



CITY OF MANSFIELD

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

Meeting Minutes - Final City Council

Monday, July 23, 2012

5:00 PM

Council Chambers

REGULAR MEETING AMENDED AGENDA

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

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

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

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Mayor Cook called the work session to order at 5:00 p.m. and turned it over to City Manager Clayton Chandler.

Bond Presentation

Mr. Chandler made a powerpoint presentation.

Follow Up on Proposed FY 12/13 Budget

Mr. Chandler made a power point presentation and answered Council questions. Director of Business Services Peter Phillis answered Council questions. Fire Chief Barry Bondurant made comments regarding Life Paks. There was discussion between the Council and staff.

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

RECESS INTO EXECUTIVE SESSION

Pursuant to Section 551.071 of the Texas Government Code, the Council reserves the right to convene into executive session(s) from time to time as deemed necessary during the meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:47 p.m. Mayor Cook called the meeting to order in the Council Conference Room at 5:55 p.m. Mayor Cook adjourned executive session at 7:20 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 Current Maintenance and Operations Agreement with BLD Mansfield

Seek Advice of City Attorney Regarding Legal Issues Related to Road Closures

Seek Advice of City Attorney Regarding Legal Issues Related to Providing Services within Annexed Areas (Addendum to Agenda)

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

Property Acquisition Along National Parkway

Property Acquisition - 651 Justice Lane

Personnel Matters Pursuant to Section 551.074

Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087

Economic Development Project #11-12

Economic Development Project #12-03

Economic Development Project #12-11

Economic Development Project #12-12

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

Mayor Cook reconvened the meeting at 7:25 p.m.

INVOCATION

Mayor Pro Tem Broesh led the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Burgess led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

Council Member Hoffman led the Texas Pledge.

CITIZEN COMMENTS

Dan Massey - 4000 Britton Road - Mr. Massey spoke as the owner of Rhimco Industries and spoke about the water supply issue in Britton. He stated Britton was annexed into the city and no water supply has been provided since then also mentioning there is no fire protection either. He stated he would like to expand his business but he has to provide a water tank to be in compliance with the fire code. Mr. Massey stated there has been nothing done regarding this issue since the area was annexed into the city. He stated he has been in business 41 years and can not expand or sell his business because of the water issue. He asked the Council for help finding a solution to the problem.

Kevin Lewis - 700 Ascot Park Drive - Mr. Lewis spoke as President of the Mansfield Youth Baseball Association and spoke in support of agenda item 12-0231.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Water Distribution Supervisor Jeff Price invited everyone to the first annual "Get Irrigated, Not Irritated" Event that will take place on Saturday, July 28, 2012 from 8:00 a.m. to 12:00 p.m. at the southwest lawn behind City Hall.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

[12-0198](#)

Ordinance - Third and Final Reading of an Ordinance Adopting Speed Limit Change and School Zones on Various Streets Within the City of Mansfield

City Secretary Vicki Collins read the caption into the record.

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

AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.346 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND

ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY

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

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

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

Nay: 0

Abstain: 0

Enactment No: OR-1838-12

[12-0196](#)

Resolution - A Resolution Authorizing the City Manager and the Mansfield Police Department to make Application, Receive and Expend Funds from the Target & BLUE Law Enforcement Grant Program 2012 (\$5,000 Maximum/No City Match)

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER AND THE MANSFIELD POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND FUNDS FROM THE TARGET & BLUE LAW ENFORCEMENT GRANT PROGRAM FOR THE PURCHASE OF CRISIS NEGOTIATION TEAM EQUIPMENT AND UPGRADES AND TO PROVIDE THE CUSTOMER IN CRISIS PROGRAM. GRANT APPLICATION WILL NOT EXCEED \$5,000 AND NO CASH MATCH IS REQUIRED BY THE CITY

(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-2828-12

[12-0217](#)

Resolution - A Resolution of the City of Mansfield, Texas Approving a Policy for Tax Abatement

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING A POLICY STATEMENT FOR TAX ABATEMENT

(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-2829-12

[12-0231](#)

Resolution - A Resolution Authorizing the City Manager to Execute a Second Amendment to the Maintenance and Operating Agreement with Big League Dreams, Mansfield, LLC

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO THE MAINTENANCE AND OPERATING AGREEMENT WITH BIG LEAGUE DREAMS, MANSFIELD, LLC

(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-2830-12

[12-0232](#)

Resolution - Resolution Authorizing the Approval of a Developers Agreement for the Construction of National Parkway

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPERS AGREEMENT WITH TEXTAUR GARDEN HEIGHTS, LLP FOR THE DESIGN AND CONSTRUCTION OF THE SOUTHERN TWO LANES OF NATIONAL PARKWAY FROM SOUTH HOLLAND ROAD TO SEETON ROAD

(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-2831-12

[12-0215](#)

Minutes - Approval of the July 9, 2012 Regular City Council Meeting Minutes

A motion was made by Council Member Lindsey to approve the July 9, 2012 Regular Meeting minutes as presented. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[12-0214](#)

Minutes - Approval of the July 2, 2012 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 July 2, 2012 Special Meeting minutes as presented. Seconded by Mayor Pro Tem Broseh. 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

[12-0172](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Addendum to an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and MANSFIELD MATLOCK INVESTORS I, LTD. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development Scott Welmaker made brief comments.

A motion was made by Council Member Burgess to approve the following

resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ADDENDUM TO AN ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION ("MEDC") AND MANSFIELD MATLOCK INVESTORS I, LTD. 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 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: RE-2832-12

NEW BUSINESS

12-0225

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving the Expenditure by the Mansfield Economic Development Corporation of no more than \$675,000 for Improvements to Trinity Drive, Easy Drive and 5th Avenue in Mansfield Industrial Park

Scott Welmaker answered Council questions. City Engineer Bart VanAmburgh made brief comments and answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF MANSFIELD, TEXAS APPROVING THE EXPENDITURE BY THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION OF NO MORE THAN \$675,000 FOR IMPROVEMENTS TO TRINITY DRIVE, EASY DRIVE AND 5TH AVENUE IN MANSFIELD INDUSTRIAL PARK

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

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

Enactment No: RE-2833-12

12-0227

Resolution - A Resolution Recognizing that the City Council of the City of

Mansfield, Texas is Proposing to Adopt a Tax Rate on a Future Agenda

Peter Phillis made brief comments.

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

A RESOLUTION RECOGNIZING THAT THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS IS PROPOSING TO ADOPT A TAX RATE ON A FUTURE AGENDA, THE PROPOSED TAX RATE ON THE FUTURE AGENDA IS CURRENTLY EXPECTED TO BE 71 CENTS PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2012. THE CITY COUNCIL WILL HAVE PUBLIC HEARINGS ON THE EXPECTED TAX RATE OF 71 CENTS PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION AT THE NEXT REGULARLY SCHEDULED MEETINGS AND WILL ADOPT A BUDGET BEFORE THE ADOPTION OF A TAX RATE

(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-2834-12

[12-0228](#)

Resolution - A Resolution Authorizing a Contract between Tarrant County Tax Assessor-Collector and the City of Mansfield for the Tax Collection Services

Peter Phillis answered Council questions.

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

A RESOLUTION RATIFYING, AND CONFIRMING, THAT THE CITY MANAGER OR HIS DESIGNEE OF THE CITY OF MANSFIELD, TEXAS IS AUTHORIZED TO ENTER INTO A CONTRACT BY AND BETWEEN RON WRIGHT, TARRANT COUNTY TAX ASSESSOR-COLLECTOR, TARRANT COUNTY AND THE CITY OF MANSFIELD FOR THE PROVISION OF TAX COLLECTION SERVICES FOR THE CITY OF MANSFIELD

(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-2835-12

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 7:45 p.m. 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

_____ David L. Cook, Mayor

ATTEST:

_____ Vicki Collins, City Secretary