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 TCEQ Permit #2256A filed December 21, 2015 by
Southwest Disposal

Seek Advice of City Attorney Regarding Austin Bulldog v. Leffingwell

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

Consider Possible Purchase/Exchange of Certain Properties for Future/Development Use

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**

Project #15-02 - Business Prospect Briefing

Project #14-14 - Business Prospect Update

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

Mayor Cook reconvened into regular business session at 7:10 p.m.

INVOCATION

Bethlehem Baptist Church Pastor Leonard Hornsby 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.

*Mayor Cook recognized the various church Pastors who participated in the Prayer
Vigil Friday, July 8, 2016 at 6:00 p.m. at the Mansfield Public Safety Building.*

PRESENTATION

Volunteer Program Update and Presentation - Joe Smolinski

*Deputy City Manager Joe Smolinski made a brief power point presentation regarding
code compliance and the volunteer work that has taken place around the city. Mayor
Cook presented certificates of appreciation to Bethlehem Baptist Church, First United
Methodist Church, Walnut Ridge Baptist Church, and Chris Hopper for their
dedication and volunteer service to the city.*

Council Member Newsom arrived at 7:43 p.m.

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

CITIZEN COMMENTS

*Philip Jones - 603 Walnut Bend Drive - Mr. Jones spoke in opposition of agenda item
16-1879.*

Maria Martinez Cosio - 4 Savoy Court - Mrs. Cosio spoke in opposition of agenda item 16-1879.

Richard Newth - 1617 Piccadilly Court - Mr. Newth spoke in opposition of agenda item 16-1879.

Angela Callaway - 8128 Plum Creek Trail, Burleson - Mrs. Callaway spoke about the Fabulous Faith 5k/1M Fun Run to take place at Katherine Rose Park on Saturday, September 24, 2016. She stated the proceeds of the race go to Cook Children's Hospital. Mrs. Callaway encouraged participation in the race.

Brei Silvia - 2005 Manor Way Drive - Ms. Silvia spoke in opposition of agenda item 16-1879.

Tim Anderson - 702 Walnut Hollow - Mr. Anderson spoke in opposition of agenda item 16-1879.

Kristen & Nick Fleming-Wood - 2220 Walnut Manor Drive - Mr. and Mrs. Fleming-Wood spoke in opposition of agenda item 16-1879.

Brian Shelton - 1406 Long and Winding Road - Mr. Shelton spoke in opposition of agenda item 16-1879.

Christine Graygor - 1405 Long and Winding Road - Ms. Graygor spoke in opposition of agenda item 16-1879.

Linnette Paulino - 343 McMurtry Drive - Ms. Pualino spoke in opposition of agenda item 16-1879.

Casey Lewis - 1313 Waterwood Drive - Mr. Lewis spoke in opposition of agenda item 16-1879.

Susan Lewandowski - 914 Amanda Drive - Ms. Lewandowski spoke in opposition of agenda item 16-1879.

Doris Thompson - 2620 Brookwood Drive - Ms. Thompson spoke in opposition of agenda item 16-1879.

Mayor Cook recognized the following non-speakers in SUPPORT of agenda item 16-1879:

*Angela Callaway - 8128 Plum Creek Trail, Burleson
Danny Ray - 11317 CR 525, Mansfield
Gavin Callaway - 8128 Plum Creek Trail, Burleson
George Arnold - 1105 Meadowcrest
Dee Davey - 1606 Meadow Crest*

Mayor Cook recognized the following non-speakers OPPOSED to agenda item 16-1879:

*Eric Hopkins - 701 Stevens Court
Abby Hopkins - 701 Stevens Court
Mary Elyn Worsham - 2006 Royal Crest Drive
Cory Worsham - 2006 Royal Crest Drive
January Zell - 711 Walnut Bend*

Stacey Woodside - 2 Brookway Court
Adrienne Woodside - 2 Brookway Court
Gino Fenoglio - 316 Carlin Road
Catherine Fenoglio - 316 Carlin Road
Jenny Kralicke - 2608 Brookwood Drive
Steve Cosio - 4 Savoy Court
Keith Uplinger - 707 Walnut Hollow
Erica Uplinger - 707 Walnut Hollow
Trent Fletcher - 3209 High Ridge Court
Karen Dotson - 2108 Kingsbury Road
Chris Choate - 2070 Cannon Drive
Richard Littell - 2603 Woodbridge Trail
Samantha Cowan - 505 Montclair Drive
Dan Metsala - 1921 Manor Way Drive
Kalah Filippi - 2009 Wellington Drive
Ava Troha - 2005 Wellington Drive
Jeff Troha - 2005 Wellington Drive
Scott Filipi - 2009 Wellington Drive
Stephen Price - 3 Trailside Court
Wallace Bennett - 323 Carlin Road
Christine Bennet - 323 Carlin Road
Shalane Choate - 2070 Cannon Drive
Stacy Law - 4 Miterton Court
Raul Najera - 1609 Piccadilly Court
Ann Robertson - 315 Carlin Road
Amy Kunas - 709 Walnut Bend Drive
Robert A. Murzire - 1515 Woodbridge Trail
Meggan Fletcher - 3209 High Ridge Court
Susie Zillman - 2106 Castle Creek Drive
Thomas Meacham - 320 Carlin Road
Amber Roten - 1 Woodbridge Court
Rebecca Robinson - 2516 Woodbridge Trail
Tricia Molen - 2202 Stonebridge Lane
Michael Cloyd - 2620 Brookwood Drive
Dale Botem - 1101 Brook Arbor
Dennis Milsow - 2619 Brookwood Drive
Beverly Milsow - 2619 Brookwood Drive
Erika Schmidt - 2 Waterwood Court
Julie Cramer - 13 Park Place
Ben Cramer - 13 Park Place
Jordan Dotty - 253 Carlin Road
Laura Coldwell - 3310 Vista Lake
Nathan Doty - 253 Carlin Road
Kristin Williams - 3313 Vista Lake Circle
Michael Crnkovich - 914 Amanda Drive
Guy Pope - 108 Carlin Road
Karen Pope - 108 Carlin Road
Cherly Nelson - 257 Carlin Road
Lance Irwin - 1208 Killian Drive
Steve Nelson - 257 Carlin Road
Jeffrey Augustine - 1312 Waterwood Drive
Beverly Newth - 1617 Piccadilly Court
Allison Ortegon - 711 Colby Drive
Juan Ortegon - 711 Colby Drive
Ray Hall - 1927 Manor Way Drive
Christie Mitchell - 1002 Amanda Drive

*Paula Hall - 1927 Manor Way Drive
Raquel Goodsell - 2104 Kingsbury Road
Dr. Michael L. Thornton - 2104 Kingsbury Road
Elizabeth Stecher - 2114 Castle Creek
Chris Stelly - 2007 Wellington Drive
Kristine Steely - 2007 Wellington Drive
Christopher Graygor - 1405 Long & Winding Road
Randy Giles - 1929 Manor Way Drive
Antonio Giles - 1929 Manor Way Drive
Robert Zell - 711 Walnut Bend
Matt Smith - 3328 Vista Lake Circle
Dana Tiersky - 6 Katie Court
Natalie Moore - 8 Hidden Lake Court*

Mayor Cook recognized the following non-speakers OPPOSED to agenda item 16-1879 and 16-1915:

*Linda Letts - 3 Brookway Court
Theresa Waldron - 1100 Brook Arbor Drive
Joe Miller - 318 Carlin Road
Susan Miller - 318 Carlin Road*

COUNCIL ANNOUNCEMENTS

Council Member Lindsey had no announcements.

Council Member Hoffman thanked the citizens for their attendance. He asked everyone to take a moment to thank any Police Officer you see.

Council Member Haynes echoed Council Member Hoffman's comments.

Council Member Burgess thanked the public for supporting law enforcement officers.

Council Member Newsom apologized for being late. He stated he appreciated the citizens comments, input, and feedback.

Mayor Pro Tem Broseh thanked the citizens for their continued participation and encouraged everyone to do the same during election season.

Mayor Cook echoed previous comments made by the Council and thanked the citizens for their participation.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Clayton Chandler expressed his appreciation to the Mansfield Police Department. He stated the officers are always ready to protect and thanked them for their service.

Quarterly Reports - Mansfield Economic Development Corporation; Mansfield Park Facilities Corporation; Planning and Zoning Commission; Public Works; Code Enforcement; Communications & Marketing; Library

Staff was available for questions regarding quarterly reports.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Hoffman to direct staff to proceed with negotiations toward the purchase of property as discussed in executive session regarding projects 16-07 and 16-10. Seconded by Council Member Burgess. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 1 - Brent Newsom

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[16-1868](#)

Ordinance - Third and Final Reading on a Request to Amend the South Pointe Planned Development District Development Standards by Revising the Bulk and Urban Design Standards, Replacing Mixed-Use District A with Residential Village District, Expanding the Freeway Commercial District, Adding a Multi-Family Residential District on Approximately 20 Acres Generally Located West of Lowe Road and Approximately 450' South of Lone Star Road, Plus Other Related Changes to Implement the Amendments (ZC#04-012A)

City Secretary Jeanne Heard read the caption into the record.

A motion was made by Council Member Hoffman 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 AMEND THE SOUTH POINTE PLANNED DEVELOPMENT DISTRICT BY REVISING THE BULK AND URBAN DESIGN STANDARDS, REPLACING ONE OF THE MIXED USE DISTRICTS WITH A RESIDENTIAL VILLAGE DISTRICT, EXPANDING THE FREEWAY COMMERCIAL DISTRICT, ADDING A MULTI-FAMILY RESIDENTIAL DISTRICT, AND OTHER RELATED CHANGES TO IMPLEMENT THE AMENDMENTS, 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 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: OR-2009-16

[16-1926](#)

Resolution - A Resolution Authorizing a Change Order to the Contract with Tiseo Paving Company for the Construction of Paving and Drainage Improvements to the East Debbie Lane from Matlock Road to the City Limits Project and Authorizing Additional Funds in the Amount of \$10,250.15 (Street Bond Fund and Utility Bond Fund).

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

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH TISEO PAVING COMPANY FOR THE CONSTRUCTION OF PAVING AND DRAINAGE IMPROVEMENTS TO EAST DEBBIE LANE FROM MATLOCK ROAD TO THE CITY LIMITS AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$10,250.15

(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-3261-16

[16-1916](#)

Resolution - A Resolution For Authorization of Funding for an Amount not to Exceed \$85,000.00 and Approval of a Contract with Charles Crook Consulting, Inc. for Design Services for the Regency Parkway Extension Project. (MEDC Fund)

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

A RESOLUTION AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$85,000.00 AND APPROVAL OF A CONTRACT WITH CHARLES CROOK CONSULTING, INC. FOR DESIGN SERVICES FOR THE REGENCY PARKWAY EXTENSION PROJECT

(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-3262-16

[16-1921](#)

Resolution - A Resolution For Authorization of Funding for an Amount not to Exceed \$194,860.00 and Approval of a Contract with Freese and Nichols, Inc. for Design Services for the Meter Station on Future TRA MCRWS Interceptor. (Utility Revenue Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$194,860.00 AND APPROVAL OF A CONTRACT WITH FREESE AND NICHOLS, INC., FOR DESIGN SERVICES FOR THE METER STATION ON FUTURE TRA MCRWS INTERCEPTOR

(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-3263-16

[16-1929](#)

A Resolution Approving a Supplemental Disbursement of the City of Mansfield Hotel/Motel Tax Funds in the Amount of \$35,000 to The LOT Downtown

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

A RESOLUTION APPROVING A SUPPLEMENTAL DISBURSEMENT OF THE CITY OF MANSFIELD HOTEL/MOTEL TAX FUNDS IN THE AMOUNT OF \$35,000 FOR THE LOT DOWNTOWN

(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-3264-16

[16-1910](#)

Request for Special Event Permit: MISD Back to School Bash

A motion was made by Council Member Hoffman to approve the request for special event. 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

[16-1912](#)

Request for Special Event Permit: St Jude 40th Annual Festival

A motion was made by Council Member Hoffman to approve the request for special event. 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

[16-1923](#)

Request for Special Event Permit: Hawaiian Falls 5K

A motion was made by Council Member Hoffman to approve the request for special event. 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

[16-1918](#)

Minutes - Approval of the June 20, 2016 Special City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the June 20, 2016 Special City Council Meeting minutes as presented. 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

[16-1919](#)

Minutes - Approval of the June 21, 2016 Special City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the June 21, 2016 Special City Council Meeting minutes as presented. 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

[16-1920](#)

Minutes - Approval of the June 27, 2016 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the June 27, 2016 Regular City Council Meeting minutes as presented. 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

END OF CONSENT AGENDA

OLD BUSINESS

[16-1879](#)

Ordinance - Third and Final Reading of an Ordinance Approving an Amendment to the Planned Development for Hunter's Pointe to Allow a Mini-warehouse Project on Approximately 2.5 Acres at the SE Corner of the Planned Development Located at 1831 E. Broad Street; White Line Partners (ZC#07-018A)

White Line Partners representative Charles Clawson made brief comments and answered Council questions. City Attorney Allen Taylor made comments. Jeanne Heard read the caption into the record.

A motion was made by Council Member Hoffman to deny this agenda item. Seconded by Council Member Lindsey. The motion CARRIED by the following vote:

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

Nay: 1 - Darryl Haynes

Abstain: 0

PUBLIC HEARING AND FIRST READING

[16-1913](#)

Ordinance - Public Hearing and First Reading of an Ordinance for Zoning Change from C-1 to PD for Professional Office on Approximately .33 Acres, Located at 500 S. Main Street; Eubanks Appraisals (ZC#16-004)

Jeanne Heard read the caption into the record. Russell Commercial Services representative Brad Russell made brief comments and answered Council questions. Director of Planning Felix Wong answered Council questions. Allen Taylor made brief comments and answered Council questions. Eubanks Appraisals representative William Eubanks made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:59 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:59 p.m.

A motion was made by Council Member Hoffman to approve this agenda item. Seconded by Mayor Pro Tem Broseh. The motion was superceded by Council Member Burgess' motion to table.

A motion was made by Council Member Burgess to table this agenda item to the next meeting. Seconded by Council Member Lindsey. The motion CARRIED by the following vote:

Aye: 5 - David Cook; Stephen Lindsey; Wendy Burgess; Larry Broseh and Darryl Haynes

Nay: 2 - Cory Hoffman and Brent Newsom

Abstain: 0

[16-1914](#)

Public Hearing and First Reading for a Specific Use Permit for Discount Store on approximately 3.8 acres, located at 120 N. Walnut Creek Drive; Grossman Design Build (ZC#16-005)

Jeanne Heard read the caption into the record. Wesley Mission Center representative Carmen McMillan made brief comments and answered Council questions. Mayor Cook opened the public hearing at 9:33 p.m. Mayor Cook acknowledged the following non-speakers in support:

*Susan Luttrell - 1092 Mitchell Road
Cindy Pressley - 1306 Brittany Lane
John Pressley - 1306 Brittany Lane
Terry Twomey - 1042 Falcon Nest
David Alexander - 1 Velvet Court
Lisa Stewart - 826 Muirfield Drive
Carla Jutson - 1205 Fair Haven Drive
Lindsey Trook - 3 Mills Court
Gerri Duren - 817 Red Oak Drive
Diana Mendoza - 820 September Court
Marina Garcia - 926 Jungle Drive
Malissa Melton-Otunba - 5 Pinedale Court
Teresa Sherwood - 805 Riviera Drive
Carla Green - 9 Enchanted Court*

With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:34 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 GRANT A SPECIFIC USE PERMIT FOR A DISCOUNT STORE 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 Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Mayor Cook recessed the meeting for a break at 9:35 p.m.

Mayor Cook reconvened into regular business session at 9:43 p.m.

16-1915

Public Hearing and first reading on an ordinance approving a zoning change from PD, Planned Development District, C-2, Community Business District, and PR, Pre-Development District to PD for Shopping Center, General Retail, General Service and Office Type Uses, sports facilities, and multi-family residential uses on approximately 86 acres, generally located east of Hwy 287, west of Carlin Road, north of E. Broad Street and south of McKnight Park East; Shops at Broad, LLC (ZC#16-008)

Jeanne Heard read the caption into the record. Geyer Morris Company representative Tyler Morris made a power point presentation and answered Council questions. Bridge View Estate representative Steve May made a brief power point presentation and answered Council questions. Kimley Horn & Associates representative Kevin Gasky made brief comments and answered Council questions. Allen Taylor made brief comments.

Mayor Cook opened the public hearing at 11:01 p.m. The following people spoke:

*Gino Fenoglio - 316 Carlin Road - Opposed
Steve Nelson - 257 Carlin Road - Opposed
Danny Battles - 261 Carlin Road - Opposed
Nathan Doty - 253 Carlin Road - Opposed
Greg Kunasek - 405 Carlin Road - Opposed*

Mayor Cook recognized the following non-speakers in opposition of this agenda item:

*Guy Pope - 108 Carlin Road
Karen Pope - 108 Carlin Road
Cheryl Nelson - 257 Carlin Road
Jordan Doty - 253 Carlin Road
Catherine Fenoglio - 316 Carlin Road
Brei Silvia - 2005 Manor Way
Kristen Fleming-Wood - 2220 Walnut Manor Drive
Nick Fleming-Wood - 2220 Walnut Manor Drive
Erika Schmidt - 2 Waterwood Court
Thomas Meacham - 320 Carlin Road*

Dianna Sellers - 401 Carlin Road
Amber Roten - 1 Woodbridge Court
Georgana Battles - 261 Carlin Road
Amy Kunas - 709 Walnut Bend Drive
Meggan Fletcher - 3209 High Ridge Court
Stacy Law - 4 Miterton Court
Shalane Choate - 2070 Cannon Road
Sean Filippi - 2009 Wellington Drive
Kalah Filippi - 2009 Wellington Drive
Jeff Troha - 2005 Wellington Drive
Jenny Kralicke - 2608 Brookwood Drive
Allison McGee - 711 Colby Drive
Stephen Price - 3 Trailside Court
Christine Graygor - 1405 Long and Winding Road
Chris Steely - 2007 Wellington Drive
Kristine Steely - 20007 Wellington Drive
Christopher Graygor - 1405 Long and Winding Road
Elizabeth Stecher - 2114 Castle Creek
Randy Giles - 1929 Manor Way Drive
Steve Cosio - 4 Savoy Court
Erica Uplinger - 707 Walnut Hollow
Keith Uplinger - 707 Walnut Hollow
Robert Zell - 711 Walnut Bend
David Letts - 3 Brookway Court
Linda Letts - 3 Brookway Court
Cory Worsham - 2006 Royal Crest Drive
Mary Elyn Worsham - 2006 Royal Crest Drive
Abby Hopkins - 701 Stevens Court
Eric Hopkins - 701 Stevens Court
Natalie Moore - 8 Hidden Lake Court
Dan Metsala - 1921 Manor Way Drive
Samantha Cowan - 505 Montclair Drive
Dana Tiersky - 6 Katie Court
Ben Cramer - 13 Park Place
Eva Troha - 2005 Wellington Drive
Julie Cramer - 13 Park Place
Chris Choate - 2070 Cannon Drive
Susie Zillman - 2106 Castle Creek Drive
January Zell - 711 Walnut Bend
Adrienne Woodside - 2 Brookway Court
Stacey Woodside - 2 Brookway Court
Ann Roberston - 315 Carlin Road
Laura Caldwell - 3310 Vista Lake Circle
Kristin Williams - 3313 Vista Lake Circle
Matt Smith - 3328 Vista Lake Circle
Juan Ortegón - 711 Colby Drive
Antonio Giles - 1929 Manor Way Drive

With no one else wishing to speak, Mayor Cook continued the public hearing through second reading at 11:28 p.m.

The applicant was requested to commit to building 500,000 square feet of retail and to meet with the neighbors before the third reading.

A motion was made by Council Member Lindsey 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 SHOPPING CENTER, GENERAL RETAIL, GENERAL SERVICE AND OFFICE TYPE USES, SPORTS FACILITY, AND MULTI-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," ensuring the applicant bring feedback addressing the concerns 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

NEW BUSINESS

16-1917

Resolution - A Resolution Awarding the Construction Manager at Risk Contract for the Mansfield StarCenter Project

Enactment No: RE-3265-16

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed into executive session at 12:12 a.m. Mayor Cook called the executive session to order in the Council Conference Room at 12:15 a.m. Mayor Cook adjourned executive session at 12:16 a.m. and reconvened into regular business session at 12:17 a.m.

16-1917

Resolution - A Resolution Awarding the Construction Manager at Risk Contract for the Mansfield StarCenter Project

Director of Development Services Richard Wright made brief comments. Allen Taylor made brief comments.

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

A RESOLUTION OF THE CITY OF MANSFIELD AWARDING THE CONSTRUCTION MANAGER AT RISK CONTRACT TO PETE DURANT & ASSOCIATES FOR MANSFIELD STARCENTER PROJECT

(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-3265-16

16-1925

Resolution - A Resolution Relating to the Giving of Notice of Intention to Issue City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation; Declaring Intent to Reimburse Certain Prior Capital Costs; and Approving Other Matters Related Thereto

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

A RESOLUTION RELATING TO THE GIVING NOTICE OF INTENTION TO ISSUE CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION; DECLARING INTENT TO REIMBURSE CERTAIN PRIOR CAPITAL COSTS; AND APPROVING OTHER MATTERS RELATED THERETO

(Resolution 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: RE-3266-16

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 12:21 a.m. 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

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary