



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, November 23, 2015

5:00 PM

Council Chambers

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#### REGULAR MEETING

#### **4:00 P.M. - TOUR OF NEW IMPROVEMENTS OF MANSFIELD ACTIVITIES CENTER AND LIBRARY 106 S. WISTERIA ST.**

*City Council and staff attended a tour of the Mansfield Activities Center and the Mansfield Public Library.*

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

*Mayor Cook called the meeting to order at 5:13 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 5:16 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:21 p.m. Mayor Cook adjourned executive session at 7:03 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 Assignment of Mansfield Family Entertainment Ground Lease Agreement

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

Consider Possible Purchase of Certain Properties for Future/Development Use

#### **Personnel Matters Pursuant to Section 551.074**

Management Evaluation/Programs/Organizations

**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 #14-14 - Entertainment Prospect Briefing and Update

Project #15-02 - Business Prospect Briefing and Update

Project #15-20 - Business Prospect Briefing and Update

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

*Mayor Cook reconvened into regular business session at 7:15 p.m.*

**INVOCATION**

*Council Member Broseh 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 Lindsey led the Texas Pledge.*

**PRESENTATION**

Texas Recreation and Park Society Awards

*Deputy City Manager Shelly Lanners made brief comments. Mayor Cook presented Texas Recreation and Parks Society Awards to the following Parks and Recreation Staff:*

*Horizons Award - Sam Kieschnick  
Part Time Employee of the Year - Caprice Gollaway  
Park Professional of the Year - Brian Coatney*

Texas Recreation and Park Society Park Rodeo Recognition

*Shelly Lanners stated the rodeo consists of activities to test the skills and knowledge in parks maintenance tasks. Mayor Cook presented Texas Recreation and Parks Society Awards to the following Parks and Recreation Staff:*

*First place in irrigation and assembly - Anthony Ford and Chris Adolph  
Fourth place in plant and weed identification - Bob Dixon*

*Shelly stated the three employees will be representing the City of Mansfield at the  
State Maintenance Rodeo Competition in Galveston in March.*

### **CITIZEN COMMENTS**

*There were no citizen comments.*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes stated a funeral was held for Lucretia Mills on Saturday,  
November 21, 2015 mentioning she was a great city volunteer.*

*Council Member Burgess acknowledged the passing of a former K-9 Officer for the  
Mansfield Police Department.*

*Mayor Pro Tem Newsom had no announcements.*

*Council Member Broseh had no announcements.*

*Mayor Cook echoed Council Member Haynes' comments mentioning Lucretia Mills  
was a great ambassador for the City and Keep Mansfield Beautiful Commission. He  
congratulated the Mansfield Tigers and Lake Ridge for progressing in the play-offs.*

### **STAFF COMMENTS**

#### **City Manager Report or Authorized Representative**

##### **Current/Future Agenda Items**

*City Manager Clayton Chandler echoed Council comments regarding Lucretia Mills.*

##### **Hometown Holidays 2015 Update - Angie Henley**

*Special Events Supervisor Angie Henley invited everyone to the Hometown Holidays  
2015 Event that will be held on Friday, December 4, 2015 beginning at 5:00 p.m. at  
City Hall. She mentioned the tree lighting ceremony would begin at 6:30 p.m. with a  
fireworks show after the tree lighting. She stated the Hometown Holidays Parade  
would be held on Saturday, December 5, 2015 at 2:30 p.m.*

### **TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*City Attorney Allen Taylor made brief comments.*

**CONSENT AGENDA**[15-1553](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the Property Located at 103 Van Worth Street; City of Mansfield (ZC#15-015)

*Acting City Secretary Susana Marin read the caption into the record.*

**A motion was made by Council Member Haynes 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 103 VAN WORTH STREET; 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 Mayor Pro Tem 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-1975-15

[15-1554](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the Property Located at 118 N Main Street; City of Mansfield (ZC#15-016)

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Haynes 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 118 NORTH MAIN STREET; 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 Mayor Pro Tem 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-1976-15

[15-1558](#)

Ordinance - Third and Final Reading on an Ordinance Approving Proposed Amendment of Section 7500, Open Storage and Screening Regulations of the Zoning Ordinance to Prohibit Outside Storage or Display in C-1 Zoning, Require Outside Storage or Display in C-3, I-1 and I-2 Zoning to be on a Gravel, Asphalt or Concrete Surface when within 30' of the Street Right-of-Way or not Screened by an Opaque Fence (OA#15-014)

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Haynes to approve the following ordinance:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SUBSECTION C OF SECTION 7500 "OPEN STORAGE AND SCREENING REGULATIONS" TO PROHIBIT OPEN STORAGE OR DISPLAY IN C-1 ZONING DISTRICT AND BY INSERTING A NEW SUBSECTION E TO SECTION 7500 REGARDING OPEN STORAGE AND DISPLAY IN C-3, I-1 AND I-2 ZONING 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**

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

**Seconded by Mayor Pro Tem 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-1977-15

[15-1559](#)

Ordinance - Third and Final Reading on an Ordinance Amending Subsection B, Section 7200, Off-Street Parking and Loading Standards of the Zoning Ordinance to Prohibit the Parking of all Other Vehicles Such as Boats, Motor Homes, Recreational Vehicles, Campers, Trailers, Buses, All-Terrain and Other Non-Passenger Vehicles Between the Street Right-of-Way and the Facade of a Single-Family Dwelling, Two-Family Dwelling or Townhouse, and to Remove the Exemption to Such Parking Restrictions Applicable to Vehicles in Existence Before March 28, 2006 and replacement thereof

(OA#15-005)

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Haynes to approve the following ordinance:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SUBSECTION 23 AND 25 OF SUBSECTION B "GENERAL PROVISIONS" OF SECTION 7200 "OFF-STREET PARKING AND LOADING STANDARDS" REGARDING THE PARKING STANDARDS OF OTHER VEHICLES AND REMOVING THE EXEMPTION OF CERTAIN VEHICLES FROM THE PARKING STANDARDS; 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 Mayor Pro Tem 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-1978-15

[15-1607](#)

Resolution - A Resolution Establishing the Fiscal Year 2015-2016 State Asset Forfeiture Budget for the Tri-County Auto Burglary and Theft Prevention Task Force, a Grant Funded Entity, for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Task Force has Participated Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Grant Managing Agency (City of Mansfield) and the Board of Governors of the Tri-County Auto Burglary and Theft Prevention Task Force

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

**A RESOLUTION ESTABLISHING THE FISCAL YEAR 2015-2016 STATE ASSET FORFEITURE BUDGET FOR THE TRI-COUNTY AUTO BURGLARY AND THEFT PREVENTION TASK FORCE, A GRANT FUNDED ENTITY, FOR FUNDS RECEIVED FROM THE SALE OF ASSETS SEIZED AND CASH SEIZED IN CERTAIN LAW ENFORCEMENT ACTIVITIES IN WHICH THE TASK FORCE HAS PARTICIPATED SOLELY OR ASSISTED STATE LAW ENFORCEMENT AGENCIES AND WHICH A BUDGET IS NOW REQUIRED BY CHAPTER 59 OF THE TEXAS CODE OF CRIMINAL PROCEDURE TO BE ADOPTED BY THE GOVERNING BODY OF THE GRANT MANAGING AGENCY (CITY OF MANSFIELD) AND THE BOARD OF GOVERNORS OF THE TRI-COUNTY AUTO**

**BURGLARY AND THEFT PREVENTION TASK FORCE**

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

**Seconded by Mayor Pro Tem 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-3178-15

[15-1608](#)

Resolution - A Resolution Establishing the Fiscal Year 2015-2016 State Asset Forfeiture Budget for the Mansfield Police Department for Funds Received from the Sale of Assets Seized and Cash Seized in Certain Law Enforcement Activities in which the Department has Participated Solely or Assisted State Law Enforcement Agencies and which a Budget is now Required by Chapter 59 of the Texas Code of Criminal Procedure to be Adopted by the Governing Body of the Police Department

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

**A RESOLUTION ESTABLISHING THE 2015-2016 FISCAL YEAR STATE ASSET FORFEITURE BUDGET FOR THE MANSFIELD POLICE DEPARTMENT FOR FUNDS RECEIVED FROM THE SALE OF ASSETS SEIZED AND CASH SEIZED IN CERTAIN LAW ENFORCEMENT ACTIVITIES IN WHICH THE DEPARTMENT HAS ASSISTED STATE LAW ENFORCEMENT AGENCIES AND WHICH A BUDGET IS NOW REQUIRED BY CHAPTER 59 OF THE TEXAS CODE OF CRIMINAL PROCEDURE TO BE ADOPTED BY THE GOVERNING BODY OF THE POLICE DEPARTMENT**

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

**Seconded by Mayor Pro Tem 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-3179-15

[15-1614](#)

Resolution - A Resolution Authorizing Venus Construction to Complete Emergency Repairs to the 30" Sewer Interceptor for an Amount not to Exceed \$150,000.00

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

**A RESOLUTION AUTHORIZING VENUS CONSTRUCTION TO COMPLETE**

**EMERGENCY REPAIRS TO THE 30" SEWER INTERCEPTOR FOR AN AMOUNT NOT TO EXCEED \$150,000.00**

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

**Seconded by Mayor Pro Tem 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-3180-15

[15-1615](#)

Resolution - A Resolution of the City of Mansfield, Texas, Appointing a Board Member to the Tarrant County Appraisal District's Board of Directors for Calendar Years 2016 and 2017

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

**A RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2016-2017 ELECTION OF THE BOARD OF DIRECTORS FOR THE TARRANT APPRAISAL DISTRICT OF TARRANT COUNTY, TEXAS**

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

**Seconded by Mayor Pro Tem 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-3181-15

[15-1616](#)

Resolution - A Resolution of the City of Mansfield, Texas, Appointing a Nominee to the Johnson County Appraisal District's Board of Directors for Calendar Years 2016 and 2017

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

**RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2016-2017 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS**

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

**Seconded by Mayor Pro Tem 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-3182-15

[15-1617](#)

Resolution - A Resolution of the City of Mansfield, Texas, Appointing a Board Member to the Ellis County Appraisal District's Board of Directors for Calendar Years 2016 and 2017

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

**RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2016-2017 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF ELLIS COUNTY, TEXAS**

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

**Seconded by Mayor Pro Tem 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-3183-15

[15-1620](#)

Resolution - A Resolution Awarding a Construction Manager at Risk Contract to Pete Durant & Associates for Construction of the Mansfield Fieldhouse USA Project for a Guaranteed Maximum Cost for Phase I in the Amount of \$1,836,012.00 and Phase II in the Amount of \$10,000,998.00 for a Project Total not to exceed \$12,900,000.00

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

**A RESOLUTION AWARDING A CONSTRUCTION MANAGER AT RISK CONTRACT TO PETE DURANT & ASSOCIATES FOR CONSTRUCTION OF THE MANSFIELD FIELDHOUSE USA PROJECT FOR A GUARANTEED MAXIMUM COST FOR PHASE I IN THE AMOUNT OF \$1,836,012.00 AND PHASE II IN THE AMOUNT OF \$10,000,988.00 FOR A PROJECT TOTAL NOT TO EXCEED \$12,900,000.00**

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

**Seconded by Mayor Pro Tem 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-3184-15

[15-1618](#)

Approval of Sunrise Rotary's 2014-2015 Reimbursement Request of Hotel/Motel Funds

**A motion was made by Council Member Haynes to approve this agenda item. Seconded by Mayor Pro Tem 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

[15-1598](#)

Request for Special Event Permit; Hometown Holidays 2015

**A motion was made by Council Member Haynes to approve the request for special event permit. Seconded by Mayor Pro Tem 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

[15-1603](#)

Minutes - Approval of the November 9, 2015 Regular City Council Meeting Minutes

**A motion was made by Council Member Haynes to approve the minutes of the November 9, 2015 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem 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**

[15-1551](#)

Ordinance - Third and Final Reading on an Ordinance Approving Proposed Amendment of the Definition of Window Signs in Section 7100.C.2 of the Zoning Ordinance (OA#15-013)

*Susana Marin read the caption into the record. Council Member Broseh removed this item from the consent agenda and made brief comments. Director of Planning Felix*

*Wong made brief comments and answered Council questions. Allen Taylor answered Council questions.*

**A motion was made by Council Member Broseh to deny this agenda item. Seconded by Council Member Haynes. The motion FAILED by the following vote:**

**Aye:** 3 - David Cook; Darryl Haynes; Larry Broseh

**Nay:** 4 - Brent Newsom; Stephen Lindsey; Wendy Burgess; Cory Hoffman

**A main 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, TEXAS AS HERETOFORE AMENDED BY AMENDING SUBSECTION 2 OF SUBSECTION C "SIGN CLASSIFICATIONS AND DEFINITIONS" OF SECTION 7100 "SIGN STANDARDS" TO REVISE THE DEFINITION OF WINDOW SIGNS; 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 Lindsey. The motion CARRIED by the following vote:**

**Aye:** 4 - Stephen Lindsey; Wendy Burgess; Cory Hoffman and Brent Newsom

**Nay:** 3 - David Cook; Larry Broseh and Darryl Haynes

**Abstain:** 0

Enactment No: OR-1979-15

[15-1604](#)

Minutes - Approval of the November 10, 2015 Special City Council Meeting Minutes

*Council Member Hoffman removed this item from the consent agenda.*

**A motion was made by Mayor Cook to approve the minutes of the November 10, 2015 Special City Council Meeting as presented. Seconded by Mayor Pro Tem Newsom. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 1 - Cory Hoffman

**END OF CONSENT AGENDA**

**OLD BUSINESS****15-1560**

Ordinance - Third and Final Reading on an Ordinance Approving Proposed Amendment of Section 7100, Sign Standards of the Zoning Ordinance to Establish Definition and Regulations for Electronic Message Center and Replace Definition and Regulations for Message Centers (OA#15-012)

*Susana Marin read the caption into the record. Felix Wong made brief comments and answered Council questions.*

**A motion was made by Council Member Lindsey to approve the following ordinance with the stipulation of 18 months for existing signs to become compliant with standards set forth in this code:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SUBSECTION C "SIGN CLASSIFICATIONS AND DEFINITIONS" OF SECTION 7100 "SIGN STANDARDS" TO CREATE A DEFINITION FOR ELECTRONIC MESSAGE CENTER, AMENDING TABLE 7100D "SCHEDULE OF SIGN STANDARDS FOR ELECTRONIC MESSAGE CENTER, AMENDING TABLE 7100D "SCHEDULE OF SIGN STANDARDS" AND INSERTING A NEW SUBSECTION I "SPECIAL SIGN STANDARDS FOR ELECTRONIC MESSAGE CENTER"; PROVIDING FOR THE REPEAL OF ALL ORDINANCE 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 Mayor Pro Tem Newsom. 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-1980-15

**PUBLIC HEARING AND FIRST READING****15-1605**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Revision to an Existing Planned Development to Allow a Church, Day Care, Retail and Eating Place with Drive-through Services on Approximately 17 Acres Located at 1800 E. Debbie Lane, Masterplan Inc (ZC#15-014)

*Susana Marin read the caption into the record. Masterplan Inc. representative Santos Martinez made a brief presentation and answered Council questions. Rashminde C. Architects Inc. representative Rashminde R. Chandel made brief comments and answered Council questions. The applicant was asked to provide a sample color rendering by the next reading. Felix Wong answered Council questions. City Attorney Allen Taylor answered Council questions. Pastor Jay Frazee*

answered Council questions. Mayor Cook opened the public hearing at 8:31 p.m. The following people spoke during the public hearing:

Scott Hopp - 4406 Danbury Court - Support  
Adam Schrack - 1206 Vistawood Drive - Support  
Carneal Chambliss - 1312 Grayhawk Drive - Support  
Jay Frazee - 1515 Warwick Drive - Support  
Kristy Schrack - 1206 Vistawood Drive - Support

Mayor Cook acknowledged the following non-speakers:

George Ryburn - 7304 Heritage Oaks Court - Support  
Darlene Ryburn - 7304 Heritage Oaks Court - Support  
Renee Frazee - 1515 Warwick Drive - Support  
Dustin Bauerle - 1417 Highland Drive - Support  
Kelly Bauerle - 1417 Highland Drive - Support  
James Plott - 1712 Clover Hill Road - Support  
Kirk Price - 301 Victory Lane - Support  
David Bond - 7001 Blackberry Drive - Support  
Cindy Midkiff - 3251 Matlock #16205 - Support  
Lisa McCulloch - 3914 Blake Ashton Drive - Support  
Wylie Phelps - 309 Londonderry Lane - Support

With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 9:05 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 CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR CHURCH, DAY CARE, RETAIL AND EATING PLACE WITH DRIVE-THROUGH SERVICES, 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 the applicant will return for site plan approval, with site plan approval being dictated by the traffic volume as set forth and agreed to by the applicant. Seconded by Council Member Brose. 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

#### 15-1606

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Specific Use Permit for a Restaurant with Drive-through Service on Approximately 1.6 Acres, Generally Located South of E. Broad Street and Approximately 250' East of SH 360; Wier & Associates, Inc. (ZC#15-017)

Susana Marin read the caption into the record. John T. Evans Company representative John Evans made brief comments and answered Council questions. Mayor Cook opened the public hearing at 9:13 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:14 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 GRANT A SPECIFIC USE PERMIT FOR RESTAURANT WITH DRIVE-THROUGH SERVICE 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

#### 15-1612

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from 2F to PD for Two-Family Residential Use on Approximately 0.16 Acres Generally Located at the Northeast Corner of W Kimball Street and S 3rd Avenue, Mansfield Custom Homes (ZC#15-023)

*Mayor Cook recused himself from discussion of this agenda item. Susana Marin read the caption into the record. Mansfield Custom Homes representative Stoney Short made brief comments and answered Council questions. Felix Wong answered Council questions. Mayor Pro Tem Newsom opened the public hearing at 9:15 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:16 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR TWO-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." Seconded by Council Member Broseh. The motion CARRIED by the following vote:

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

**Nay:** 0

**Abstain:** 1 - David Cook

#### PUBLIC HEARING CONTINUATION AND SECOND READING

#### 15-1572

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving Proposed Amendments of Section 4400B, Permitted Use Table of the Zoning Ordinance to Require a Specific Use Permit for Certain Uses, Delete and Add Certain Uses, Plus Amendments of Section 2200, Definitions, Section 5300, Manufactured Home District Regulations,

Section 7200B, Parking Group Table, Section 7301, Supplemental Requirements for Screening of Mechanical Equipment and Service Areas, and Section 7800, Special Conditions of the Zoning Ordinance to Coincide with the Amendments of Section 4400B (OA#15-010)

*Felix Wong made brief comments. Mayor Cook continued the public hearing at 9:27 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:27 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, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 4400B, PERMITTED USE TABLE TO REQUIRE A SPECIFIC USE PERMIT FOR CERTAIN USES, DELETE AND ADD CERTAIN USES, AND AMENDING SECTION 2200, DEFINITIONS, SECTION 5300, MANUFACTURED HOME DISTRICT REGULATIONS, SECTION 7200B, PARKING GROUP TABLE, SECTION 7301, SUPPLEMENTAL REQUIREMENTS FOR SCREENING OF MECHANICAL EQUIPMENT AND SERVICE AREAS, AND SECTION 7800, SPECIAL CONDITIONS TO COINCIDE WITH THE CHANGES IN SECTION 4400B; 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 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

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 9:28 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 9:42 p.m. Mayor Cook adjourned executive session at 12:31 a.m.*

*Mayor Cook reconvened into regular business session at 12:33 a.m.*

## **ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 12:33 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