



CITY OF MANSFIELD

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

Meeting Minutes - Final City Council

Monday, January 13, 2014

6:00 PM

Council Chambers

REGULAR MEETING

5:00 P.M. LEADERSHIP MANSFIELD DINNER WITH COUNCIL AND STAFF

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

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

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

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 6:04 p.m. Mayor Cook adjourned executive session at 7:08 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 Relating to Legal Issues Regarding the US 287 and FM 1187 Construction Project

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

Business Prospect - Project #13-07

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

Mayor Cook reconvened into regular business session at 7:15 p.m.

INVOCATION

Council Member 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 Newsom led the Texas Pledge.

CITIZEN COMMENTS

Scott Meigs - 1900 Country Club Drive - Mr. Meigs spoke on behalf of the Leadership Mansfield Class. He thanked the Council and expressed his appreciation for their volunteer service to the community.

COUNCIL ANNOUNCEMENTS

Council Member Haynes had no announcements.

Council Member Hoffman had no announcements.

Council Member Newsom welcomed his counterparts in the Leadership Mansfield class.

Mayor Pro Tem Lindsey stated he attended a Regional Transportation Council meeting and advised they have an additional call for grants. He mentioned the opening of the new park on January 25, 2014 asking for a message board to be put up to slow down traffic down Matlock Road for people entering and exiting the park. He stated he was concerned about the safety on Matlock Road at the intersection of the entrance to the park.

Council Member Burgess welcomed the Leadership Mansfield class.

Council Member Broseh congratulated Mayor Cook for his article in the newspaper.

Mayor Cook thanked Council Member Broseh for his comments. He thanked the Leadership Mansfield class for their participation in the class. He announced the opening of the District Clerk's Office in the Mansfield Sub-Courthouse on Thursday, January 16, 2014 at 10:00 a.m. and thanked District Clerk Tom Wilder. Mayor Cook thanked everyone who participated in the Winter Walk Event. He recognized Director of Economic Development Scott Welmaker for his efforts in the "Shop Mansfield, It Makes Cents," slogan.

STAFF COMMENTS**City Manager Report or Authorized Representative**

Current/Future Agenda Items

City Manager Clayton Chandler thanked the Leadership Mansfield class as well as Mayor Pro Tem Lindsey for kicking off City Day and Council Member Newsom for participating in Leadership Mansfield this year. He advised there would be a joint work session with the Mansfield Park Facilities Development Corporation at the next regular scheduled meeting regarding the bicycle study. He reminded the Council about the joint meeting with Mansfield Independent School District to be held at the Center for the Performing Arts on Thursday, January 23, 2014 at 6:00 p.m.

Grand Opening of Oliver Nature Park; January 25, 2014

Nature Education Specialist Sam Kieschnick made brief comments and invited everyone to the grand opening of Oliver Nature Park on January 25, 2014 at 10:00 a.m. mentioning shuttle parking would be at Mansfield High School. He stated there would be nature activities from 11:00 a.m. to 4:00 p.m.

Quarterly Reports; Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Legal, Code Enforcement, Development Services

There were no comments or questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA

[13-0776](#)

Resolution - A Resolution of the City of Mansfield Authorizing the City Manager and the Police Department to Accept Supplemental Grant Funding Available from the Texas School Safety Center (TSSC) at Texas State University-San Marcos, in the Amount of \$3,000 for a Tobacco Enforcement Grant for FY2014 (No City Match is Required)

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

A RESOLUTION OF THE CITY OF MANSFIELD AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO ACCEPT \$3,000 OF SUPPLEMENTAL GRANT FUNDING FROM THE TEXAS SCHOOL SAFETY CENTER AT TEXAS STATE UNIVERSITY - SAN MARCOS FOR THE TOBACCO ENFORCEMENT GRANT PROJECT FOR FISCAL YEAR 2014 (NO CITY MATCH REQUIRED)

(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 Brose; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-2978-14

[13-0780](#)

Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$107,000.00 and Approval of [Contracts to Include](#) Jerry Parche Consulting Engineers for Design Services for the South Waxahachie Street and Prairie View Drive Paving and Water Line Improvements. (Street Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING AND APPROVING A CONTRACT WITH JERRY PARCHE CONSULTING ENGINEERS FOR DESIGN SERVICES FOR THE SOUTH WAXAHACHIE STREET AND PRAIRIE VIEW DRIVE PAVING AND WATER LINE IMPROVEMENTS

(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 Brose; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: RE-2979-14

[14-0784](#)

Resolution - A Resolution to Support and Provide Local Funding in the Estimated Amount of \$20,000 for the Nomination of Traffic Signal Retiming on the E. Broad Street and FM 157 Corridors for Competition in the North Central Texas Councils of Governments (NCTCOG) Regional Signal Retiming Program (Traffic Operations Budget)

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

A RESOLUTION TO SUPPORT AND PROVIDE LOCAL FUNDING IN THE ESTIMATED AMOUNT OF \$20,000 FOR THE NOMINATION OF TRAFFIC SIGNAL RETIMING ON THE E. BROAD STREET AND FM 157 CORRIDORS FOR COMPETITION IN THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) REGIONAL SIGNAL RETIMING PROGRAM

(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-2980-14

[14-0785](#)

Resolution - A Resolution Approving a Developer Agreement Between City of Mansfield and Cardinal Park LLC for Cost Participation for Drainage Improvements Adjacent to the Cardinal Park Estates Subdivision for an Amount not to exceed \$67,632.80 (Street Bond Fund)

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

A RESOLUTION AWARDDING A DEVELOPER AGREEMENT BETWEEN THE CITY OF MANSFIELD AND CARDINAL PARK LLC FOR COST PARTICIPATION FOR DRAINAGE IMPROVEMENTS ADJACENT TO THE CARDINAL PARK ESTATES SUBDIVISION, APPROPRIATING FUNDS; AND DIRECTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPER AGREEMENT

(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-2981-14

[14-0781](#)

Minutes - Approval of the December 9, 2013 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the December 9, 2013 Regular Meeting minutes as presented. 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

[14-0782](#)

Minutes - Approval of the December 10, 2013 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the December 10, 2013 Regular Meeting Minutes as presented. 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

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

14-0786

Resolution - A Resolution Determining the Best Value in Awarding the Construction Contract Regarding the Addition and Renovations to the Mansfield Animal Care and Control Facility

Mayor Pro Tem Lindsey removed this item from the consent agenda. Director of Development Services Richard Wright made brief comments and answered Council questions.

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

A RESOLUTION DETERMINING THE BEST VALUE IN AWARDING THE CONSTRUCTION CONTRACT REGARDING THE ADDITION AND RENOVATIONS TO THE MANSFIELD ANIMAL CARE AND CONTROL FACILITY

(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-2982-14

14-0783

Minutes - Approval of the December 16, 2013 Special City Council Meeting Minutes

Council Member Burgess removed this item from the consent agenda.

A motion was made by Mayor Cook to approve the December 16, 2013 Special Meeting Minutes as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 5 - David Cook;Stephen Lindsey;Larry Broseh;Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 2 - Wendy Burgess and Cory Hoffman

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING[13-0777](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving Amendment of Section 6.2, Permitted Use Table of The Reserve Planned Development District Standards to Allow Drive-In Banking Facilities in the Central Sub-District of The Reserve Planned Development (OA#13-004)

City Secretary Vicki Collins read the caption into the record. Director of Planning Felix Wong made a brief presentation. Mayor Cook opened the public hearing at 7:38 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:38 p.m.

A motion was made by Council Member Haynes to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE RESERVE PLANNED DEVELOPMENT DISTRICT STANDARDS TO PERMIT DRIVE-IN BANKING FACILITIES AS A PERMITTED USES IN THE CENTRAL SUB-DISTRICT OF THE RESERVE PLANNED DEVELOPMENT; 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 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

OLD BUSINESS[13-0741](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from SF-12/22 & PR to SF-8.4/18 & SF 9.6/20 on Approximately 67.48 Acres, Generally Located South of Grand Meadow Blvd, East of Winding Glen Lane, and West of Sunset Drive and N. Day Miar Road.; Alluvium Development (ZC#13-011)

Felix Wong stated the applicant had requested this item be postponed for two weeks.

A motion was made by Mayor Cook to table this item to the next meeting. 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

NEW BUSINESS[14-0788](#)

Ordinance - First Reading of an Ordinance Vacating and Abandoning a

Portion of Hospital Drive in the City of Mansfield, Tarrant County, Texas

Vicki Collins read the caption into the record. Mr. Chandler made brief comments. Mayor Cook called a special meeting to approve the third and final reading of this item on Tuesday, January 28, 2014 at 8:00 a.m.

A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE VACATING AND ABANDONING A PORTION OF HOSPITAL DRIVE IN THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; RETAINING A PUBLIC UTILITY EASEMENT; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP, INTEREST AND CONTROL OF THIS RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE," with staff continuing their discussions as discussed in executive session. 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

[14-0789](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement By and Between the City of Mansfield and Pavilion Properties and Authorizing its Execution by the Mayor and Providing an Effective Date

A motion was made by Council Member Broseh 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 CITY OF MANSFIELD AND PAVILION PROPERTIES AND AUTHORIZING ITS EXECUTION BY THE MAYOR AND PROVIDING AN EFFECTIVE DATE

(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-2983-14

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 7:47 p.m. 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

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary