



# CITY OF MANSFIELD

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

## Meeting Minutes - Final City Council

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Monday, February 10, 2014

5:00 PM

Council Chambers

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### REGULAR MEETING AMENDED AGENDA

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

*Mayor Cook called the meeting to order at 5:05 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 in the multi-purpose room at 5:05 p.m. and turned it over to City Manager Clayton Chandler.*

#### Bond Presentation

*Mr. Chandler made a powerpoint presentation. Members of Council who attended the Bond Rating Trip made comments.*

*Mayor Cook adjourned the work session at 5:40 p.m.*

#### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:42 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:45 p.m. Mayor Cook adjourned the executive session at 7:10 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 Legal Issues Related to Gas Well Regulations

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding City of Mansfield vs. Martinez Family Limited - Cause No. 2013-007537-1

Seek Advice of the City Attorney Regarding Legal Issues Related to Past or Future Development Agreements with South Pointe (Addendum to Agenda)

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

**Personnel Matters Pursuant to Section 551.074**

Board Appointments; Mansfield Economic Development Corporation

**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**

Project #13-20 - Entertainment Business Prospect

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

*Mayor Cook reconvened into regular business session at 7:16 p.m.*

**INVOCATION**

*Council Member Broseh led the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Mayor Pro Tem Lindsey 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 Newsom led the Texas Pledge.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Haynes had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Newsom had no announcements.*

*Mayor Pro Tem Lindsey advised he would not be at the first meeting in March due to Spring Break. There was Council consensus to place an item on the next agenda changing the date of the March 10, 2014 Regular Meeting to March 17, 2014.*

*Council Member Burgess thanked the Fire Department for their invitation to their Annual Appreciation Banquet. She congratulated Assistant Fire Chief Eric Peterson for 30 years of service.*

*Council Member Broseh had no announcements.*

*Mayor Cook had no announcements.*

## **STAFF COMMENTS**

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

#### Current/Future Agenda Items

*Mr. Chandler advised the City of Mansfield was recently chosen by Nerdwallet as one of the Top 10 Best Cities in Texas for Home Ownership. He recognized Director of Utility Operations Joe Smolinski and his staff as well as Director of Communications and Marketing Belinda Willis and her staff for their efforts in obtaining the American Water Works Association's Public Communications Achievement Award.*

America Water Works Association's Public Communications Achievement Award - Mansfield Water Utility - Joe Smolinski

*Joe Smolinski introduced Water Treatment Plant Manager Robby Isbell and Education Specialist Arianne Shipley and announced the Mansfield Water Utility Division won the America Water Works Association's Public Communications Achievement Award. He stated it was a nation wide contest mentioning there were two winners, Mansfield, Texas and San Diego, California. He thanked Robby and Arianne for their hard work and dedication.*

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

No action taken by the Council.

## **CONSENT AGENDA**

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

[14-0809](#)

Resolution - Authorization of a Change Order and Providing Additional Funds for the Paving and Traffic Signal Improvements for Broad Street and Miller Road Intersection with XIT Paving and Construction, Inc. in the amount of \$23,572.52 (Street Bond Fund)

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

**A RESOLUTION AUTHORIZING A CHANGE ORDER AND PROVIDING ADDITIONAL FUND FOR THE PAVING AND TRAFFIC SIGNAL IMPROVEMENTS FOR BROAD STREET AND MILLER ROAD INTERSECTION WITH XIT PAVING AND CONSTRUCTION, INC.**

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

**Seconded by Mayor Pro Tem 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

Enactment No: RE-2990-14

[14-0807](#)

Minutes - Approval of the January 23, 2014 Special City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the minutes for the January 23, 2014 Special City Council Meeting as presented. Seconded by Mayor Pro Tem 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

[14-0808](#)

Minutes - Approval of the January 27, 2014 Regular City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the minutes for the January 27, 2014 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem 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

[14-0812](#)

Minutes - Approval of the January 28, 2014 Special City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the minutes for the January 28, 2014 Special City Council Meeting as presented. Seconded by Mayor Pro Tem 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

**END OF CONSENT AGENDA**

**PUBLIC HEARING CONTINUATION AND SECOND READING**[14-0794](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Summer Youth Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program; Providing for Facility Standards; Providing for a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

*Mayor Cook continued the public hearing through second reading at 7:25 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:25 p.m.*

**A motion was made by Council Member Burgess to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, SETTING FORTH THE STANDARDS OF CARE FOR THE RECREATION DEPARTMENT'S SUMMER YOUTH PROGRAM FOR THE CITY OF MANSFIELD; PROVIDING FOR THE OPERATIONAL STANDARDS OF THE ADMINISTRATION FOR THE PROGRAM; PROVIDING FOR THE INSPECTING, MONITORING, AND ENFORCEMENT OF THE STANDARDS OF CARE; PROVIDING FOR THE STAFFING LEVELS, TRAINING AND RESPONSIBILITIES FOR THOSE WORKING IN THE PROGRAM; PROVIDING FOR FACILITY STANDARDS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE." Seconded by Mayor Pro Tem 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

**RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 7:27 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 7:30 p.m. Mayor Cook adjourned the executive session at 8:18 p.m.*

**Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071****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****RECONVENE INTO REGULAR BUSINESS SESSION**

*Mayor Cook reconvened into regular business session at 8:20 p.m.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

No action taken by the Council.

**ADJOURN**

A motion was made by Council Member Hoffman to adjourn the meeting at 8:20 p.m. 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

\_\_\_\_\_ David L. Cook, Mayor

ATTEST:

\_\_\_\_\_ Vicki Collins, City Secretary