



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, May 8, 2017

5:00 PM

Council Chambers

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#### REGULAR MEETING

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

*Mayor Cook called the meeting to order at 5:00 p.m.*

**Absent** 1 - Stephen Lindsey

**Present** 6 - David Cook; 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 Cook recessed the meeting into executive session at 5:03 p.m. Council Member Lindsey arrived at 5:03 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:10 p.m. Mayor Cook adjourned executive session at 6:36 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 Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Development on Hwy 287 and E. Broad Street

Seek Advice of City Attorney Regarding Property Management and Disposition

Seek Advice of City Attorney Regarding Project #17-09

Seek Advice of City Attorney Regarding Encroachment Issue

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

Project #17-08 - Discussion Regarding Possible Sale to an Industrial Prospect

**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**

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

*Mayor Cook reconvened into executive session at 7:03 p.m.*

**INVOCATION**

*Community of Hope Pastor Ron Albertson gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Police Department Explorers 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.*

**PROCLAMATIONS****[17-2280](#)**

National Correctional Officers and Employees Week

*Mayor Cook proclaimed May 7-13, 2017 as National Correctional Officers and Employees Week and presented the proclamation to Mansfield Correctional Officers.*

**[17-2297](#)**

National Police Week

*Mayor Cook proclaimed May 7-13, 2017 as National Police Week and presented the proclamation to Mansfield Police Officers. Police Chief Tracy Aaron made brief comments.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes had no announcements.*

*Council Member Burgess expressed her appreciation for Police Officers.*

*Council Member Newsom had no announcements.*

*Mayor Pro Tem Broseh had no announcements.*

*Mayor Cook thanked everyone for voting in the recent election and encouraged voting in the upcoming runoff election.*

## **STAFF COMMENTS**

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

#### **Current/Future Agenda Items**

*City Manager Clayton Chandler echoed Council announcements. Deputy City Manager Peter Phillis asked the Council their availability to meet on May 16, 2017 at 6:00 p.m. to canvass the May 6, 2017 election results and order a runoff election. There was Council consensus to schedule a meeting as requested by staff.*

#### **Downtown Development RFP Update - Joe Smolinski**

*Deputy City Manager Joe Smolinski gave a brief update on the Request for Proposals for the Downtown Development. He stated requests would be accepted through July 28, 2017. Mayor Cook requested a presentation of the proposals be made to the Council on August 14, 2017. Mayor Cook appointed citizens Brent Parker, Casey Lewis and Dave Goodwin to serve on the Downtown RFP Subcommittee.*

### **Business Services Department Report**

#### **17-2290**

Presentation of Monthly Financial Report for the Period Ending March 31, 2017

*There were no questions regarding the monthly financial.*

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

**No action was taken by the Council.**

### **13. CONSENT AGENDA**

#### **17-2250**

Ordinance - Second Reading of an Ordinance Approving a Request to Abandon the Western Half of the Prescriptive Right-of-Way of Miller Rd. (.413 Acres) North of Heritage Parkway to Heritage Town Center, LLC & ECW Investments, LLC.

A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE VACATING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY OF MILLER ROAD DESCRIBED HEREINAFTER, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC INTEREST OR CONTROL OF SAID RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE." 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

[17-2288](#)

Resolution - A Resolution of the City of Mansfield, Texas Approving an Interlocal Agreement with the Trinity River Authority for the Joe Pool Lake Watershed Protection Plan; and Authorizing Funding for an Amount Not to Exceed \$60,000 (Drainage Utility Funds)

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING AN INTERLOCAL AGREEMENT WITH THE TRINITY RIVER AUTHORITY FOR THE JOE POOL LAKE WATERSHED PROTECTION PLAN; AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$60,000**

(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-3361-17

[17-2292](#)

Resolution - A Resolution Authorizing the City Manager to Execute the First Amendment to the Advance Funding Agreement with the Texas Department of Transportation for the Historic Mansfield Hike and Bike Trail Connection

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

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE HISTORIC MANSFIELD HIKE AND BIKE TRAIL CONNECTION**

(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-3362-17

[17-2289](#)

Minutes - Approval of the April 24, 2017 Regular City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the minutes of the April 25, 2017 Regular City Council Meeting as presented. 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

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

[17-2294](#)

Resolution - A Resolution Supporting a Request to the Texas Department of Transportation to Reduce the Speed Limit on US 287 Between Heritage Parkway and the South City Limits from 70 MPH to 65 MPH.

*Mayor Cook removed this item from the consent agenda. Director of Public Works Bart VanAmburgh made brief comments and answered Council questions.*

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION REDUCE THE SPEED LIMIT ON US 287 FROM HERITAGE PARKWAY TO THE SOUTH CITY LIMITS FROM 70 MPH TO 65 MPH**

**(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-3363-17

[17-2296](#)

Request for Special Event Permit: Lake Ridge Band Boosters Carnival Fundraiser

*Council Member Hoffman removed this item from the consent agenda. LakeRidge Eagle Band Booster representative Laura Miller made brief comments.*

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

### **END OF CONSENT AGENDA**

### **NEW BUSINESS**

[17-2291](#)

Review and Consideration of a Request by Ashton Holdings, Inc., for Minor Modifications to the Amenity Center, Landscaping and Screening, and Lot Configuration in the Oak Preserve Planned Development, Generally Located South of Lillian Road and Approximately 2,000 Feet Southwest of the Intersection of Lillian Road and W. Broad Street (ZC#15-022A)

*Ashton Holdings Inc. representative Adlai Pennington made brief comments regarding the minor modifications in the Oak Preserve Planned Development before the Council and answered Council questions. Bart VanAmburgh answered Council questions.*

**A main motion was made by Council Member Haynes to approve the request. Seconded by Mayor Pro Tem Broseh.**

**A motion to amend the main motion was made by Mayor Cook for the request to include a provision to require the "activity area or greenspace" to be usable as determined by the Community Services Department. Seconded by Council Member Lindsey. The motion CARRIED with 7 ayes and 0 nays.**

**The amended main 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 8:02 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:

\_\_\_\_\_ Jeanne Heard, City Secretary