



CITY OF MANSFIELD

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

Meeting Minutes - Draft City Council

Monday, July 14, 2014

5:00 PM

Council Chambers

REGULAR MEETING

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

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

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

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Mayor Cook called the work session to order and turned it over to City Manager Clayton Chandler.

FY 14/15 Preliminary Budget

Mr. Chandler made a powerpoint presentation on the preliminary FY14/15 budget answered Council questions.

Mayor Cook adjourned the work session at 5:45 p.m.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:46 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:55 p.m. Mayor Cook adjourned the executive session at 6:25 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

State Highway 360: Agreements, TxDOT and NTTA

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

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

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

Mayor Cook reconvened into regular business session at 7:00 p.m.

INVOCATION

The Community at Lake Ridge Church Pastor Paul Mints led the Invocation.

PLEDGE OF ALLEGIANCE

Pastor Paul Mints 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

Life Saving Award - Citizen Scott Frazier

Mayor Cook recognized citizen Scott Frazier for a Life Saving Act and presented him with a proclamation.

CITIZEN COMMENTS

Jeff Lowry - 4111 Waterpark Circle - Stated the communities opposition to the proposed Wal-Mart in their neighborhood.

COUNCIL ANNOUNCEMENTS

Council Member Haynes had no announcements.

Council Member Hoffman had no announcements.

Council Member Newsom had no announcements.

Council Member Lindsey had no announcements.

Council Member Burgess congratulated Police Officer Ken Hopkins for his service in the Commercial Vehicle Enforcement Unit mentioning he made it to the State Grand Championship.

Mayor Pro Tem Brose had no announcements.

Mayor Cook stated he attended a service at Bethlehem Baptist Church. He stated he was approached by Bobby Captain who expressed his appreciation to him for city staff. Mayor Cook recognized Assistant City Manager Chris Burkett, Building Official Paul Coker, Plans Reviewer Sana Touma and the Fire Marshal's Office for their service. Mayor Cook reminded everyone about the Texas Fire Fighter Games which are scheduled to be on Saturday, July 19, 2014.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mr. Chandler reminded the Council about the 43rd Annual North Texas Commission Luncheon to be held on September 12, 2014. He asked them to contact City Secretary Vicki Collins if they would like to attend.

Quarterly Reports - Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Legal, Code Enforcement, Development Services

There were no comments regarding the quarterly reports.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

14-0967

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Chief of Police to Act as the City's Representative in all Matters Relating to the Inter-Jurisdictional Pursuit Policy Agreement

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD
AUTHORIZING THE CHIEF OF POLICE TO ACT AS THE CITY'S
REPRESENTATIVE IN ALL MATTERS RELATING TO THE
INTER-JURISDICTIONAL PURSUIT POLICY AGREEMENT**

(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 Brose; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-3021-14

14-0968

Resolution- A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Chief of Police to Act as the City's Representative in all Matters Relating to the Regional Law Enforcement Mutual Aid Task Force Agreement With Other Area Law Enforcement Agencies for the Purpose of Providing and Receiving Law Enforcement Assistance

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD
AUTHORIZING THE CHIEF OF POLICE TO ACT AS THE CITY'S
REPRESENTATIVE IN ALL MATTERS RELATING TO THE REGIONAL LAW
ENFORCEMENT MUTUAL AID TASK FORCE AGREEMENT WITH OTHER AREA
LAW ENFORCEMENT AGENCIES FOR THE PURPOSE OF PROVIDING AND
RECEIVING LAW ENFORCEMENT ASSISTANCE**

(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-3022-14

14-0959

Minutes - Approval of the June 23, 2014 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the June 23, 2014 Regular 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

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

14-0962

Appointment of Municipal Court Associate Judge

Mayor Cook removed this item from the consent agenda.

A motion was made by Mayor Cook to table this agenda item indefinitely. 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

14-0963

Resolution - A Resolution Awarding a Contract for Construction of the FY 2013 Community Development Block Grant Project for East Kimball St. Paving and Utility improvements to McClendon Construction for an amount not to exceed \$551,836.95 (Street Bond Fund and Utility Bond Fund and 2013 Community Development Block Grant program)

Mayor Pro Tem Broseh removed this item from the consent agenda. Director of Public Works Steve Freeman answered Council questions.

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

A RESOLUTION AWARDING A CONTRACT FOR THE FY 2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE EAST KIMBALL STREET PAVING AND UTILITY IMPROVEMENTS TO MCCLENDON CONSTRUCTION AND APPROPRIATING FUNDS

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

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

Enactment No: RE-3023-14

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

14-0960

Ordinance - Public Hearing and First 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)

Vicki Collins read the caption into the record. Barmont LP representative John Montgomery made a brief presentation and answered Council questions. Council Member Burgess asked for the applicant to strike the word "habitable" on exhibit F and insert the word "storage" as well as changing it to 2 trees instead of 1 tree under Landscaping. Felix Wong answered Council questions. Mayor Cook opened the public hearing at 7:45 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:45 p.m.

A motion was made by Council Member Burgess 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 OF 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," changing the word "habitable" on exhibit F to "storage," adding two trees in the front yard instead of one and requiring each elevation to be different. 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

PUBLIC HEARING CONTINUATION AND SECOND READING

14-0942

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Amending Section 2200 of the Zoning Ordinance Pertaining to the Definition of a Public and Private School and a Publicly Owned, Non-School Facility (OA#14-005)

Felix Wong gave a brief update. Mayor Cook continued the public hearing at 7:50 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:50 p.m.

A motion was made by Council Member Lindsey 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 2200 OF SAID ORDINANCE PERTAINING TO DEFINITIONS FOR PUBLIC AND PRIVATE SCHOOLS AND PUBLICALLY OWNED, NON-SCHOOL 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 Council Member Hoffman. 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

Enactment No: OR-1913-14

NEW BUSINESS

14-0961

Discussion and Possible Action Regarding Re-Appointments to the Mansfield Animal Control Facility Advisory Committee

Police Chief Gary Fowler made brief comments regarding re-appointments and a new appointment to the Mansfield Animal Control Facility Advisory Committee.

A motion was made by Mayor Cook to re-appoint Lori Strittmatter, Dr. Amanda Ryals, Council Member Lindsey and appoint Michelle Meeks to serve a three year term on the Mansfield Animal Control Facility Advisory Committee. 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

14-0964

Review and Consideration of a Detailed Site Plan for Lot 1, Block 1 of The Village Off Broadway Planned Development located east of Sonic, 3120 E. Broad Street (DS#14-003)

Felix Wong made brief comments and answered Council questions. Steve Freeman answered Council questions.

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

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

Nay: 1 - Stephen Lindsey

Abstain: 0

14-0965

Review and Consideration of a Request to Approve a Minor Modification of the Development Plan for Spring Lake Estates (ZC#06-003B)

Felix Wong made a brief presentation and answered Council questions. Metro Engineering representative JD Farmer made brief comments.

A motion was made by Council Member Hoffman to approve this agenda item. 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

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 8:15 p.m. 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

_____ David L. Cook, Mayor

ATTEST:

_____ Vicki Collins, City Secretary