



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, April 11, 2016

5:00 PM

Council Chambers

REGULAR MEETING

AMENDED AGENDA

4:00 P.M. GROUND BREAKING FOR THE MAIN STREET LOFTS - 108 S. MAIN STREET

Council Members and city staff attended the Main Street Lofts ground breaking.

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

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

Absent 2 - Stephen Lindsey and Wendy Burgess

Present 5 - David Cook; 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 5:01 p.m. Council Member Burgess arrived at 5:05 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:10 p.m. Council Member Lindsey arrived at 5:42 p.m. Mayor Cook adjourned executive session at 6:20 p.m.

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

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 Implementation of Specific Use Permits in Commercial Zoning

Seek Advice of City Attorney Regarding Methods to Address BCB Project Delinquency

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 7:02 p.m.

INVOCATION

First Baptist Church Pastor Finney Matthews 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.

PROCLAMATION

[16-1802](#)

National Library Week

Mayor Cook proclaimed April 10-16, 2016 as National Library Week and presented the proclamation to the Friends of the Library. Steve Standefer introduced the Friends of the Library.

[16-1803](#)

National Library Worker's Day

Mayor Cook proclaimed April 12, 2016 as National Library Workers Day and presented the proclamation to Library Staff members. City Librarian Steve Standefer introduced Library staff members.

[16-1804](#)

National Public Safety Telecommunications Week

Mayor Cook proclaimed April 10-16, 2016 as National Public Safety Telecommunications Week and presented the proclamation to Mansfield Police Department staff and telecommunications. Communications Manager Richard Hash made brief comments. City Manager Clayton Chandler made brief comments. Police Chief Tracy Aaron thanked the telecommunications present for everything they do.

[16-1805](#)**Child Abuse Prevention Month**

Mayor Cook proclaimed April 2016 as Child Abuse Prevention Month.

CITIZEN COMMENTS

Joseph Loudamy - 1170 S. Highway 287 - Mr. Loudamy spoke on behalf of the Mansfield Masonic Lodge #331 and invited the Council and all the public servants to the 10th Annual Feed the Public Servants on April 22, 2016 beginning at 6:00 p.m. and ending April 23, 2016 at 6:00 p.m.

COUNCIL ANNOUNCEMENTS

Council Member Lindsey had no announcements.

Council Member Hoffman had no announcements.

Council Member Haynes expressed his gratitude to the Mansfield Public Library and invited everyone to the Mansfield Reads! event on April 29, 2016 at 6:00 p.m.

Council Member Burgess thanked the Masonic Lodge for what they do to honor the first responders every year.

Mayor Pro Tem Newsom had no announcements.

Council Member Brose had no announcements.

Mayor Cook had no announcements.

STAFF COMMENTS**City Manager Report or Authorized Representative****Current/Future Agenda Items****Police Department Senior Services Program - Tracy Aaron and Zeno Pfau**

Police Chief Tracy Aaron made brief comments about the Police Departments Senior Program and introduced Senior Citizen Safety Program Coordinator Zeno Pfau. Zeno made brief comments about his involvement in the Senior Program and explained what the program does to stay in touch with the seniors in the community. Mayor Cook and Mr. Chandler thanked Zeno for his service.

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

There were no questions regarding the quarterly reports.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA

16-1743

Ordinance - Third and Final 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 a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

City Secretary Jeanne Heard read the caption into the record.

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

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 CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR 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-2002-16

16-1796

Resolution - A Resolution Awarding a Contract for Construction of the FY 2015 Community Development Block Grant Project for Lake St. Paving, Drainage and Utility improvements to McClendon Construction for an amount not to exceed \$230,210.00 (Street Bond Fund and Utility Bond Fund and 2015 Community Development Block Grant program)

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

A RESOLUTION AWARDING A CONTRACT FOR THE FY 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE LAKE STREET PAVING, DRAINAGE AND UTILITY IMPROVEMENTS TO MCCLENDON CONSTRUCTION

AND APPROPRIATING FUNDS

(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-3229-16

[16-1797](#)

Resolution - A Resolution Awarding a Contract for the Construction of Antler Drive Water Line Extension to LKG Resources, LLC., and authorizing funding for an Amount Not to Exceed \$156,280.55 (Utility Bond Fund)

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

A RESOLUTION AWARDED A CONTRACT FOR THE CONSTRUCTION OF ANTLER DRIVE WATER LINE EXTENSION TO LKG RESOURCES, LLC. APPROPRIATING FUNDS; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

(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-3230-16

[16-1799](#)

Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$350,000.00 and Approval of Contracts Including Halff Associates, Inc. for Engineering Design Services and TxDOT for Project Review and Administration for Improvements to Debbie Lane Between FM 157 and US Business Hwy 287 (Street Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$350,000.00 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN SERVICES WITH HALFF ASSOCIATES, INC. AND A LOCAL PROJECT ADVANCED FUNDING AGREEMENT WITH TXDOT TO PREPARE DEBBIE LANE FROM FM 157 TO US BUSINESS HWY 287 FOR CONSTRUCTION

(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-3231-16

[16-1806](#)

Resolution - A Resolution Approving a Construction Contract Between Mansfield Park Facilities Development Corporation and Nu-Way Construction for Erosion Prevention Improvements to the Pedestrian Bridge at Elmer W. Oliver Nature Park in the Amount of \$111,213.00

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

A RESOLUTION APPROVING A CONSTRUCTION CONTRACT BETWEEN MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION AND NU-WAY CONSTRUCTION FOR EROSION PREVENTION IMPROVEMENTS TO THE PEDESTRIAN BRIDGE AT ELMER W. OLIVER NATURE PARK IN THE AMOUNT OF \$111,213.00

(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-3232-16

[16-1795](#)

Minutes - Approval of the March 28, 2016 Regular City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the March 28, 2016 Regular City Council Meeting 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

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[16-1800](#)

Resolution - A Resolution to Approve a Local Project Advance Funding

Agreement (LPAFA) with the Texas Department of Transportation for the Funding of the US Hwy 287 Ramps and Texas U-Turn Project in the Amount of \$4,140,725.24 (Street Bond Fund)

Council Member Hoffman removed this item from the consent agenda. Director of Public Works Steve Freeman made brief comments and answered Council questions.

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

A RESOLUTION AUTHORIZING FUNDING IN THE AMOUNT OF \$4,140,725.24 AND AUTHORIZING THE CITY TO ENTER A LOCAL PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FUNDING OF THE CONSTRUCTION OF THE US HWY 287 RAMPS AND 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: 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-3233-16

END OF CONSENT AGENDA

PUBLIC HEARING CONTINUATION AND SECOND READING

[16-1759](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Making Certain Findings in Connection with the South Pointe Public Improvement District; Accepting a Service and Assessment Plan for the District; Levying Special Assessments Against Property Within the District and Establishing a Lien on Such Property; Providing for a Method of Assessment and Payment of the Assessments; Providing Penalties and Interest on Delinquent Assessments

Director of Planning Felix Wong stated he was available for questions. Mayor Cook continued the public hearing at 7:40 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:40 p.m.

A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT WITH THE CITY OF MANSFIELD; ACCEPTING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR PAYMENT OF THE ASSESSMENTS; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS, PROVIDING

PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE." 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

[16-1760](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from C-2 to PD, Planned Development for Restaurants on Approximately 1.2 Acres Located at 109 S Main Street; M R Development (ZC#16-003)

Mayor Cook acknowledged MR Development representative Kim McCaslin and stated she was available for questions. Mayor Cook continued the public hearing at 7:40 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:40 p.m.

A motion was made by Council Member Haynes 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 RESTAURANTS, 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 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

NEW BUSINESS

[16-1798](#)

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 360 Crossroads, L.P. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development Scott Welmaker 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 THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC

**DEVELOPMENT CORPORATION ("MEDC") AND 360 CROSSROADS, L.P. 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 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-3234-16

ADJOURN

**A motion was made by Council Member Hoffman to adjourn the meeting at 7:46
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