



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, February 13, 2017

5:00 PM

Council Chambers

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#### AMENDED AGENDA REGULAR MEETING

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

*Mayor Cook called the meeting to order at 5:02 p.m.*

**Present** 7 - David Cook; 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 Cook recessed the meeting into executive session at 5:04 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:12 p.m. Mayor Cook adjourned executive session at 7:00 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 Regarding the Sales Contract for the Farr Best Theatre

Seek Advice of City Attorney Regarding a Marquee Sign for the Shops at Broad at the Intersection of US HWY 287 and E. Broad Street

Seek Advice of City Attorney Regarding TCEQ Permit No. 2256A

Seek Advice of City Attorney Regarding the Mansfield Starcenter Construction Contract

Seek Advice of City Attorney Regarding the Review Process for a Request for Variance to the Alcoholic Beverage Sale Regulations Enacted Under Section 109.33 of the Texas Alcoholic Beverage Code

Seek Advice of City Attorney Regarding HPC Somerset Development Corporation (Addendum to Agenda)

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

Discuss the Possible Sale or Trade 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**

Project #17-03 - Discussion

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

*Mayor Cook reconvened into regular business session at 7:05 p.m.*

### **INVOCATION**

*Bisbee Baptist Church Pastor Freddie Matthews 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.*

### **PRESENTATION**

Comprehensive Annual Financial Report - KPMG, LLP and City Staff; Peter Phillis

*Deputy City Manager Peter Phillis provided Council Members and staff with the 2017 Budget Document and the 2016 Comprehensive Annual Financial Report. He gave an update on the 2016 Annual Audit and turned the presentation over to KPMG, LLP representative Travis Hunter. Mr. Hunter updated the Council on the 2016 audit.*

Transportation Excellence for the 21st Century (TEX-21) Presentation on the Third Coast Initiative and Efforts to Convert US 287 to an Interstate Highway

*Dean International and TEX-21 representative Linda Harper Brown gave an update on the Third Coast Initiative and Efforts to Convert US 287 to an Interstate Highway.*

### **CITIZEN COMMENTS**

*John Minyard - 633 Douglas - Mr. Minyard made comments and asked questions regarding the city's strategic plan.*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes had no announcements.*

*Council Member Burgess had no announcements.*

*Council Member Newsom had no announcements.*

*Mayor Pro Tem Broseh had no announcements.*

*Mayor Cook recognized Grammy Award Winner Tamela Mann who lives in Mansfield. She won a grammy for Best Gospel Performance/Song.*

### **STAFF COMMENTS**

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

Current/Future Agenda Items

Chandler Park Update - Matt Young

*Director of Parks and Community Services Matt Young gave a powerpoint presentation about the progress on Phase II Improvements on Chandler Park and answered Council questions. City Manager Clayton Chandler made comments regarding the Mansfield Park Facilities Development Corporation and Mansfield Economic Development Corporation funds.*

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

**A motion was made by Council Member Hoffman to authorize city staff to proceed with the real estate transaction as discussed in executive session. Seconded by Council Member Newsom. The motion CARRIED with 7 ayes and 0 nays.**

**A motion was made by Council Member Hoffman to approve the minor modification to the Planned Development at the corner of US Hwy 287 and E. Broad Street; otherwise known as the Shops at Broad to include the conceptual design of the marquee sign discussed in executive session. Seconded by Council Member Newsom. The motion CARRIED with 7 ayes and 0 nays.**

### **CONSENT AGENDA**

[16-2131](#)

Ordinance - Third and Final Reading of an Ordinance Amending the PCS Site Lease Agreement and First Amendment to PCS Site Lease Agreement

for the City-Owned Property at James McKnight Park East in the City of Mansfield, Tarrant County, Texas; Authorizing the City Manager to Execute the Easement Document; Providing a Severability Clause; and Providing an Effective Date

*City Secretary Jeanne Heard read the caption into the record.*

**A motion was made by Mayor Pro Tem Broseh to approve the following ordinance:**

**AN ORDINANCE AMENDING THE PCS SITE LEASE AGREEMENT AND FIRST AMENDMENT TO PCS SITE AGREEMENT FOR THE CITY-OWNED PROPERTY AT JAMES MCKNIGHT PARK EAST, IN THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE EASEMENT DOCUMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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

**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

Enactment No: OR-2033-17

[16-2149](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Changing the Speed Limit on US Highway 287 between Lone Star Road and South City Limits to a Regulatory Construction Speed of 55 MPH

*Jeanne Heard read the caption into the record.*

**A motion was made by Mayor Pro Tem Broseh to approve the following ordinance:**

**AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY**

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

**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

Enactment No: OR-2034-17

[17-2170](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving a Joint Election Agreement Between the City of Mansfield and Mansfield Independent School District for a Joint Election to be Held May 6, 2017; Providing for Early Voting and Election Day Procedures; and, Providing for Cancellation Due to Unopposed Candidates

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A JOINT ELECTION AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS AND MANSFIELD INDEPENDENT SCHOOL DISTRICT FOR A JOINT ELECTION TO BE HELD MAY 6, 2017; PROVIDING FOR EARLY VOTING AND ELECTION DAY PROCEDURES; AND, PROVIDING FOR CANCELLATION DUE TO UNOPPOSED CANDIDATES**

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

**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

Enactment No: RE-3329-17

[17-2173](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funding from the Justice Assistance Grant (JAG) of the Governor's office of the State of Texas for a SWAT Rapid Deployment Vehicle; the Amount of the Award will not Exceed \$80,000 and Does not Require a Match

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

**A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE JUSTICE ASSISTANCE GRANT (JAG) OF THE GOVERNOR'S OFFICE OF THE STATE OF TEXAS FOR A SWAT RAPID DEPLOYMENT VEHICLE; THE AMOUNT OF THE AWARD WILL NOT EXCEED \$80,000 AND DOES NOT REQUIRE A MATCH**

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

**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

Enactment No: RE-3330-17

[17-2178](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funding from the Justice Assistance Grant (JAG) of the Governor's office of the State of Texas for a Dual Purpose Vehicle - an Incident Command/Negotiator Vehicle; the Amount of the Award will not Exceed \$80,000 and Does not Require a Match

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

**A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE JUSTICE ASSISTANCE GRANT (JAG) OF THE GOVERNOR'S OFFICE OF THE STATE OF TEXAS FOR A DUAL PURPOSE VEHICLE - AN INCIDENT COMMAND/NEGOTIATOR VEHICLE; THE AMOUNT OF THE AWARD WILL NOT EXCEED \$80,000 AND DOES NOT REQUIRE A MATCH**

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

**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

Enactment No: RE-3331-17

[17-2180](#)

Resolution - A Resolution Awarding a Construction Contract for a Traffic Signal at Heritage Parkway/Matlock Road to Roadway Solutions, Inc.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$295,000.00 (Street Bond Fund)

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

**A RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR A TRAFFIC SIGNAL AT THE INTERSECTION OF HERITAGE PARKWAY/MATLOCK ROAD;**

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**AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE  
CONTRACT DOCUMENTS; AND APPROPRIATING FUNDS**

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

**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

Enactment No: RE-3332-17

[17-2183](#)

Approval of The LOT's Reimbursement Request of Hotel/Motel 2016/2017  
Funds

**A motion was made by Mayor Pro Tem Broseh to approve the request for  
reimbursement. 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

[17-2186](#)

Minutes - Approval of the January 31, 2017 Special City Council Meeting  
Minutes

**A motion was made by Mayor Pro Tem Broseh to approve the January 31, 2017  
Special City Council Meeting minutes as presented. 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

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

[17-2169](#)

Resolution - A Resolution of the City of Mansfield, Texas, Calling for a  
General Election to be Held on May 6, 2017; Designating Polling Places;  
Establishing Election Precincts Within the City; Appointing an Election  
Judge and Alternate Judge; Establishing Other Procedures for Conduct of  
the Election; Establishing a Date for Canvassing Returns; Establishing a  
Date for Runoff Election, if Necessary; and Providing an Effective Date

*Council Member Burgess removed this item from the consent agenda.*

**A motion was made by Council Member Burgess to approve the following**

resolution with the correction of the runoff date being June 10, 2017:

**A RESOLUTION OF THE CITY OF MANSFIELD ("CITY"), TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2017; DESIGNATING POLLING PLACES; ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; ESTABLISHING A DATE FOR CANVASSING RETURNS; ESTABLISHING A DATE FOR RUNOFF ELECTION, IF NECESSARY; 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:** 7 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3333-17

[17-2177](#)

Minutes - Approval of the January 23, 2017 Regular City Council Meeting Minutes

*Council Member Burgess removed this item from the consent agenda.*

**A motion was made by Council Member Burgess to approve the Regular City Council Meeting minutes of January 23, 2017 with pending amendments conveyed to the City Secretary. 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

**END OF CONSENT AGENDA**

**OLD BUSINESS**

[16-2146](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR, Pre Development to PD, Planned Development for Office, Retail and Service Uses on Approximately 3.296 Acres Generally Located South of Mansfield-Webb Road and approximately 470 feet West of the City Limits; Mansfield-Webb, LLC (ZC#16-016)

*Jeanne Heard read the caption into the record. Macatee Engineering representative Dayton Macatee and BQ Construction representative James Johnston stated they were available for questions.*



A motion was made by Council Member Hoffman 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 OFFICE, RETAIL AND SERVICE 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**

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

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

**Aye:** 4 - Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 3 - David Cook; Stephen Lindsey and Wendy Burgess

**Abstain:** 0

Enactment No: OR-2035-17

## **PUBLIC HEARING AND FIRST READING**

### **[17-2174](#)**

Ordinance - Public Hearing and First Reading of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Summer Youth Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program; Providing for Facility Standards; Providing for Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

*Jeanne Heard read the caption into the record. Recreation Superintendent Andy Binz made brief comments. Mayor Cook opened the public hearing at 8:49 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:50 p.m.*

**A motion was made by Mayor Pro Tem Broseh to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, SETTING FORTH THE STANDARDS OF CARE FOR THE RECREATION DEPARTMENT'S SUMMER YOUTH PROGRAM FOR THE CITY OF MANSFIELD; PROVIDING FOR THE OPERATIONAL STANDARDS OF THE ADMINISTRATION FOR THE PROGRAM; PROVIDING FOR THE INSPECTING, MONITORING, AND ENFORCEMENT OF THE STANDARDS OF CARE; PROVIDING FOR THE STAFFING LEVELS, TRAINING AND RESPONSIBILITIES FOR THOSE WORKING IN THE PROGRAM; PROVIDING FOR FACILITY STANDARDS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE." 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

[17-2175](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from an Existing Planned Development and C-2, Community Business District to a New Planned Development for Retail, Restaurant and Other Commercial Uses and to Provide a Variance to the Alcoholic Beverage Sale Regulations Enacted Under Section 109.33 of the Texas Alcoholic Beverage Code, on Approximately 19.3 Acres Generally Located at the NW corner of E. Broad Street and Cannon Drive; Leon Capital Group (ZC#16-023)

*Jeanne Heard read the caption into the record. Leon Capital Group representative Will Tolliver gave a powerpoint presentation and answered Council questions. Council requested the developer bring back an exhibit that points out the intended use of each storefront. Mayor Cook opened the public hearing at 9:41 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through the second reading at 9:51 p.m.*

**A motion was made by Mayor Cook 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 PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR RETAIL, RESTAURANT AND OTHER COMMERCIAL USES AND TO PROVIDE A VARIANCE TO THE ALCOHOLIC BEVERAGE SALE REGULATIONS ENACTED UNDER SECTION 109.33 OF THE TEXAS ALCOHOLIC BEVERAGE CODE, 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," consistent with comments made to the applicant regarding changes to the proposed planned development with regard to the variance request (size of trees, detailed patio plans, articulation requirements, and limitation of two fast food restaurants with SUP's subject to City Council approval after tenants and patio users are identified) and permitted uses. Seconded by Council Member Haynes. The motion CARRIED by the following vote:**

**Aye:** 6 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes and Brent Newsom

**Nay:** 1 - Wendy Burgess

**Abstain:** 0

[17-2176](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD for Multi-Family Residential Development on Approximately 5.57 Acres Generally Located South of W. Broad Street and Approximately 1,180 Feet East of the Intersection of W. Broad Street and Lillian Road; Carleton Residential Properties (ZC#16-026)

*Jeanne Heard read the caption into the record. Bethlehem Baptist Church representative Charles Williams made brief comments. Carleton Residential Properties representative Will Henderson gave a powerpoint presentation and answered Council questions. Bethlehem Baptist Church Pastor Michael Evans made brief comments. Mayor Cook opened the public hearing at 8:12 p.m. The following people spoke:*

*Susan Lutrell - 1092 S. Mitchell Rd. - Support  
Joy Keller - 6970 Dick Price Rd.  
Carmin MacMillan - 504 Fort Worth - Support  
Evelyn Lawson - 6250 Mountain Peak Court - Support*

*Mayor Cook stated the following non-speaker cards were received in support of this agenda item:*

*Trey Calhoun; Charles Jones; Rivers L. Cochran, Jr.; James Leggs;  
T.M. Harris; Julia Taylor; Sandra Fulton; Jeffery Hall; Terrence Crayton;  
Zacharich Johnson; Jerome & Mary Eugene; Karen Nash; Michael Mainer;  
Hallie Kates-Calloway; Ethel L. Levi; Bobby Jackson; Diane Morris;  
Tilitha King; Shakita Johnson; Katherine Miller; Avery Steward; Beverly Pugh;  
Larry Pugh; Tamiko Jones; Linda Brown; Charles Brown; Charmanie Evans;  
Cynthia James; Jean Sampson; Lena Captain; Bobby Captain; Joyce Brown;  
Barbara Kilpatrick; Leonard Hornsby; Rodney K. Tyrone; Travella King;  
Dr. Mary A. Bellinger; Charles Eldridge; Samuel Fry; Bruce Bennett, Sr.;  
Cynthia Bennett; Carmelius Walton; Melvin Gardner; Johnny Lewis; Tonita Hall;  
Valerie Glenn; Cynthia Jackson; Brenda Norwood; Barbara Dunn; Altheria Tyrone;  
Cheryl Leggs; Mildred Scales; Evelyn Nickerson; Phyllis Allen; James Mitchell;  
Bruce Franklin; Richard Kee; Mary Buchanan; Sandra Thompson; Edith Franklin;  
Marie Jolly; Roger L. Buchanan; Kelvin Goins; Jonathan Taylor; Juanita Brundy;  
Bobby Echols; Dorothy Scruggs; Terry D. Sheppard; Arnee E. Dodd;  
Gwendolyn Douglas; Jemerica Ellis; Barbara Poux; Edward Douglas;  
Willie O. Lawson; Victoria Dodd; Belinda Smith; Dominicia Morgan; Keedren Harp;  
Germaine T. Croom; Jocelyn Harp; Yanira Washington; Betty Adams;  
Carlton Adams; Henry Anderson; Eugenia Anderson; Michael Evans;  
Charles E. Murphy; Phyllis Murphy; Gayle L. Jones; Ebony M. Turner;  
Lattie Lewis; Joe Conley; Deborah Watson; Tom Holloway; Travis L. McCalister;  
Carla Clark; Karlis Kelley; Janette Madlock-Dent; Symanthia Brown;  
Benjamin H. Paul; Tiyonna Covington; Brigitte Blair; Kenneth Mays;  
Bertha Soto; Reginald Evans; Fonda Bonner; Carol Lee; Zach Burks;  
Jackie Anderson; Shawan Hagan; Myron Smoot; Tonya Smoot; Tammy LeSure;  
Janice Gosa; Fredrick Hall; Lisa Hall; Norman Norwood; Joyce Stanton;  
Cathy Walton*

*With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:25 p.m. Council requested for the landscape plan to be completed before the next reading and add more Live Oak trees or evergreen trees to the plan. The developer was asked to look into changing the roof pitch from a 5:12 pitch to an 8:12 pitch.*

**A motion was made by Council Member Hoffman to suspend the rules for discussion. Seconded by Council Member Newsom. The motion CARRIED with 7 ayes and 0 nays.**

**A motion was made by Mayor Cook 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 PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR MULTI-FAMILY, 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," with the word "deed" inserted before the word restricted in the note that reads "this project will be restricted to residents 55 years or older," so it will be deed restricted; to incorporate the landscaping comments made by Council Member Hoffman to add more live oaks and evergreen trees; to eliminate siding and replace with either stucco, brick or stone, whichever the developer decides and comes back to the Council with; and for the developer to continue ongoing dialogue with the neighbors. 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

### **PUBLIC HEARING CONTINUATION AND SECOND READING**

#### **[17-2160](#)**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR to PD for Office, Dental Lab, Day nursery and Children's Learning Facility on Approximately 1.43 Acres Generally Located East of Matlock Road and Approximately 1,181 Feet South of E. Debbie Lane; Reilly Brothers Property (ZC#16-027)

*Reilly Brothers representative Larry Fowler made brief comments and answered Council questions. Mayor Cook continued the public hearing at 9:57 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:57 p.m.*

**A motion was made by Council Member Hoffman to approve the second 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 PROPERTIES TO PD, PLANNED DEVELOPMENT DISTRICT CLASSIFICATION FOR OFFICE, DENTAL LAB, DAY NURSERY OR CHILDREN'S LEARNING FACILITY; 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 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: OR-2036-17

### **NEW BUSINESS**

[17-2179](#)

Resolution - A Resolution Awarding a Construction Contract for West Debbie Lane from US Business Hwy 287 to FM 157 to Tiseo Paving Company; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$5,200,000.00 (Street Bond Fund)

*Assistant Director of Public Works David Boski made brief comments and answered Council questions.*

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

**A RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR WEST DEBBIE LANE FROM US BUSINESS HWY 287 TO FM 157 TO TISEO PAVING COMPANY; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND APPROPRIATING FUNDS**

**(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-3334-17

[17-2190](#)

Resolution - A Resolution to Support Designating State Highway 360 South Extension as the Senator Chris Harris Memorial Highway

*Mr. Chandler made brief comments. Mayor Cook made brief comments and thanked Gordon Dixon, a writer with the Star-Telegram, for an article he wrote in the newspaper.*

**A motion was made by Mayor Cook to approve the following resolution:**

**A RESOLUTION TO SUPPORT DESIGNATING STATE HIGHWAY 360 SOUTH EXTENSION AS THE SENATOR CHRIS HARRIS MEMORIAL HIGHWAY**

**(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-3335-17

[17-2182](#)

Ordinance - First Reading of an Ordinance Granting to SiEnergy, L.P. a

Franchise to Furnish and Supply Gas to the General Public in the City of Mansfield, Texas, for the Transporting, Delivery, Sale, and Distribution of Gas in, Out of, and Through Said Municipality for all Purposes; Providing for the Payment of a Fee or Charge for the Use of the Streets, Alleys, and Public Ways; Requiring Compliance with all Regulatory Ordinances of the City; and Providing for Other Provisions Related to the Subject Matter Hereof

*Jeanne Heard read the caption into the record. Director of Utilities Jeff Price made brief comments and answered Council questions. SiEnergy, L.P. representative Don Dively introduced SiEnergy Senior Engineer Julie Myhre and answered Council questions.*

**A motion was made by Mayor Cook to table this agenda item to the next regularly scheduled meeting on February 27, 2017. 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

[17-2184](#)

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular City Council Meeting of March 13, 2017 to March 6, 2017

**A motion was made by Mayor Cook to reschedule the March 13, 2017 Regular City Council Meeting to March 6, 2017. 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

[17-2187](#)

Discussion and Possible Action Regarding the Concept Plan for the Memorial Plaza

*Director of Parks and Community Services Matt Young gave a powerpoint presentation showing the concept plan for the Memorial Plaza. Memorial Subcommittee Chairperson Burgess and Subcommittee Member Newsom made brief comments.*

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

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 10:31 p.m. 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

\_\_\_\_\_ David L. Cook, Mayor

ATTEST:

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