



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Tuesday, May 28, 2019

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:07 p.m.

Absent 1 - Casey Lewis

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

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

The View at the Reserve

Deputy City Manager Joe Smolinski made brief comments regarding changes being proposed to The View at the Reserve. Hines Company representative Jeff Kennemer gave a brief overview of the proposed changes to the currently approved development plan for The View at the Reserve and provided a copy of the current site plan. He explained in detail the proposed changes and how the developer would like to change the existing preliminary plat. Integrity Group representative John Delane made brief comments regarding a development similar to Ladera being proposed. Sowell Company representative Jamie Cornelius explained in detail the use for more small lot sizes. Representatives and city staff answered Council questions. Mayor Cook recessed the work session at 5:48 p.m.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:49 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:59 p.m. Council Member Short stepped out of executive session at 6:30 p.m. and returned at 6:40 p.m. Mayor Cook adjourned the executive session at 7:17 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 City Facility Naming Policy

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

Discussion and Consideration of 2644 North Main Street

Seek Advice of City Attorney Regarding the Disposition of City Property on Stell Avenue and McKown Drive

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

6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION

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

Mayor Cook reconvened into regular business session at 7:23 p.m.

INVOCATION

Council Member Broseh gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem 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 Short led the Texas Pledge.

OATH OF OFFICE: DAVID L. COOK AND BRENT NEWSOM

City Secretary Susana Marin administered the Oath of Office to David L. Cook and Brent Newsom.

ELECTION OF MAYOR PRO TEM

Susana Marin provided the Council with ballots to elect a new Mayor Pro Tem. Mayor Cook announced the new Mayor Pro Tem elected was Julie Short.

PRESENTATION

Recognition of Life Saving Efforts - Methodist Mansfield Medical Center and Lifetime Fitness

Mayor Cook recognized the following individuals for life saving efforts on December 27, 2018 at Lifetime Fitness: Methodist Mansfield nurse Tai Tran; and Lifetime Fitness staff Tyler Yates; Aaron Grant; Odis Seaberry; Cedric Mathis; and Blake Auriti. They assisted in saving the life of a local resident.

6th District of Texas Congressman Ron Wright District Director Andy Nguyen presented a Certificate of Recognition for 35 years of dedicated service to the City of Mansfield to City Manager Clayton Chandler. Mr. Chandler made brief comments. Mayor Cook thanked Mr. Chandler for his years of service.

Sergeant Daniel Kinnel of Mansfield High School Junior Reserve Officer's Training Corps (JROTC) and Mansfield High School JROTC students were present to announce their accomplishments. Mr. Kinnel recognized the Mansfield High School JROTC for winning the following trophies:

5th Brigade JROTC Drill Competition 2019 in San Antonio - Storming Tigers and Armed Drill Team won 1st Place out of eight states

Army National Championship in Richmond, Virginia - Lady Tigers won 2nd place in the Nation in Color Guard and Regulations

2019 National High School Drill Team Championship, Daytona Beach, Florida - Storming Tigers won 1st place in Armed Overall Championship; Armed Regulation; Armed Commander Trophy; and Armed Color Guard

Individual trophies won by:

Senior Cadete Wierzbicki, 1st Place in Nation as Commander over Army, Navy, Air Force and Marines

Cadete Pedraza, 3rd Place as Unarmed Army Commander

Mayor Cook recognized Sergeant Daniel Kinnel for his hard work.

CITIZEN COMMENTS

Robert Cunningham - 405 Summer Trail - Mr. Cunningham spoke in opposition of agenda item 19-3110.

Blake Axen - 2407 Denali Court - Mr. Axen spoke in support of agenda item 19-3110.

Breana Chan - 1111 Meriwether Street - Ms. Chan spoke in opposition of agenda item 19-3110.

Elza Pasalic - 1113 Meriwether Street - Ms. Pasalic spoke in opposition of agenda item 19-3110.

Sarah Wilkinson - 1100 Meriwether Street - Ms. Wilkinson spoke in opposition of agenda item 19-3110.

Tamera J. Bounds - 1009 Meriwether Street - Mrs. Bounds spoke in support of agenda item 19-3110 without the Meriwether connect.

Lance Irwin - 1208 Killian Drive - Mr. Irwin spoke in opposition of agenda item 19-3110.

Christina Drauden - 1110 Meriwether Street - Ms. Drauden spoke in opposition of agenda item 19-3110.

Pam Tietze - 2407 Cabrillo Lane - Ms. Tietze spoke in support of agenda item 19-3110.

Richard S. Dill - 903 Killian Drive - Mr. Dill spoke in opposition of agenda item 19-3110.

Stephen Lindsey - 306 W. 7th Street, Fort Worth - Mr. Lindsey spoke on behalf of the GHA Barnett. He explained the company's position on agenda item 19-3110.

Bill Glacken - 1111 Tremont Street - Mr. Glacken spoke in opposition of agenda item 19-3110.

Mayor Cook acknowledged the following non-speakers in opposition of agenda item 19-3110:

*Michelle Stroer - 1108 Meriwether Street
Virginia Jonason - 1005 Tremont Street
Doug Kaercher and Lilit Alikhanyan - 1105 Sunland Court
Michael Jonason - 1005 Tremont Street
David Hardin - 1112 Meriwether Street
Leanne Hardin - 1112 Meriwether Street
Kevin Morton - 1211 Tremont Street
Diannia Brightbill - 1101 Meriwether Street
Jim Brightbill - 1101 Meriwether Street
Dennis Stroer - 1108 Meriwether Street
Eric Cotrell - 1112 Starleaf Drive
Patricia A. McCann - 1822 Callender Hill Road
Janet Haley - 907 Tremont Street
Steve Haley - 907 Tremont Street
Thao Nguyen - 1103 Meriwether Street
Nhi La - 1103 Meriwether Street
Daniel Jurchenko - 1109 Meriwether Street
Eddy McCann - 1822 Callender Hill Road
Susan Jurchenko - 1104 Meriwether Street
Mary & Jason Ditore - 1102 Meriwether Street
Diane Lindsey - 1111 Tremont Street
Betsy Jurchenko - 1104 Meriwether Street
Natalie Tims - 1104 Starleaf Drive
Courtney Borg - 1106 Meriwether Street
Yvonne Gentry - Cotrell - 1112 Starleaf Drive
Keith Borg - 1106 Meriwether Street
Erin Bellotte - 1107 Tremont Street
Arnold Treadway - 2422 Ravenwood Court
David Wilkinson - 1100 Meriwether Street
Jerod Parker - 1202 Ravenna Street
Lindsay Figueroa - 1003 Killian Drive*

*Lisa Schuler - 1103 Tremont Street
Brandi Parker - 1202 Ravenna Street
Joel Wetmore - 1102 Ravenna Street
Isaac Chan - 1111 Meriwether Street
Suzanne Wetmore - 1102 Ravenna Street
Bill & Lacey Eaton - 805 Killian Drive
Admir Pasalic - 1113 Meriwether Street
Becky Brayton - 1823 Callender Hill Road
Kathy Cunningham - 405 Summer Trail
John Guerin - 1105 Meriwether Street
Keri Guerin - 1105 Meriwether Street
David Kaluf - 1118 Meriwether Street
Brian Wilson - 1203 Killian Drive
Bryce & Mandy Davis - 1117 Starleaf Drive
Angela Dill - 903 Killian Drive
Keia Wilson - 1203 Killian Drive
Vanessa Chavarria - 903 Tremont Street
Melissa Woychesin - 905 Killian Drive
Ed Colbert - 906 Killian Drive
Foord Lyman - 1001 Tremont Street
Jennifer Lyman - 1001 Tremont Street
Caroline Howard - 1105 Ravenna Street
Ryan Buck - 912 Killian Drive
Brandy Buck - 912 Killian Drive
Lynda Lotman - 1006 Tremont Street
Jennifer Bolton - 1109 Ravenna Street
Michelle Smith - 1522 Piedmont Drive
Chris Rosckes - 1201 Killian Drive
Beverly Crouch - 2031 Callender Road
Tom Crouch - 2031 Callender Road
Jan M. Duncan - 900 Tremont Street
Paul M. Duncan - 900 Tremont Street*

Mayor Cook acknowledged the following non-speakers in support of agenda item 19-3110:

*Samuel Jones - 2400 Cabrillo Lane
Erik Orsak - 906 Tremont Street
Sonya Jones - 2400 Cabrillo Lane
Richard Garrow - 604 Bandelier Lane
Martha Fernald - 604 Bandelier Lane
Bennett Tyrone - 800 Acadia Street
Armando Rios - 803 Acadia Street
Nora Villarreal - 803 Acadia Street
James Strong II - 2404 Cabrillo Lane
Brandon Frizzell - 801 Acadia Street
Debra Frizzell - 801 Acadia Street
Stephen Dragoo - 810 Acadia Street
Judy Clark - 1205 Tremont Street
Donald David Clark - 1205 Tremont Street
Krista Dragoo - 810 Acadia Street
Lori Doss - 2405 Denali Court
Larry Doss - 2405 Denali Court
Tamara Bennett - 800 Acadia Street*

Michelle M. Freeman - 403 Summer Trail

Mayor Cook stated various emails were forwarded to the Council from the City Secretary's Office regarding agenda item 19-3110. Those emails will be kept on file in the City Secretary's Office.

COUNCIL ANNOUNCEMENTS

Council Member Leyman encouraged staff to schedule a work session with the Mansfield Independent School Distirct Board.

Mayor Pro Tem Short had no announcements.

Council Member Lewis was absent.

Council Member Moore had no announcements.

Council Member Newsom had no announcements.

Council Member Broseh had no announcements.

Mayor Cook congratulated Mayor Pro Tem Short mentioning he's looking forward to working with her as Mayor Pro Tem.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mr. Chandler thanked Congressman Wright for his recognition and for his service to the City of Mansfield.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Broseh to direct staff to make an offer on property located at 2644 N. Main Street as discussed in executive session. Seconded by Council Member Moore. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

CONSENT AGENDA**19-3113**

Ordinance -Third and Final Reading of an Ordinance Amending Section 8600.A of the Zoning Ordinance to Revise the Regulations for Issuing or Revoking Specific Use Permits by City Council (OA#19-001)

Susana Marin read the caption into the record.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 8600.A OF SAID ORDINANCE TO REVISE THE REGULATIONS FOR ISSUING OR REVOKING SPECIFIC USE PERMITS; 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 Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2124-19

19-3133

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Building Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES C, E, F AND I; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3134](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Residential Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES A, B, C, G, H, J, N, P, Q AND T; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3135](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Existing Building Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES B AND C; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3136](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Fire Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES B,C, D, E, F, G, H, I, J, K, L AND N; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3137](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Fuel Gas Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES A, B, AND C; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3138](#)

Ordinance - Second Reading of an Ordinance Adopting the 2017 Edition of the National Electrical Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2017 EDITION

OF THE NATIONAL ELECTRICAL CODE (NFPA 70), AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3139](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Mechanical Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDIX A; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3140](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Plumbing Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES C AND E; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE;

PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3141](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Energy Conservation Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3142](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 edition of the International Property Maintenance Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3143](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Swimming Pool and Spa Code and its Local Amendments

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[18-2996](#)

Resolution - A Resolution of the City of Mansfield Consenting to a Sublease Allowing Slap Shot Café, LLC to Operate Within the StarCenter Mansfield

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

A RESOLUTION OF THE CITY OF MANSFIELD CONSENTING TO A SUBLEASE ALLOWING SLAP SHOT CAFÉ, LLC TO OPERATE WITHIN THE MANSFIELD STARCENTER

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

Seconded by Mayor Pro Tem Short, that this mat The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3563-19

[19-3157](#)

Resolution - Resolution Establishing a Date for Public Hearing to Consider the Amendment of the Impact Fee Capital Improvements Plan for Water and Wastewater Infrastructure, and the Imposition of Revised Water and Wastewater Impact Fees

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ESTABLISHING A DATE FOR PUBLIC HEARING TO CONSIDER THE AMENDMENT OF LAND USE ASSUMPTIONS, IMPACT FEE CAPITAL IMPROVEMENTS PLAN FOR WATER AND WASTEWATER INFRASTRUCTURE, AND THE IMPOSITION OF REVISED WATER AND WASTEWATER IMPACT FEES; AND PROVIDING FOR AN EFFECTIVE DATE

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

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3564-19

[19-3152](#)

Minutes - Approval of the May 13, 2019 Regular City Council Meeting Minutes

A motion was made by Council Member Moore to approve the minutes of the May 13, 2019 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3155](#)

Request for Special Event Permit: Steak Cook-Off Competition and Concert

A motion was made by Council Member Moore to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

19-3131

Resolution - Resolution Authorizing Additional Funding to TxDOT to Cover Costs Associated with the Completed US 287 Ramps and Texas U-Turn Project in the Amount of \$893,718.11 (Street Bond Fund)

Council Member Leyman removed this item from the consent agenda. Assistant Director of Public Works David Boski and Director of Public Works Bart VanAmburgh answered Council questions.

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

A RESOLUTION AUTHORIZING ADDITIONAL FUNDING TO TXDOT IN THE AMOUNT OF \$893,718.11 TO COVER COSTS ASSOCIATED WITH THE US 287 RAMPS AND TEXAS U-TURN PROJECT

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

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

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3565-19

END OF CONSENT AGENDA

OLD BUSINESS

19-3110

Ordinance - Third and Final Reading of an Ordinance to Consider a Change of Zoning from PR Pre-Development District, SF-12/22 Single-Family Residential District, and C-2 Community Business District to PD Planned Development District for Single-Family Residential Uses on Approximately 65.2525 Acres Out of the Esquire Hendricks Survey, Abstract No. 659 & the William H. Herrall Survey, Abstract No. 724, Tarrant County, TX, and Approximately 15.9256 Acres out of the Esquire Hendricks Survey, Abstract No. 659, Tarrant County, TX, Altogether Totaling Approximately 81.1781 Acres

Generally Located on the West Side of Callender Road, North of the MISD Center for the Performing Arts, and Southeast of the Woodland Estates subdivision; Charles F. Dibrell III of Terra Associates on Behalf of Dolce Vita Development Group, LLC (developer) and Michael Balloun of Balloun ACCP, LP, et. al (Owner) (ZC#17-022)

Susana Marin read the caption into the record. Terra Association representative Charles Dibrell made a brief presentation and answered Council questions. Deputy City Manager Joe Smolinski answered Council questions. Mr. Chandler and City Attorney Allen Taylor made brief comments.

A MAIN motion was made by Council Member Short to approve the following ordinance with the request that staff work with the applicant during the subdivision platting process to see if the cul-de-sac option can be pursued :

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 PROPERTY TO A PD, PLANNED DEVELOPMENT FOR SINGLE 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

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

Seconded by Council Member Leyman.

A motion to amend the main motion was made by Council Member Moore to delay the eventual connection or opening of Meriwether until 70% of homes are built. The motion failed for lack of a second.

A motion to amend the main motion was made by Mayor Cook to complete all construction of Meriwether Street but it be gated with a lock box for emergency access only until the earlier of 70% of the homes have been sold or until further action by the Council to open sooner. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Ayes: David Cook, Brent Newsom, Terry Moore, and Larry Broseh

Nays: Mike Leyman and Julie Short

A motion to amend the main amended motion was made by Mayor Cook to include the five trees the developer agreed to protect. Seconded by Council Member Moore. The motion CARRIED unanimously.

The MAIN amended motion CARRIED by the following vote:

Aye: 5 - David Cook; Brent Newsom; Terry Moore; Julie Short and Mike Leyman

Nay: 1 - Larry Broseh

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2125-19

PUBLIC HEARING CONTINUATION AND SECOND READING

Mayor Cook recessed the meeting for a break at 10:10 p.m. Mayor Cook reconvened into regular business session at 10:25 p.m.

19-3132

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Mobile Food Unit Sales, Outdoor Dining, Outdoor Stage/live Entertainment, Bar, Special Event, and Office Uses on Approximately 0.7495 Acres Located at 107 Walnut Street; Shane Farrar of Open Range Properties (ZC#18-007)

Planner Andrew Bogda made brief comments. Property Owner Shane Farrar made a brief presentation and answered Council questions. Senior Planner Art Wright answered Council questions. Mayor Cook continued the public hearing at 10:42 p.m. The following person spoke:

Cory Hoffman - 1016 Aspen Lane - Support

Mayor Cook recognized the following non-speakers:

Faye Rydell - 202 W. Oak Street - Opposed

Bill Beard - 202 W. Oak Street - Opposed

With no others wishing to speak, Mayor Cook closed the public hearing at 10:46 p.m.

A motion was made by Council Member Moore 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 HERINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR MOBILE FOOD UNIT SALES, OUTDOOR DINING, OUTDOOR STAGE/LIVE ENTERTAINMENT, BAR, SPECIAL EVENT, AND OFFICE USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 5 - David Cook; Larry Broseh; Brent Newsom; Terry Moore and Julie Short

Nay: 1 - Mike Leyman

Absent: 1 - Casey Lewis

Abstain: 0

19-3128

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District and PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 7.7 Acres out of Lot 1R1, Change of Scenery; 1.2 Acres out of Lot 1R2, Change of Scenery; and 1.122 Acres out of the William Childress Survey, Abstract No. 1949, Tarrant County, TX, Totaling Approximately 10.022 Acres Located at the

Southeast Corner of Seeton Road & National Parkway; Don Dykstra of Bloomfield Homes on behalf of Richard E. LeBlanc of Knox Street Partners No. 20, Ltd. c/o Hanover Property Co. (ZC#19-001)

Interim Director of Planning Lisa Sudbury made brief comments and answered Council questions. Goodwin & Marshall, Inc. representative Brent Caldwell made a brief presentation. Bloomfield Homes representative Don Dykstra answered Council questions. Mayor Cook continued the public hearing at 11:15 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 11:15 p.m.

A motion was made by Mayor Pro Tem Short 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 SINGLE-FAMILY RESIDENTIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[19-3129](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District & PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 11.82 Acres out of the Treese Crawford Survey, Abstract No. 831, Johnson County, TX, Located on the East Side of S. Main Street, Approximately 112 Feet North of Vinewood Drive; Rich Darragh of Skorburg Company on behalf of Lyndell Lacey of Central Mansfield Church of Christ and William B. Mashburn (ZC#19-002)

Lisa Sudbury made brief comments and answered Council questions. Skorburg Company representative Rich Darragh made a brief presentation and answered Council questions. Mayor Cook continued the public hearing at 11:23 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 11:24 p.m.

A motion was made by Council Member Leyman 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 SINGLE-FAMILY RESIDENTIAL USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

NEW BUSINESS

19-3116

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and Medical Expense Division, Inc. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development Richard Nevins made brief comments and answered Council questions. Level 5 Design Group representative Justin Gilmore made brief comments. Bart VanAmburgh answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION ("MEDC") AND MEDICAL EXPENSE DIVISION, INC. AND AUTHORIZING ITS EXECUTION BY THE PRESIDENT OF THE MEDC; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3566-19

19-3156

Resolution - A Resolution to Consider Awarding a Construction Contract to Ratliff Hardscape of Lewisville, Texas in the Amount of \$817,627.69 for Construction of the Dog Park

Director of Parks and Recreation Matt Young made a brief presentation and answered Council questions. Mr. Chandler made brief comments.

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

RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO RATLIFF HARDSCAPE OF LEWISVILLE, TEXAS IN THE AMOUNT OF \$817,627.69 FOR CONSTRUCTION OF THE DOG PARK

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

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

Aye: 4 - David Cook; Larry Broseh; Brent Newsom and Terry Moore

Nay: 2 - Julie Short and Mike Leyman

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3567-19

[19-3161](#)

Resolution - A Resolution Approving a Development Agreement By and Between the City of Mansfield, Texas, a Texas Municipal Corporation, Dolce Vita at Mansfield, LLC, and ACCP, LP for Water Distribution and Roadway Capital Improvements

Joe Smolinski made brief comments.

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

A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MANSFIELD, TEXAS, A TEXAS MUNICIPAL CORPORATION, DOLCE VITA AT MANSFIELD, LLC, AND ACCP, LP FOR WATER DISTRIBUTION AND ROADWAY CAPITAL IMPROVEMENTS

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

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

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3568-19

[19-3160](#)

Ordinance - Second Reading of an Ordinance Approving the Sale of Certain Real Property Described as Lot 18R1 Block 5, Hillcrest Addition, Also Known As 801 Stell Avenue, Lot 18R2 Block 5, Hillcrest Addition, Also Known As 315 McKown Drive, Lot 9 Block 7, Hillcrest Addition Also Known As 416 McKown Drive, Mansfield, Texas to Jennifer Belz for \$48,000 for Each Property Listed for a Total Sum of \$144,000

Susana Marin read the caption into the record.

A motion was made by Council Member Newsom to approve the following resolution as discussed in executive session:

AN ORDINANCE APPROVING THE SALE OF CERTAIN REAL PROPERTY DESCRIBED AS LOT 18R1 BLOCK 5, HILLCREST ADDITION, ALSO KNOWN AS 801 STELL AVENUE, LOT 18R2 BLOCK 5, HILLCREST ADDITION, ALSO KNOWN AS 315 MCKOWN DRIVE, LOT 9 BLOCK 7, HILLCREST ADDITION ALSO KNOWN AS 416 MCKOWN DRIVE, MANSFIELD, TEXAS

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

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

Aye: 5 - David Cook; Larry Broseh; Brent Newsom; Terry Moore and Mike Leyman

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 1 - Julie Short

OLD BUSINESS

[19-3111](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as Lots 2 & 3, Block 15, Original Town of Mansfield, Generally Located at 403 E. Broad St. & 400 Elm St.; Sheri Bumgardner of SSB Designs on Behalf of Central Baptist Church and Anchora Properties, LLC (ZC#19-003)

Susana Marin read the caption into the record. Mayor Cook advised the Council he and his wife are owners of Anchora Properties, LLC and he would be recusing himself from this agenda item and turned the meeting over to Mayor Pro Tem Short.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO PD, PLANNED DEVELOPMENT DISTRICT FOR OFFICE, CHURCH AND SPECIAL EVENT USES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 5 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short and Mike Leyman

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 1 - David Cook

Enactment No: OR-2126-19

PUBLIC HEARING AND RESOLUTION

19-3158

Resolution - A Public Hearing and Resolution Approving, Endorsing and Allocating the 2019 (45th year) Community Development Block Grant to the 2017 (43rd Year) CDBG Project, Paving, Drainage, Water and Sanitary Sewer Improvements for North St. (Newt Patterson Rd. to North Main St.)

Bart VanAmburgh made brief comments. Mayor Cook opened the public hearing at 12:02 a.m. With no one wishing to speak, Mayor Cook closed the public hearing at 12:02 a.m.

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

A RESOLUTION APPROVING, ENDORSING AND ALLOCATING THE 2019 (45TH YEAR) COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CITY OF MANSFIELD, TEXAS

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

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 4 - Larry Broseh; Terry Moore; Julie Short and Mike Leyman

Nay: 2 - David Cook and Brent Newsom

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3569-19

PUBLIC HEARING

19-3159

Public Hearing and Consideration of a Request for a Variance to Allow the Sale of Alcoholic Beverages for On-Premise Consumption at Chipotle, Fuddrucker's, Blaze Pizza, and a National Breakfast Chain to be Located at 3000 E Broad St, Within 300 Feet of the Property Lines of Mansfield High School and Mary Orr Intermediate School; Smit Shah of Village at Broad Street

Andrew Bogda made a brief presentation and answered Council questions. Peleton Land Solutions representative Kyle Kattner made brief comments. Village at Broad

Street representative Smit Shah made brief comments and answered Council questions. Art Wright and Allen Taylor made brief comments and answered Council questions. Mayor Cook opened the public hearing at 12:23 a.m. The following person spoke:

Paul Cash - 203 Hillcrest Street - On behalf of Mansfield Independent School District - opposed

With no others wishing to speak, Mayor Cook closed the public hearing at 12:25 a.m.

A motion was made by Council Member Broseh to approve the consideration for a variance to allow the sale of alcoholic beverages for on-premise consumption. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 4 - David Cook; Larry Broseh; Brent Newsom and Julie Short

Nay: 2 - Terry Moore and Mike Leyman

Absent: 1 - Casey Lewis

Abstain: 0

ADJOURN

A motion was made by Mayor Pro Tem Short to adjourn the meeting at 12:29 a.m. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary