



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, February 27, 2017

6:00 PM

Council Chambers

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#### REGULAR MEETING

#### 6:00 P.M. - CALL MEETING TO ORDER

*Mayor Cook called the meeting to order at 6:00 p.m.*

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

#### RECESS INTO EXECUTIVE SESSION

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:02 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:04 p.m. Mayor Cook adjourned executive session at 6:53 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 the Sales Contract for the Farr Best Theatre

Seek Advice of City Attorney Regarding the Rejection of Bids for Sports Complex Restroom

Seek Advice of City Attorney Regarding a Downtown Restroom

#### **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**

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

*Mayor Cook reconvened into regular business session at 7:03 p.m.*

**INVOCATION**

*Bethlehem Baptist Church Pastor Evans 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 Lindsey led the Texas Pledge.*

**PROCLAMATION**

[17-2204](#)

Texas Smartscape Month

*Mayor Cook proclaimed March 2017 as Texas Smartscape Month and presented the proclamation to Public Education Specialist Stephanie Zavala. Stephanie made brief comments regarding upcoming Texas Smartscape events.*

**PRESENTATION**

Texas Association of Convention & Visitors Bureau 2016 Idea Fair Annual Awards for Best Video, Best Sports Marketing, Cooperative Marketing, and Convention Promotion - Theresa Cohagen

*Mayor Cook presented Texas Association of Convention & Visitors Bureau 2016 Idea Fair Annual awards to Mansfield Convention and Visitors Bureau staff for the Best Video, Best Sports Marketing, Cooperative Marketing, and Convention Promotion.*

**CITIZEN COMMENTS**

*Tanisha Brown - 1011 Mapleview - Ms. Brown spoke about alleged harrassment from Mission Arlington.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes had no announcements.*

*Council Member Burgess had no announcements.*

*Council Member Newsom recognized the Mansfield ISD's Timberview High School girls basketball team for advancing to the State Semifinals.*

*Mayor Pro Tem Broseh had no announcements.*

*Mayor Cook had no announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*City Manager Clayton Chandler notified the Council of the recent passing of a Wall of Honor recipient, Della Eisenhower.*

**Business Services Department Report**

[17-2198](#) Presentation of Monthly Financial Report for the Period Ending December, 2016

*There were no comments regarding the monthly financial.*

**Police Department Report**

[17-2185](#) Presentation: Presentation of the Mansfield Police Department Annual Contact Report for 2016

*There were no comments regarding the Police Department report.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**CONSENT AGENDA**

**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**

[17-2160](#) Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR to PD for Office, Dental Lab, Day nursery and Children's Learning Facility on Approximately 1.43 Acres Generally Located East of Matlock Road and Approximately 1,181 Feet South of E. Debbie Lane; Reilly Brothers Property (ZC#16-027)

*City Secretary Jeanne Heard 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 HERINAFTER DESCRIBED PROPERTIES TO PD, PLANNED DEVELOPMENT DISTRICT CLASSIFICATION FOR OFFICE, DENTAL LAB, DAY NURSERY OR CHILDREN'S LEARNING FACILITY; 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 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-2036-17

[17-2181](#)

Resolution - A Resolution to Reject All Bids Received for the Construction of a Restroom Building at the Michael L. Skinner Sports Complex

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

**A RESOLUTION REJECTING ALL BIDS RECEIVED FOR CONSTRUCTION OF A RESTROOM BUILDING AT THE MICHAEL L. SKINNER SPORTS COMPLEX**

(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-3336-17

[17-2203](#)

Resolution - A Resolution Authorizing a Change Order to the Contract with McClendon Construction, Inc. for Antler Dr. Paving, Drainage and Sewer Improvements for an Amount Not to Exceed \$108,784.00 (MEDC Fund)

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

**A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MCCLENDON CONSTRUCTION, INC. FOR ANTLER DR. PAVING, DRAINAGE AND SEWER IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$108,784.00**

(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-3337-17

[17-2205](#)

Resolution - A Resolution Amending the Chapter 380 Economic Development Agreement Between the City of Mansfield and HPC Somerset Development Corporation for Infrastructure and Improvements Within and Related to the Somerset Development

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AMENDING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH HPC SOMERSET DEVELOPMENT CORPORATION FOR INFRASTRUCTURE AND IMPROVEMENTS WITHIN AND RELATED TO THE SOMERSET DEVELOPMENT**

(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-3338-17

[17-2195](#)

Request for Special Event Permit; Pickle Parade & Run

**A motion was made by Mayor Pro Tem Broseh to approve the request for special event permit. 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

[17-2197](#)

Minutes - Approval of the February 13, 2017 Regular City Council Meeting Minutes

**A motion was made by Mayor Pro Tem Broseh to approve the February 13, 2017 Regular City Council Meeting Minutes 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

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING CONTINUATION AND SECOND READING**

#### **17-2176**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD for Multi-Family Residential Development on Approximately 5.57 Acres Generally Located South of W. Broad Street and Approximately 1,180 Feet East of the Intersection of W. Broad Street and Lillian Road; Carleton Residential Properties (ZC#16-026)

*Carleton Residential Properties representative Will Henderson made brief comments and answered Council questions. Mayor Cook continued the public hearing at 7:27 p.m. The following people spoke:*

*Joy Keller - 6970 Dick Price Rd. - Opposed  
Ronald D. Roberson -109 Londonderry Ln. - Support*

*Mayor Cook recognized the following non-speakers in support:*

*Michael A. Evans, Sr., Dr. Mary A. Bellinger, J.E. Brundy, Cheryl Leggs, Michael Mainer, Evelyn Nickerson, Cynthia James, Hallie Kates-Calloway, Richard Lee, Tamiko Jones, Ethel I. Levi, Steve Sparkman, Diane Morris, Jerome & Mary Eugene, Arnie Denson, Leonard L. Anderson, Lee Ella Anderson, Travis L. McCalister, Terry Sheppard, Leslie McCalister, Edward Douglas, Bertha Soto, Jonathan Taylor, James M. Scales, Carlton Adams, Warren Farr, Samuel Fry, Carol Lee, Bruce Franklin, Edith Franklin, Michael Evans, Jr., Ebony M. Turner, Tonita Hall, Jeffery Hall, Deborah R. Watson, Dorothy Scruggs, Gayle L. Jones, Karen Nash, Charles Eldridge, Rivers L. Cochran, Jr., Jean Sampson, Marsha Waters, Priscilla Justice, Avery Steward, Simone Roy-Rollins, Bobby Jackson, Linda Brown, Charles Brown, Marie Jolly, Julia Taylor, Barbara Dunn, Cynthia Jackson, Larry J. Pugh, Beverly Pugh, David L. Miller, Katherine Miller, Kelvin Goins, Tammy White, James Legg, Eugenia Anderson, Henry Anderson, Janice Gosa, Altheria Tyrone, Trey Calhoun, Rodney K. Tyrone, Yanina Washington, F. M. Harris, Montrice Coggins, Janette Madlock-Dent, Benjamin H. Paul, Tiyantha Covington, Belinda Smith, Joyce Stanton, Dana D. Cooper, Mary K. Buchanan, Leonard M. Hornsby, Roger C. Buchanan, Charles E. Caldwell, Robbie Caldwell, Kelvin Kidd, Stephanie Spriggins, Fonda Bonner, Barbara Kilpatrick, Joyce Brown, Willie O. Lawson, Pamela Wilson, Dwain Wilson*

**A motion was made by Mayor Cook 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 MULTI-FAMILY, 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," with a roof pitch of 6:12 and all other requirement agreed to by the applicant. 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

Enactment No: OR-2038-17

*Mayor Cook recessed the meeting at 7:33 p.m. for a break. Mayor Cook reconvened into regular business session at 7:36 p.m.*

## **OLD BUSINESS**

### **[17-2182](#)**

Ordinance - First Reading of an Ordinance Granting to SiEnergy, L.P. a Franchise to Furnish and Supply Gas to the General Public in the City of Mansfield, Texas, for the Transporting, Delivery, Sale, and Distribution of Gas in, Out of, and Through Said Municipality for all Purposes; Providing for the Payment of a Fee or Charge for the Use of the Streets, Alleys, and Public Ways; Requiring Compliance with all Regulatory Ordinances of the City; and Providing for Other Provisions Related to the Subject Matter Hereof

*Jeanne Heard read the caption into the record. SiEnergy, L.P. representative Donald Dively gave a powerpoint presentation and answered Council questions. SiEnergy, L.P. representative Daniel Pope answered Council questions.*

**A motion was made by Mayor Cook to approve the first reading of "AN ORDINANCE GRANTING TO SIENERGY, L.P. A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF MANSFIELD, TEXAS, FOR THE TRANSPORTING, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; REQUIRING COMPLIANCE WITH ALL REGULATORY ORDINANCES OF THE CITY; AND PROVIDING FOR OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF," with modified language on compensation to include any increase by Atmos or other cities the applicant does business in be a similar stair step for the City of Mansfield. 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**

### **17-2199**

Public Hearing and Consideration of a Request for Variance to Allow the Sale of Alcoholic Beverages for Off-premise Consumption by Carnicera Carmelita Meat Market Located at 1275 N Main St, Within 300 Feet of the Property Line of Legacy High School

*Carniceria Carmelita Meat Market representative Ryan Hughes gave a powerpoint presentation and answered Council questions. Mayor Cook opened the public hearing at 8:01 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:01 p.m.*

**A motion was made by Council Member Lindsey to deny. Seconded by Council Member Burgess. The motion FAILED by the following vote:**

**Ayes:** Stephen Lindsey; Wendy Burgess; Larry Broseh

**Nays:** David Cook; Cory Hoffman; Darryl Haynes; Brent Newsom

**A motion was made by Council Member Hoffman to approve. Seconded by Mayor Cook. The motion CARRIED by the following vote:**

**Aye:** 4 - David Cook; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 3 - Stephen Lindsey; Wendy Burgess and Larry Broseh

**Abstain:** 0

## **PUBLIC HEARING AND RESOLUTION**

### **17-2201**

Resolution - Public Hearing and Resolution Approving and Endorsing the 2017 (43rd year) Community Development Block Grant Project for North Street (Newt Patterson Road. to N. Main St.)

*Director of Public Works Bart VanAmburgh made brief comments. Mayor Cook opened the public hearing at 8:04 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:04 p.m.*

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

**A RESOLUTION APPROVING AND ENDORSING THE 2017 (43RD YEAR) COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE CITY OF MANSFIELD, TEXAS**

**(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-3339-17

## **PUBLIC HEARING AND FIRST READING**

### **17-2200**

Ordinance - Public Hearing and First Reading of an Ordinance for a Zoning Change from SF-7.5/12 to PD for Office, Limited Residential and Retail Uses, and Historic Landmark Status on Approximately 0.23 Acres Located at 200 W. Oak Street; 200 W. Oak LLC (ZC#17-002)

*Jeanne Heard read the caption into the record. 200 W. Oak LLC representative James M. Crocker made brief comments. Mayor Cook opened the public hearing at 8:05 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:06 p.m.*

**A motion was made by Council Member Hoffman 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 PLANNED DEVELOPMENT DISTRICT CLASSIFICATION FOR OFFICE, LIMITED RESIDENTIAL AND RETAIL USES; ASSIGNING A HISTORIC LANDMARK STATUS, 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 Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

### **17-2202**

Ordinance - Public Hearing and First Reading of an Ordinance for a Request for Specific-Use Permit for Used Merchandise Store at 1071 Country Club Drive, Suite 107; Kids Garage (ZC#17-003)

*Jeanne Heard read the caption into the record. Kids Garage representatives Kelly and Dan Hopkins made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:09 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:09 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 A SPECIFIC USE PERMIT FOR USED MERCHANDISE STORE TO 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."**  
Secoded 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

### **PUBLIC HEARING CONTINUATION AND SECOND READING**

#### **17-2174**

Ordinance - Public Hearing Continuation and Second 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 Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

*Mayor Cook continued the public hearing at 8:10 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:10 p.m.*

**A motion was made by Council Member Newsom to approve the second reading of "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." Secoded 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: OR-2037-17

#### **17-2175**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from an Existing Planned Development and C-2, Community Business District to a New Planned Development for Retail, Restaurant and Other Commercial Uses and to Provide a Variance to the Alcoholic Beverage Sale Regulations Enacted Under Section 109.33 of the Texas Alcoholic Beverage Code, on Approximately 19.3 Acres Generally Located at the NW corner of E. Broad

Street and Cannon Drive; Leon Capital Group (ZC#16-023)

*Leon Capital Group representative Will Tolliver gave a powerpoint presentation and answered Council questions. Mayor Cook continued the public hearing at 8:30 p.m. The following person spoke:*

*Terry Moore - 3 Morningside Ct. - Opposed*

*With no one else wishing to speak, Mayor Cook closed the public hearing at 8:34 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 RETAIL, RESTAURANT AND OTHER COMMERCIAL USES AND TO PROVIDE A VARIANCE TO THE ALCOHOLIC BEVERAGE SALE REGULATIONS ENACTED UNDER SECTION 109.33 OF THE TEXAS ALCOHOLIC BEVERAGE CODE, 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," with the stipulation that articulations as discussed continue to the rear of retail site A. Seconded by Mayor Cook. The motion CARRIED by the following vote:**

**Aye:** 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 1 - Wendy Burgess

**Abstain:** 0

Enactment No: OR-2039-17

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 8:37 p.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