



CITY OF MANSFIELD

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

Meeting Minutes - Draft City Council

Monday, September 8, 2014

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:10 p.m.

Absent 1 - Larry Broseh

Present 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; 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 5:12 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:15 p.m. Mayor Cook adjourned the executive session at 6:22 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

Seek Advice of City Attorney on Legal Considerations in Utilizing Names on Public Structures

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

Consider Possible Purchase of Certain Properties for Future/Development Use

Personnel Matters Pursuant to Section 551.074

Board Appointments

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

Economic Development Project #14-12 - Business Prospect

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

Mayor Cook reconvened into regular business session at 7:00 p.m.

INVOCATION

Mansfield Resident Loretta Reves, mother of Texas Senator Brian Birdwell and State District Judge Wade Birdwell, led the Invocation.

PLEDGE OF ALLEGIANCE

Mansfield Key Club Students 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 Pledge of Allegiance.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Update on Wurst Fest; Angie Henley

Special Events Coordinator Angie Henley made brief comments about the Wurst Festival that will take place Saturday, September 13, 2014 and invited everyone to attend.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken by the Council.

PROCLAMATIONS

14-1040 Blood Cancer Awareness Month

Mayor Cook proclaimed September 2014 as Blood Cancer Awareness Month and presented a proclamation to LLS Representative Ted Taylor. Mr. Taylor made brief comments.

14-1041 Pitt Hopkins Awareness Day

Mayor Cook proclaimed September 18, 2014 as Pitt Hopkins Awareness Day and presented a proclamation to the family of Ashton Green. Mr. Green made brief comments.

CONSENT AGENDA**14-0986** Ordinance - Third and Final Reading on an Ordinance Approving an Amendment to the Existing PD for Church and Related Facilities on Approximately 53.6 Acres, Generally Located at 1201 N. SH360; Walnut Ridge Baptist Church (ZC#05-019B)

City Secretary Vicki Collins read the caption into the record.

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

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 A CHURCH AND RELATED 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

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-1917-14

14-0997 Ordinance - Third and Final Reading of an Ordinance Amending the Code of Ordinances for Designated Truck/Commercial Delivery Routes

Vicki Collins read the caption into the record.

A motion was made by Council Member Lindsey to approve the following

ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD BY AMENDING CHAPTER 71, SECTION 71-20, SECTION 71-23, AND SECTION 71-28 CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS; DESIGNATING CERTAIN STREETS AS TRUCK ROUTES OR COMMERCIAL DELIVERY ROUTES; TO PROVIDE A MAXIMUM SIZE OF CERTAIN TYPES OF MOTOR VEHICLES OPERATED ON PUBLIC STREETS WITHIN THE CITY; TO PROVIDE A MAXIMUM WEIGHT FOR CERTAIN VEHICLES OPERATED ON PUBLIC STREETS WITHIN THE CITY; TO PROVIDE PERMIT REQUIREMENTS FOR OVERSIZE AND OVERWEIGHT VEHICLES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-1918-14

14-1022

Resolution - A Resolution Authorizing a Contract with Kimley Horn and Associates, Inc. for a Master Thoroughfare Plan and Roadway Impact Fee Update Study for a lump sum amount of \$84,000 (Roadway Impact Fee Fund)

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

A RESOLUTION AUTHORIZING A CONTRACT WITH KIMLEY HORN AND ASSOCIATES, INC FOR A ROADWAY IMPACT FEE AND MASTER THOROUGHFARE PLAN UPDATE STUDY

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3035-14

14-1036

Resolution - A Resolution Authorizing the City Manager and the City of Mansfield Fire Department to make Application and Receive Funds from the Texas Department of State Health Services on Competitive RFP for EMS Local Projects Grant FY 2015 after the Purchase of Cardiac Monitors and EMS Equipment

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER AND THE FIRE DEPARTMENT TO MAKE APPLICATION, RECEIVE AND EXPEND GRANT FUNDING FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE FOR REIMBURSEMENT OF UP TO \$50,000 AFTER THE PURCHASE OF CARDIAC MONITORS AND EMS EQUIPMENT FOR MANSFIELD FIRE DEPARTMENT

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3036-14

14-1015

Request for Special Event Permit; Turkey Trot 2014

A motion was made by Council Member Lindsey to approve the special event permit. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

14-1020

Minutes - Approval of the August 25, 2014 Regular City Council Meeting Minutes

A motion was made by Council Member Lindsey to approve the August 25, 2014 Regular City Council Meeting Minutes as presented. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

14-1037

Minutes - Approval of the September 2, 2014 Special City Council Meeting Minutes

A motion was made by Council Member Lindsey to approve the September 2, 2014 Special City Council Meeting Minutes as presented. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

14-1021

Resolution - Authorizing the City Manager to Execute an Agreement with the Texas Department of Transportation for the City to Assume Operation and Maintenance of Existing Traffic Signals at Access Controlled Locations (Freeway Service Roads)

Council Member Hoffman removed this item from the consent agenda.

Transportation Engineer David Boski made brief comments and answered Council questions.

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

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD TO ENTER AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CITY TO ASSUME OPERATION AND MAINTENANCE OF EXISTING TRAFFIC SIGNALS ON ACCESS CONTROLLED STATE ROADWAYS

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3037-14

END OF CONSENT AGENDA**OLD BUSINESS**

14-1009 Consideration of a Request to Revise the Development Plan for the Villages of Park Hill Addition Park and Walking Trail Areas Located at 2001 and 2011 Callender Road (ZC#13-004A)

A motion was made by Council Member Hoffman to table this agenda item to the next regular scheduled meeting of September 22, 2014. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

NEW BUSINESS

14-1019 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 1206 Antler, LTD. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

A motion was made by Council Member Hoffman to request the Mansfield Economic Development Corporation revisit this item and look at the consideration given for what has been presented to the Council. Seconded by Council Member Haynes. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

14-1024 Ordinance - First Reading of an Ordinance Adopting a Budget for the Fiscal Year Beginning October 1, 2014 and Ending September 30, 2015

Vicki Collins read the caption into the record. Council Member Burgess, Hotel/Motel Subcommittee Chairwoman, made a report on the allocations the subcommittee was proposing.

Historical Society - \$30,505

Farr Best Theater - Christmas Performances \$5,000 - Winter/Spring Performances \$8,000

Kiwanis - \$2,500

Mansfield Invitational Inc. - Boys Tournament \$3,500 - Girls Tournament \$25,000

Futures of Mansfield Tennis - \$19,000
Discover Historic Mansfield - Painted Pianos \$3,500
Rockin' 4th of July - \$16,000
Mansfield CVB - \$254,515
Mainstage Classic Theatre - \$5,000
Mansfield Juneteenth - \$2,000
Sunrise Rotary - \$20,000
Pickle Parade - \$26,000
Mansfield 125/Wurst Fest - \$12,500
Reserve - \$76,000

A motion was made by Council Member Haynes to approve the first reading of "AN ORDINANCE ADOPTING A BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 31, 2015, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF MANSFIELD, APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; HERewith; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND FOR AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

14-1025

Ordinance - First Reading of an Ordinance Levying the Ad Valorem Taxes for Fiscal Year 2015 at a Rate of \$0.71000 per One Hundred Dollars (\$100) Assessed Valuation on all Taxable Property

Vicki Collins read the caption into the record.

A motion was made by Council Member Hoffman to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE FISCAL YEAR 2015 AT A RATE OF \$0.71000 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2014, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENDITURES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; THIS TAX RATE WILL RAISE MORE TAXES FOR THE MAINTENANCE AND OPERATIONS THAN LAST YEARS TAX RATE; THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.0% AND WILL RAISE TAXES FOR THE MAINTENANCE AND OPERATIONS OF A \$100,000 HOME BY APPROXIMATELY \$20.83; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; AND DECLARING AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

14-1038

Resolution - Resolution Approving Certain Public Improvements Within the Tax Increment Reinvestment Zoned Number Two and the Expenditure of Tax Increment Funds for the Public Improvements

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING CERTAIN PUBLIC IMPROVEMENTS WITHIN THE TAX INCREMENT REINVESTMENT ZONED NUMBER TWO AND THE EXPENDITURE OF TIF INCREMENT FUND; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-3038-14

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 7:30 p.m. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary