



CITY OF MANSFIELD

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

Meeting Minutes - Final City Council

Monday, June 23, 2014

5:00 PM

Council Chambers

REGULAR MEETING ADDENDUM TO AGENDA

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

Mayor Pro Tem Broseh called the meeting to order at 5:07 p.m.

Absent 1 - David Cook

Present 6 - 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 Pro Tem Broseh recessed the meeting into executive session at 5:09 p.m. Mayor Pro Tem Broseh called the executive session to order in the Council Conference Room at 5:20 p.m. Mayor Cook arrived at 5:45 p.m. Mayor Cook adjourned the executive session at 6:10 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 the Application of Zoning Regulations Pertaining to Alcohol Sales

Seek Advice of City Attorney Regarding the Reauthorization of Specific Use Permit for Gas Well Drilling and Production

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

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

Mayor Cook reconvened the meeting into regular business session at 6:15 p.m.

INVOCATION

Mayor Pro Tem 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 Hoffman led the Texas Pledge.

WORK SESSION

Proposed Super Walmart Located at the Southeast Corner of East Broad Street and North Holland Road

Scott Polikov, Gateway Planning Group, 3100 Mckinnon Street, Dallas, gave a PowerPoint presentation on the proposed Walmart to be located at the southeast corner of East Broad Street and North Holland Road. Mr. Polikov stated a zoning case had not been filed on the project and conversations have been held with staff and the property owner, Mrs. Barksdale. Mr. Polikov answered Council questions. Comments were made by Council regarding the proposed project.

Mayor Cook stated Council had received a lot of emails and provided a summary of the concerns expressed in the emails: congested streets, increased crime, lighting 24 hours a day, additional noise, does not belong in a residential area, non consistent with the land use plan and why not along Highway 360.

Mayor Cook encouraged the applicant to reach out to the HOA's and listen to their concerns.

Dan Milner, representative with Kimley-Horn & Associates, 5750 Genesis Court, Frisco, made brief comments.

Mayor Cook gave members of the audience the opportunity to speak. The following spoke during the work session:

Preston Horne, 4401 Vista Glen Court - President of Meadow Glen HOA - asked the Council to place a moratorium on the zoning change for big box retail on this property.

Dana White, Holland Estates - questioned the demand of a Walmart located on the property.

Greg West, 4416 New Meadow Drive - spoke in opposition of the proposed Walmart. He asked that something be placed on the property that would benefit the children.

Greg Nelson, 701 Boone Trail - President of Holland Estates HOA - spoke in opposition to big box retail. He asked that other options be looked at that would

enhance the area and still provide safety for the children.

PRESENTATION

Life Saving Award - Texas State Trooper Justin Kaiser

Mayor Cook honored Texas State Trooper Justin Kaiser and offered appreciation to him. He presented a certificate to Trooper Justin Kaiser.

PROCLAMATION

[14-0951](#)

National Park and Recreation Month

Mayor Cook proclaimed July as National Park and Recreation Month in Mansfield and presented the proclamation to Parks Department Staff and Mansfield Park Facilities Development Corporation President Harold Bell. Mr. Bell made brief comments. Director of Community Services Shelly Lanners introduced the Parks Department Staff present.

CITIZEN COMMENTS

Preston Horn - 4401 Vista Glen Court - Spoke in opposition of the proposed Wal-Mart.

Jeffrey Stoops - 607 Arbor Glen Court - Spoke in opposition of the proposed Wal-Mart.

Christine Forgo-Conlin - 4201 Woodcrest Lane - Spoke in opposition of the proposed Wal-Mart.

Gregory Don West - 4416 New Meadow Drive - Spoke in opposition of the proposed Wal-Mart.

Jackeline Silva - 7339 Darsena - Spoke in opposition of the proposed Wal-Mart.

Donald Pierce - 507 Waterlane Drive - Left early - He was in opposition of the proposed Wal-Mart.

Marc Croker - 406 Waterlane - Spoke in opposition of the proposed Wal-Mart.

Pamela Dickey - 506 Marquis Lane - Spoke in opposition of the proposed Wal-Mart.

Barry Dickey - 506 Marquis Lane - Spoke in opposition of the proposed Wal-Mart.

Matt Preusser - 713 Cross Meadow Blvd. - Spoke in opposition of the proposed Wal-Mart.

Kevin Brown - 609 Arbor Glen Court - Spoke in opposition of the proposed Wal-Mart.

Chris Bow Switzer - 4203 Woodcrest Lane - Spoke in opposition of the proposed Wal-Mart.

Joe Serrano - 7 Monticello Court - Spoke in opposition of the proposed Wal-Mart.

Deena Elliott - 400 N. Hwy 360 - Spoke in opposition of the proposed Wal-Mart.

Mayor Cook recognized the following non-speakers in opposition of the proposed Wal-Mart:

*Jenny Morales - 710 Bowie Lane
Marty Speece - 709 Tophill Lane
DeLario Bolton - 4403 Meadow Breeze Court
Daniel Molina - 4310 Glen Haven Lane
Ronnie E. Wilkerson - 701 Waterlane Drive
Rick Pruitt - 4206 Waterford Glen
Julie Pruitt - 4206 Waterford Glen
James Kozuch, Jr. - 4400 Meadow Knoll Lane
Betty White - 708 Dickerson Lane
Wendy Aguillard - 4403 Meadow Knoll Lane
Jill Helm - 2836 N. Camino Lagos - Grand Prairie
Adrienne McFayden - 4304 Glen Haven Lane
Jeffrey Helm - 2836 N. Camino Lagos - Grand Prairie
Michael Tirone - 414 Waterlane Drive
Michele Tirone - 414 Waterlane Drive
Michael Sherman - 704 Cross Meadow
Starla McFarland - 7343 Darsena - Grand Prairie
Jeff Dronen - 4408 Winding Glen Lane
Andrea Winning - 4408 Winding Glen Lane
Scott Ayer - 4306 Meadow Bend
Joshua Spare - 3043 N. Camino Lagos - Grand Prairie
David Mosley - 719 Bowie Lane
Monica Reid - 10 Roosevelt Court
Eric Davidson - 500 Marquis Lane
Kristy Davidson - 500 Marquis Lane
Quincy Hall - 2744 Columbus - Grand Prairie
Mendy Gregory - 4008 Orchid Lane
Tracy Padilla - 4301 Gleneagles Drive
Clayton Claunch - 3255 Guadalupe
Chris Haefner - 4207 Wildbriar Lane
Ruth Haefner - 4207 Wildbriar Lane
Karlis Kelley - 707 Boone Trail
Jim Koehler - 4004 Orchid Lane
Lindsay Evans - 4078 Water Park Circle
Angie Juarez - 501 Highpoint Lane
Hunter Evans - 4078 Water Park Circle
Brian Billingslea - 4080 Water Park Circle
Kyla Billingslea - 4080 Water Park Circle
Rob Roberts - 4303 Waterford Glen Drive
Tamra Roberts - 4303 Waterford Glen Drive
Curt Wheat - 403 Lismore Drive
Daniel Niemann - 600 Park Glen Lane
Jennifer Werner - 1033 Brook Arbor Drive
Howard Rosenberg - 4104 Water Park Circle
Beverly Rosenberg - 4104 Water Park Circle
Rick Harmon - 8 Watergrove Court
Christina Davies - 713 Waterlane Drive
Bryan Davies - 713 Waterlane Drive
Lynda Windham - 504 Marquis Lane
John R. Windham - 504 Marquis Lane
Tracy Siler - 4209 Watercrest Drive*

Nicole Smith - 4209 Watercrest Drive
Patricia Broderick - 4006 Orchid Lane
Brandon Cathey - 511 Waterlane Drive
Paul Conedera - 409 Lismore Drive
Janel McDonald - 402 Lismore Drive
Brandi Condera - 409 Lismore Drive
Beverly Sanner - 102 Bridgewood Drive
Patricia Burns - 98 Bridgewood Drive
Duane Gregory - 4008 Orchid Lane
Jack Broderick - 4006 Orchid Lane
Ann Lambert - 4100 Waterford Glen Drive
Keith McDonald - 402 Lismore Drive
Cynthia West - 4416 New Meadow Drive
Kimberly Owens - 4083 Water Park Circle
Mark Croker - 406 Waterlane Drive
Amy Toombs - 4105 Water Park Circle
Ben Cruz - 505 Waterlane Drive
Donald Pierce - 507 Waterlane Drive
Charlene Pierce - 507 Waterlane Drive
Jessica McCoy - 705 Waterlane Drive
Ryan McCoy - 705 Waterlane Drive
Lois Cirrincione - 4606 Ridgeway Drive
Marcus Wilson - 4200 Crestview Lane
Aaron Hupp - 4312 Glen Haven Lane
Kevin D. Sanders - 603 Cross Meadow Blvd.
Mike Aguillard - 4403 Meadow Knoll Lane
Erika Uggen - 4313 Old Grove Drive
Sharon Walker - 4210 Woodcrest Lane
Chuck and Johnie Dandridge - 4200 Waterford Glen Drive
Elon Werner - 1033 Brook Arbor
Linda McQuerry - 1508 Lowes Farm Parkway
Kerri Burkhard - 4405 Glenbrook Court
Kelley Tittsworth - 703 San Antonio Trail
Fredie J. Worthey - 409 Waterlane Drive
Brenda Worthey - 409 Waterlane Drive
Lisa Armstrong - 705 Tophill Lane
Jennie Preussner - 713 Cross Meadow Blvd.
Patrick Collins - 3052 Larreta - Grand Prairie
Joe Frazier - 503 Waterlane Drive
Meagan Mueller - 4100 Orchid Lane
John and Kathy Landreth - 408 Waterlane Drive
Maidie Yale - 3316 Abbey Road
Caroline Fisher - 4305 Meadow Bend Court
Chavies Fisher - 4305 Meadow Bend Court
Ginnie Bucek - 4210 Old Grove Drive
Suzanna Dodson - 501 Marquis Lane
Jeremy Smith - 715 Tophill Lane
Beckie Smith - 715 Tophill Lane
Paula Speece - 709 Tophill Lane
Sandra Nelson - 7093 Carmona - Grand Prairie
Robert Nelson - 7093 Carmona - Grand Prairie
LeAnn Norman - 3 Parkview Court
Raymond Turcotte - 3908 Travis Blvd.
Jonathan Dunbar - 4077 Water Park Circle

COUNCIL ANNOUNCEMENTS

Council Member Haynes complimented the citizens for their interest and being involved.

Council Member Hoffman echoed Council Member Haynes' comments. He thanked the citizens for being involved.

Council Member Newsom thanked the citizens for their attendance at the meeting stating he appreciated the comments.

Council Member Lindsey had no announcements.

Council Member Burgess echoed the previous comments made by the Council. She thanked citizens for coming to the meeting.

Mayor Pro Tem Broseh stated he attended the Juneteenth celebration hosted by Mr. and Mrs. Norwood. He encouraged citizens to attend next year.

Mayor Cook thanked the citizens for being in attendance. He encouraged them to keep attending the meetings, stay involved in the process and to make their comments known.

STAFF COMMENTS

City Manager Report or Authorized Representative

Mansfield's Rockin' 4th of July Event Update; Andy Binz

Recreation Superintendent Andy Binz invited everyone to Mansfield's Rockin' 4th of July Event that will take place at Big League Dreams on Thursday, July 3, 2014 stating doors open at 7:00 p.m. with fire works starting at 9:30 p.m. He advised there was no parking at Big League Dreams stating parking would be at the Mansfield Independent School District Stadium beginning at 6:30 p.m.

Current/Future Agenda Items

City Manager Clayton Chandler thanked the citizens for their comments as well as Council comments. He advised there would be a Budget Work Session on July 14, 2014 at 4:00 p.m. He provided the Council with a project list of various projects within the city.

Chandler Park Phase II Design Update; James Fish

Park Planner James Fish gave an update on Chandler Park Phase II. He stated there would be a public input meeting on Thursday, June 26, 2014 at 6:00 p.m. at City Hall.

Texas Fire Fighter Games Update; Barry Bondurant

Fire Chief Barry Bondurant made brief comments regarding the Texas Fire Fighter Games mentioning they will take place from July 20, 2014 to July 25, 2014. Barry answered Council questions.

Business Services Department Report

[14-0950](#)

Presentation of Monthly Financial for the Period Ending May 31, 2014

Director of Business Services Peter Phillis made brief comments and answered Council questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**[14-0937](#)

Request for Special Event Permit; Mansfield Rockin' 4th of July

A motion was made by Council Member Hoffman to approve the request for special event permit. 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

[14-0954](#)

Request for Special Event Permit; Texas Firefighter Games 20014

A motion was made by Council Member Hoffman to approve the request for special event permit. 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

[14-0943](#)

Minutes - Approval of the June 9, 2014 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the June 9, 2014 Regular City Council Meeting Minutes. 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

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING[14-0942](#)

Ordinance - Public Hearing and First Reading of an Ordinance Amending Section 2200 of the Zoning Ordinance Pertaining to the Definition of a Public and Private School and a Publically Owned, Non-School Facility (OA#14-005) (ADDENDUM TO AGENDA)

City Secretary Vicki Collins read the caption into the record. City Attorney Allen Taylor made comments regarding Planning and Zoning Commission and Council actions. Director of Planning Felix Wong gave a report and answered Council questions. Mayor Cook opened the public hearing at 8:30 p.m. With no one wishing to speak, Mayor Cook continued the public hearing at 8:30 p.m.

A motion was made by Council Member Lindsey 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 2200 OF SAID ORDINANCE PERTAINING TO DEFINITIONS FOR PUBLIC AND PRIVATE SCHOOLS AND PUBLICALLY OWNED, NON-SCHOOL FACILITIES; 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," bringing back a more stringent definition of a classroom by the second reading. Seconded by Council Member 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

NEW BUSINESS[14-0939](#)

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 SJJH Mansfield, L.L.C.. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development 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 SJJH MANSFIELD, L.L.C. 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 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

Enactment No: RE-3019-14

[14-0940](#)

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 Mouser Electronics, Incorporated and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Scott Welmaker made brief comments and answered Council questions. In-House City Attorney Craig Magnuson answered Council questions.

A motion was made by Mayor Cook 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 MOUSER ELECTRONICS INCORPORATED, AND AUTHORIZING ITS EXECUTION BY THE PRESIDENT OF THE MEDC; AND PROVIDING AN EFFECTIVE DATE

With the condition that no further assistance will be sought by Mouser in Phase II as stated in the letter, the term will be made a part of the agreement, and a copy of the letter will be attached to the agreement.

(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-3020-14

[14-0941](#)

Review and Consideration of a Detailed Site Plan for Lot 2, Block 1 of The Village Off Broadway Planned Development located at the southwest corner of East Broad Street and Cannon Drive South (DS#14-002)

Felix Wong made brief comments and answered Council questions. Scott Welmaker made brief comments.

A motion was made by Council Member Hoffman to approve this agenda item. 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

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 8:50 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:

Vicki Collins, City Secretary