



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, August 24, 2015

5:00 PM

Council Chambers

REGULAR MEETING

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

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

Present 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Brose; 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. Mayor Cook called the executive session to order in the Council Conference Room at 5:15 p.m. Mayor Cook adjourned executive session at 7:25 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 Code Violations at 109 North Main Street and 404 East Broad Street

Seek Advice of City Attorney Regarding Contract to provide Water and/or Sewer to The Oak Preserve and a Proposed Residential Development in the Southwest Quadrant of the City Limits ETJ

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

Personnel Matters Pursuant to Section 551.074

Board Interviews

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 #14-06 - Industrial Prospect Briefing and Update

Project #14-14 - Entertainment Prospect Briefing and Update

Project #15-12 - Business Prospect Briefing and Update

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

Mayor Cook reconvened into regular business session at 7:35 p.m.

INVOCATION

Council Member Broseh led the Invocation.

PLEDGE OF ALLEGIANCE

Tarrant County Precinct 7 Constable Clint 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

Firemark Award Presented to Chief Mike Ross and Firefighter Daniel Gaskey

Liberty Mutual representative Raymond Bonilla made brief comments and presented Chief Mike Ross and Firefighter Daniel Gaskey with the Firemark Award.

Presentation to Jasmine Moore - USATF National Triple Jump Champion

Mayor Cook recognized the USATF National Triple Jump Champion Jasmine Moore.

Merit Award for Design for Elmer W. Oliver Nature Park from the American Society of Landscape Architects

Director of Parks and Community Services Shelly Lanners made brief comments and presented the Texas American Society of Landscape Architects Award for the design of Elmer W. Oliver Nature Park to Parks and Recreation staff and Dunaway Associates representatives.

Robby Isbell - South Central Membrane Association's Educator of the Year

Assistant Director of Utilities Jeff Price made brief comments and presented the

South Central Membrane Association's Educator of the Year award to Water Treatment Superintendent Robby Isbell.

City of Mansfield - First Runner-Up for Best Tasting Water

Jeff Price made a presentation to Robby Isbell and the Water Treatment Plant staff for being the first runner-up for the best tasting water.

CITIZEN COMMENTS

Michaela Vancliff - 1921 Saddlehorn Lane - Mrs. Vancliff spoke about the solar panel ordinance.

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.

Mayor Pro Tem Newsom had no announcements.

Council Member Broseh recognized the Walnut Ridge Baptist Church stating they help clean up and mow for under privileged citizens. He stated he attended Congressman Joe Barton's Town Hall Meeting and asked residents for their support in attending Town Hall Meetings.

Mayor Cook recognized firefighters and announced the Holdit430 campaign which is a campaign to raise funds to purchase a new Air/Light Truck for the Mansfield Fire Department. He encouraged everyone to go to Holdit430.com and make donations.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Clayton Chandler acknowledged Director of Utilities Joe Smolinski for the water awards received.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

[15-1422](#)

Ordinance - Third and Final Reading on an Ordinance Approving Proposed Amendments of Sections 1300, 4400 and 7800, Table J in the Permitted Use

Table and Article 6 of Zoning Ordinance to Create a New Industrial Use Permit, Require Specific Use Permit for Industries Not Elsewhere Listed, Delete Medical Waste Product Facility and Certain Industrial Uses from the Permitted Use Table and Delete Special Conditions on Medical Waste Product Facility (OA#15-006)

City Secretary Vicki Collins read the caption into the record.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 1300, 4400 ARTICLE 6 AND 7800.B OF SAID ORDINANCE TO CREATE A NEW INDUSTRIAL USE PERMIT, REQUIRE SPECIFIC USE PERMIT FOR INDUSTRIES NOT ELSEWHERE LISTED, DELETE MEDICAL WASTE PRODUCT FACILITY AND CERTAIN INDUSTRIAL USES FROM THE PERMITTED USE TABLE AND DELETE SPECIAL CONDITIONS ON MEDICAL WASTE PRODUCT 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

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

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

Enactment No: OR-1957-15

[15-1427](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Request to Abandon a Portion of a 15-foot Utility Easement on Lot 1, Block 1, Villas di Lucca Addition, by Villagio, LP

Vicki Collins read the caption into the record.

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

AN ORDINANCE VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT RELATING TO LOT 1, BLOCK 1, VILLAS DI LUCCA ADDITION, 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 OWNERSHIP INTEREST OR CONTROL OF SAID UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

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

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

Enactment No: OR-1958-15

[15-1451](#)

Ordinance - Third and Final Reading of an Ordinance Approving the Sports Facility Lease and Operating Agreement Between the City and Mansfield Fieldhouse, LLC for Mansfield Fieldhouse, USA

Vicki Collins read the caption into the record.

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

AN ORDINANCE APPROVING A SPORTS FACILITY LEASE AND OPERATING AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME AND ALL OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION; AND PROVIDING AN EFFECTIVE DATE

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

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

Enactment No: OR-1959-15

[15-1450](#)

Resolution - A Resolution Authorizing an Interlocal Agreement with Region 8 Education Service Center

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

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR COMBINED PURCHASES OF GOODS AND SERVICES FOR THE CITY OF MANSFIELD AND REGION VIII EDUCATION SERVICE CENTER

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

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

Enactment No: RE-3143-15

[15-1453](#)

Resolution - A Resolution Authorizing the City Manager or His Designee to Execute the Contractual Documents Necessary to Become A Contracting Party of the Trinity River Authority Mountain Creek Regional Wastewater System

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

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACTUAL DOCUMENTS NECESSARY TO BECOME A CONTRACTING PARTY OF THE TRINITY RIVER AUTHORITY MOUNTAIN CREEK REGIONAL WASTEWATER SYSTEM

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

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

Enactment No: RE-3144-15

[15-1484](#)

Resolution - A Resolution to Approve a Sports Facility Funding Agreement Between the City of Mansfield and the Mansfield Park Facilities Development Corporation (MPFDC) Regarding Lease Payments for Mansfield Fieldhouse, USA

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

A RESOLUTION TO APPROVE A SPORTS FACILITY FUNDING AGREEMENT BETWEEN THE CITY OF MANSFIELD AND THE MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION (MPFDC) REGARDING LEASE PAYMENTS FOR MANSFIELD FIELDHOUSE, USA

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

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

Enactment No: RE-3145-15

[15-1486](#)

Resolution - A Resolution to Approve the Mansfield Park Facilities Development Corporation's (MPFDC) Purchase of 1.533 Acres Located at 18022 Saddlehorn Lane, Lot 14, Block B, Lakeview Country Estates in the Amount of \$24,000

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

A RESOLUTION TO APPROVE THE MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION'S (MPFDC) PURCHASE OF 1.533 ACRES LOCATED AT 18022 SADDLEHORN LANE, LOT 14, BLOCK B, LAKEVIEW COUNTRY ESTATES IN THE AMOUNT OF \$24,000

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

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

Enactment No: RE-3146-15

[15-1489](#)

Resolution - A Resolution of the City of Mansfield, Texas Expressing the Intent of the City of Mansfield, Texas to Finance Capital Expenditures with the Proceeds of Future Debt Obligations for the Purpose of Funding Public Improvements Including Designing, Acquiring, Constructing, and Improving of Public Infrastructure Including the Construction of Public Parking Facilities, Water and Sewer Infrastructure Improvements and Related Drainage Improvements on the Property Surrounding the Mansfield Fieldhouse

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS EXPRESSING THE INTENT OF THE CITY OF MANSFIELD, TEXAS TO FINANCE CAPITAL EXPENDITURES WITH THE PROCEEDS OF FUTURE DEBT OBLIGATIONS FOR THE PURPOSE OF FUNDING PUBLIC IMPROVEMENTS INCLUDING DESIGNING, ACQUIRING, CONSTRUCTING, AND IMPROVING PUBLIC INFRASTRUCTURE INCLUDING THE CONSTRUCTION OF PUBLIC PARKING FACILITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS AND RELATED DRAINAGE IMPROVEMENTS ON THE PROPERTY SURROUNDING THE MANSFIELD FIELDHOUSE

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

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

Enactment No: RE-3147-15

[15-1447](#)

Request for Special Event Permit; Mansfield Wurstfest 2015

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

[15-1465](#)

Minutes - Approval of the August 10, 2015 Regular City Council Meeting Minutes

A motion was made by Council Member Burgess to approve the minutes for the August 10, 2015 Regular City Council Meeting as presented. 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

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[15-1466](#)

Minutes - Approval of the August 17, 2015 Special City Council Meeting Minutes

City Attorney Allen Taylor advised there was no reason to approve minutes for the August 17, 2015 Special City Council meeting because the meeting did not take place.

[15-1467](#)

Minutes - Approval of the August 18, 2015 Special City Council Meeting Minutes

A motion was made by Mayor Cook to approve the minutes for the August 18, 2015 Special City Council Meeting as presented. Seconded by Mayor Pro Tem 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

END OF CONSENT AGENDA**OLD BUSINESS****15-1410**

Ordinance - Third and Final Reading on an Ordinance Approving Proposed Amendments of Sections 2200.S, 4400.B and 7800.B of Zoning Ordinance to Establish Regulations on Solar Panel Systems (OA#14-006)

Director of Planning Felix Wong made brief comments and answered Council questions. City Attorney Allen Taylor answered Council questions. Mr. Chandler made brief comments. Fire Chief Barry Bondurant answered Council questions.

A motion was made by Council Member Lindsey to table this agenda item to the regular meeting scheduled for September 28, 2015. Seconded by Mayor Cook. 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-1968-15

15-1448

Discussion and Possible Action Regarding the Code Enforcement and Public Memorials Subcommittee Recommendations by Chair Person Council Member Lindsey

Council advised this agenda item would be placed on the special meeting agenda scheduled for Monday, August 31, 2015.

PUBLIC HEARING**15-1473**

Public Hearing - First Public Hearing on the Tax Rate

Director of Business Services Peter Phillis made brief comments. Mayor Cook opened the public hearing at 8:54 p.m. With no one else wishing to speak, Mayor Cook closed the public hearing at 8:55 p.m. Mayor Cook announced there would be a second public hearing held on Monday, August 31, 2015 at 7:00 p.m.

15-1474

Public Hearing - First Public Hearing on the FY 2015/2016 Proposed Budget

Peter Phillis made brief comments. Mayor Cook opened the public hearing at 8:55 p.m. With no one else wishing to speak, Mayor Cook closed the public hearing at 8:56 p.m. Mayor Cook announced there would be a second public hearing held on Monday, August 31, 2015 at 7:00 p.m.

15-1475

Public Hearing - First Public Hearing on the Use of Hotel/Motel Tax

Peter Phillis made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:57 p.m. The following people spoke during the public hearing:

*Doug Parker - 1557 E. Broad Street - Mainstage Classic Theatre
Marilyn Gerloff - 10621 CR 525 - Mansfield Historical Society
Eric White - 14 Colt Court - Mansfield Invitational Inc.
Theresa Cohagen - 1200 E. Broad Street - Tourism
John Pressley - 1306 Brittany Lane - Pickled Mansfield Society
Coleen Daniell - 1108 Danbury Drive - Pickled Mansfield Society
Steve Cosio - 4 Savoy Court - Discover Historic Mansfield
Ernie Abraham - 1391 Fairhaven Drive - Futures of Mansfield
Louis Le Jeune - 208 S. 4th Avenue - The LOT Downtown
Robert Putman - 1714 Yarmouth Lane - MISD Sunrise Rotary Volleyball Tournament*

Mayor Cook acknowledged the following non-speakers:

*Sheri Curb - 706 Fort Worth - Discover Historic Mansfield
Ann Smith - 106 N. Wisteria - Discover Historic Mansfield
Daryle Perez - 907 Lasso Lane - Discover Historic Mansfield
Sheri Curb - 706 Fort Worth - The LOT Downtown
Daryle Perez - 907 Lasso Lane - The LOT Downtown
Jadzia P. Ajemian - 2305 Dobree Street - Mainstage Classic Theatre
Heather Roundtree - 1618 Churchill Lane - Mainstage Classic Theatre
Scott Ferrell - 777 N. Walnut Creek Drive - Mainstage Classic Theatre
Mike Shreve - 2200 Forest Park Circle - Mainstage Classic Theatre
Michelle Cosby - 722 W. Lonesome Dove Trail - Mainstage Classic Theatre
Faye Rydell - 202 West Oak Street - Mansfield Historical Society
Bill Beard - 202 West Oak Street - Mansfield Historical Society
Brenda Sells - 1048 Newt Patterson Road - Mansfield Historical Society
Edna Phillips - 114 Juniper Street - Mansfield Historical Society
Vern Raven - Mansfield Historical Society
Mickey Gerloff - 10621 CR 525 - Mansfield Historical Society
Sheri Curb - 706 Fort Worth - Mansfield Historical Society
Daryle Perez - 907 Lasso Lane - Mansfield Historical Society
Paulette - 743 Montvale Drive - Pickled Mansfield Society
Don Ciesynski - 743 Montvale Drive - Pickled Mansfield Society
Jennifer Thomas - 7 Park Place - Pickled Mansfield Society
Beckie Norman - 1515 New Haven Drive - Pickled Mansfield Society
Nancy Brown - 907 Hilton Drive - Pickled Mansfield Society
Tara Daniell - 1108 Danbury Drive - Pickled Mansfield Society
Lorie Tomlin - 370 N. State Highway 360 Apt. 5213 - Pickled Mansfield Society
Bob Kowalski - 4 River Crest Court - Pickled Mansfield Society
Joe Kowalski - 4 River Crest Court - Pickled Mansfield Society
Cindy Pressley - 1306 Brittany Lane - Pickled Mansfield Society
Sheri Curb - 706 Fort Worth - Pickled Mansfield Society
Daryle Perez - 907 Lasso Lane - Pickled Mansfield Society
Pamela Rudnicki - 1017 Pebble Beach - not specified*

With no one else wishing to speak, Mayor Cook closed the public hearing at 10:07 p.m. Mayor Cook announced there would be a second public hearing held on Monday, August 31, 2015 at 7:00 p.m.

PUBLIC HEARING AND FIRST READING

[15-1452](#)

Ordinance - Public Hearing and First Reading of an Ordinance to Amend Title IX; Business Regulations of the City of Mansfield Code of Ordinances, as

Amended, by Adding a New Chapter 115. Sewage Sludge Application; Requiring Notice of Applications; Providing That This Ordinance Shall Be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Savings Clause; Providing a Penalty Clause; Providing for Publication; and Providing an Effective Date.

Vicki Collins read the caption into the record. Stormwater Manager Howard Redfearn made brief comments and answered Council questions. Mayor Cook opened the public hearing at 10:13 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 10:13 p.m.

A motion was made by Council Member Lindsey to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XI: BUSINESS REGULATIONS OF THE CITY OF MANSFIELD CODE OF ORDINANCES, AS AMENDED, BY ADDING A NEW CHAPTER 115. SEWAGE SLUDGE APPLICATIONS; REQUIRING NOTICE OF APPLICATIONS; SETTING OUT CERTAIN REGULATIONS OF APPLICATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE." Seconded by Mayor Pro Tem 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: OR-1969-15

[15-1459](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to SF-7.5/18, Single-Family Residential District on Approximately 24.8 Acres Located Approximately 280 Feet East of Blue Jay Drive and Approximately 1,000 Feet West of N Walnut Creek Drive Mansfield TC LP (ZC#15-010)

Vicki Collins read the caption into the record.

A motion was made by Council Member Lindsey to table this agenda item to the regular scheduled meeting of Monday, September 28, 2015. 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

[15-1460](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from C-2 Community Business District to SF-7.5/18 for Single-Family Residential District on Approximately 1.6 Acres Generally Located West of Star Grass Drive and S. Main Street; Vintage Development (ZC#15-009)

Vicki Collins read the caption into the record. Vintage Development representative

Charles Jowell made a brief presentation and answered Council questions. Mayor Cook opened the public hearing at 10:47 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 10:47 p.m.

A motion was made by Council Member Hoffman 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 SF-7.5/18; 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 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

Enactment No: OR-1964-15

[15-1461](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production by Beacon E&P on Approximately 5.58 Acres Located at 500 Mouser Way (ZC#15-007)

Vicki Collins read the caption into the record. Beacon E&P representative Jacob Sumpter made brief comments and answered Council questions. Director of Planning Felix Wong answered Council questions. Mayor Cook opened the public hearing. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 10:51 p.m.

A motion was made by Council Member Lindsey 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 GRANT A SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION ON THE HEREINAFTER DESCRIBED PROPERTIES; 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

Enactment No: OR-1965-15

[15-1472](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from SF-7.5/12 to PD for Single-Family Residential on Approximately 9.2 Acres Generally Located East of W. Kimball Street and West of Phillips Court and Kemp Court; Bannister Engineering (ZC#15-008)

Vicki Collins read the caption into the record. Manchester Development, LLC representative Julie Crimmins made a brief presentation and answered Council questions. Manchester Development, LLC representative Sheri Bumgardner answered Council questions. Bannister Engineering representative Cody Brooks was available for questions. Mayor Cook opened the public hearing at 11:08 p.m. Mayor Cook acknowledged the following person:

Nan Hannush - 406 Phillips - Left before the public hearing

With no one else wishing to speak, Mayor Cook continued the public hearing through second reading at 11:09 p.m.

Council requested that the applicant change the garage submittal to either/or metal or cedar by the next submittal.

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, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT 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," with a minimum of 80% of homes at 8:12 roof pitch or greater with the square footage minimum changed to 1800 square feet. 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: OR-1967-15

NEW BUSINESS

Mayor Cook moved this item up on the agenda.

15-1487

Review and Consideration of a Request for Minor Modification to the Planned Development for Ladera Mansfield, an Age-Restricted Residential Development Generally Located South of E. Debbie Lane and North of Sandstone Court and Primrose Trail; Integrity Group, LLC (ZC#15-005)

Integrity Group, LLC John Delin made a brief presentation and answered Council questions.

A motion was made by Mayor Pro Tem Newsom to approve this agenda item. 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

PUBLIC HEARING AND FIRST READING

[15-1482](#)

Ordinance - Public Hearing and First Reading of an Ordinance Changing the Street Name of Davis Drive to Matlock Road

Vicki Collins read the caption into the record. Director of Public Works Steve Freeman made brief comments. Mayor Cook opened the public hearing at 11:24 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 11:24 p.m.

A motion was made by Council Member Burgess to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, CHANGING THE NAME OF DAVIS DRIVE, AS IT EXTENDS FROM HARMON ROAD TO SH 360, TO "MATLOCK ROAD"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE." 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-1966-15

PUBLIC HEARING CONTINUATION AND SECOND READING

[15-1429](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving Proposed Amendments of Sections 4500.B and 8600.G of the Zoning Ordinance to Allow Applications for the SF-7.5/18 District, to Prohibit Applications for the SF-7.5/16 District, and to Revise the Minimum Interior Side Yard Setbacks for the SF-7.5/18 District (OA#15-008)

Mayor Cook continued the public hearing at 11:25 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 11:25 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, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTIONS 4500.B AND 8600.G OF SAID ORDINANCE TO ALLOW APPLICATIONS FOR THE SF-7.5/18 SINGLE-FAMILY RESIDENTIAL DISTRICT, TO PROHIBIT APPLICATIONS FOR THE SF-7.5/16 SINGLE-FAMILY RESIDENTIAL DISTRICT, AND TO REVISE THE MINIMUM INTERIOR SIDE YARD SETBACKS FOR THE SF-7.5/18 DISTRICT; 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 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

Enactment No: OR-1963-15

[15-1440](#)

Ordinance - Public Hearing and Second Reading of an Ordinance Changing the Speed Limit on South 6th Avenue from W. Broad Street to Easy Drive to 40 MPH

Mayor Cook continued the public hearing at 11:26 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 11:26 p.m.

A motion was made by Council Member Hoffman to approve the second reading of "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." Seconded by Council Member 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

Enactment No: OR-1960-15

NEW BUSINESS

[15-1437](#)

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 REL Enterprise, LLC a Texas Limited Liability Corporation (REL) and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development Scott Welmaker 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,

APPROVING AN ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION ("MEDC") AND REL ENTERPRISE, LLC A TEXAS LIMITED LIABILITY CORPORATION (REL) AND AUTHORIZING ITS EXECUTION BY THE PRESIDENT OF THE MEDC; AND PROVIDING AN EFFECTIVE DATE

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

Seconded by Council Member 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

Enactment No: RE-3148-15

15-1471

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 Mexus Plastics, LLC a Texas Limited Liability Corporation (MEXUS) and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Scott Welmaker 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, APPROVING AN ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT BY AND BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION ("MEDC") AND MEXUS PLASTICS, LLC A TEXAS LIMITED LIABILITY CORPORATION (MEXUS) AND AUTHORIZING ITS EXECUTION BY THE PRESIDENT OF THE MEDC; AND PROVIDING AN EFFECTIVE DATE

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

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

Enactment No: RE-3149-15

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Drainage Utility Program

Howard Redfearn made a powerpoint presentation and answered Council questions. Steve Freeman made brief comments and answered Council questions. Mr. Chandler made brief comments. Staff was asked to provide the Council with the powerpoint presentation. Council directed staff to publicize a flat rate mentioning public hearings would be held regarding this item.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 11:50 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 11:20 p.m. Mayor Cook adjourned executive session at 12:22 p.m.

Personnel Matters Pursuant to Section 551.074

Board Interviews

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Lindsey to move forward on action items regarding the memorial subcommittee as discussed in executive session. Seconded by Mayor Pro Tem 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 12:24 p.m. Seconded by Mayor Pro Tem 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:

Vicki Collins, City Secretary