



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, April 22, 2019

4:00 PM

Council Chambers

REGULAR MEETING

4:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 4:03 p.m.

Present 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

2018 Building Codes

Director of Development Services Wade McLaurin gave a brief overview of changes to come with regards to Building Codes and Fire Safety Codes. He touched on the history of the International Codes; the ICC Code Development Process; NCTCOG Code Review Process; the city's current codes in comparison to other surrounding cities; the codes to be adopted and the proposed amendments. He discussed the North Central Texas Council of Governments involvement in the ICC Codes. City Manager Clayton Chandler and Deputy City Manager Joe Smolinski made brief comments. Wade and Building Official Paul Coker answered Council questions.

ADJOURN

Mayor Cook adjourned the meeting at 4:37 p.m.

6:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 6:00 p.m.

Present 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:02 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:03 p.m. Mayor Cook adjourned executive session at 7:04 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

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

Land Acquisition for Future Development

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 7:11 p.m.

INVOCATION

Living Church Pastor Truston Baba 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 Lewis led the Texas Pledge.

PROCLAMATION

[19-3106](#) Motorcycle Safety Awareness Month

Mayor Cook proclaimed May 2019 as Motorcycle Safety and Awareness Month and presented a proclamation to the Phoenix Motorcycle Club.

[19-3107](#) Animal Care & Control Appreciation Week

This proclamation was not presented.

[19-3108](#)

National Correctional Officers and Employees Week

This proclamation was not presented.

PRESENTATION

2019 Character Project - Legacy and Mansfield High School

Joe Smolinski made brief comments regarding the 2019 Character Project and showed a video detailing the project. He presented Legacy High School and Mansfield High School students with a plaque for their outstanding volunteer service on the project.

Mansfield Police Department Recognition of Local Citizen

Police Chief Tracy Aaron introduced local citizen Jonathan Baba and Mansfield Police Officer Kaitlyn Hart. He gave a brief overview of Mr. Baba's assistance to Office Hart during an arrest. Officer Hart presented a Certificate of Merit Award to Mr. Baba.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Council Member Short stated early voting had started and encouraged everyone to vote.

Council Member Lewis recognized the passing of Jerry L. Deering, a Mansfield Veteran, and read the obituary for Mr. Deering.

Council Member Moore thanked Mansfield Independent School District students and staff as well as city staff for their endless volunteer efforts in Mansfield. He reminded everyone that National Day of Prayer in Mansfield will be on Thursday, May 2, 2019 at the MISD Center for Performing Arts.

Mayor Pro Tem Newsom made comments regarding a video made by Mansfield School of Rock. He encouraged everyone to watch the video.

Council Member Broseh stated Sunday, April 28, 2019 would be Community Outreach Day where several churches come together and volunteer throughout the city.

Mayor Cook congratulated the Legacy Girls Soccer team for making it to the State Championship.

SUB-COMMITTEE REPORTS

There were no Sub-Committee Reports.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Monarch Festival Update - Tiffany Chrzanowski

Nature Education Supervisor Tiffany Chrzanowski invited everyone to attend the first annual Monarch Festival on May 4, 2019 at Elmer Oliver Nature Park from 9:00 a.m. to 12:00 p.m.

Project Updates

Various Project Updates

Deputy City Manager Shelly Lanners gave a brief update on the following projects: Census 2020 Complete Count Committee; Downtown Study; Dog Park; Man House Project; Fire Station 5; Park Master Plan; Walnut Creek Phase II; Wayfinding Program; City website; and Oncor tree trimming. Council Member Lewis requested a copy of the projects and timeline. Council Member Moore suggested student participation in the Census 2020 Complete Count Committee.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Newsom to direct staff to execute the sales contract for property located at 18012 Fox Hollow Drive in the amount of \$342,000.00 plus closing costs . Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[19-3114](#)

Resolution - A Resolution Authorizing the City of Mansfield to Enter a Continuing Disclosure Agreement with the Trinity River Authority of Texas for the Purpose of Providing Certain Annual Financial and Operational Information; and for Timely Notices of Occurences of Certain Events in Accordance with Regulations set Forth by the United States Securities and Exchange Commission

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

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, TEXAS TO ENTER A CONTINUING DISCLOSURE AGREEMENT WITH THE TRINITY RIVER AUTHORITY OF TEXAS FOR THE PURPOSE OF PROVIDING CERTAIN ANNUAL FINANCIAL AND OPERATIONAL INFORMATION; TIMELY NOTICES OF OCCURENCES OF CERTAIN EVENTS IN ACCORDANCE WITH REGULATIONS SET FORTH BY THE UNITED STATES SECURITIES EXCHANGE COMMISSION

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3555-19

[19-3109](#)

Minutes - Approval of the April 8, 2019 Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the minutes of the April 8, 2019 Regular City Council Meeting as presented. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

[19-3110](#)

Ordinance - Public Hearing and First 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 Totalling 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)

City Secretary Susana Marin read the caption into the record. Planner Andrew Bogda made a brief presentation and answered Council questions. Terra Associates representative Charles Dibrell and John Pierret made a brief presentation and answered Council questions. Interim Director of Planning Lisa Sudbury answered Council questions. Mansfield Independent School District representative Jeff Brogden answered Council questions. Director of Public Works Bart VanAmburgh answered Council questions. Mayor Cook opened the public hearing at 8:45 p.m. The following people spoke:

*Blake Axen - 2407 Denali Court - Support
Erik Orsak - 906 Tremont Street - Support
Sarah Wilkinson - 1100 Meriwether Street - Support without the Meriwether connect
Tamera J. Bounds - 1009 Meriwether Street - Support without the Meriwether connect
David Hardin - 1112 Meriwether Street - Support without the Meriwether connect
Bill Glacken - 1111 Tremont Street - Support without the Meriwether connect
Christina Drauden - 1110 Meriwether Street - Support without the Meriwether connect
Kadee Williams - 1007 Meriwether Street - Support without the Meriwether connect
Stephen Lindsey - 306 W. 7th Street, Fort Worth - Support
Dennis Webb - 1109 Meriwether Street - Support without the Meriwether connect*

Mayor Cook recognized the following non-speakers in support of this agenda item without the Meriwether connect:

*Jim Brightbill - 1101 Meriwether Street
Mary and Rick Beaty - 908 Tremont Street
Sam Morton - 1211 Tremont Street
Gloria V. Jenkins - 1114 Meriwether Street
Lance Irwin - 1208 Killian Drive
Diannia Brightbill - 1101 Meriwether Street
C. Ann Webb - 1109 Meriwether Street
Richard Chan - 1111 Meriwether Street
Breana Chan - 1111 Meriwether Street
Isaac Chan - 1111 Meriwether Street
Diane Lindsey - 1111 Tremont Street
Dennis Stroer - 1108 Meriwether Street
Michelle Stroer - 1108 Meriwether Street
Susan Jurchenko - 1104 Meriwether Street
Eric Cottrell - 1112 Starleaf Drive
Shauna Friend - 13 Willowstone Court
Phillip Worobey - 13 Willowstone Court
Aiden Worobey - 13 Willowstone Court*

Mayor Cook recognized the following non-speakers in support of this agenda item:

*Pam Tietze - 2407 Cabrillo Lane
Truston Baba - 1801 Callender Hill
Stephen and Krista Dragoo - 810 Acadia Street*

Mayor Cook recognized the following non-speaker who did not state whether they were in support or opposition of this agenda item:

Nhi La - 1103 Meriwether Street

Mayor Cook recognized the following non-speaker in opposition of this agenda item:

Joe and Sue Wetmore - 1102 Ravenna Street

With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 9:25 p.m.

A motion was made by Council Member Moore to approve the first 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 PROPERTY TO 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." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[19-3111](#)

Ordinance - Public Hearing and First 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 Newsom. Mayor Pro Tem opened the public hearing at 9:44 p.m. Andrew Bogda made a brief presentation and answered Council questions. SSB Designs representative Sherry Bumgardner answered Council questions.

With no one wishing to speak, Mayor Pro Tem Newsom continued the public hearing through second reading at 9:54 p.m.

A motion was made by Council Member Broseh to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, AS 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." Seconded by Council Member Moore. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 1 - David Cook

[19-3113](#)

Ordinance - Public Hearing and First 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. Andrew Bogda made a brief presentation and answered Council questions. City Attorney Allen Taylor answered Council questions. Mayor Cook opened the public hearing at 10:02 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 10:02 p.m.

A motion was made by Council Member Short 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 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." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 1 - Terry Moore

Abstain: 0

NEW BUSINESS

[19-3112](#)

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regularly Scheduled City Council Meeting of May 27, 2019 to May 28, 2019

Council Member Lewis stated he will not be in attendance at the May 28, 2019 Regular Scheduled Meeting.

A motion was made by Council Member Moore to reschedule the regular scheduled meeting of May 27, 2019 to May 28, 2019. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 10:04 p.m. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary