



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

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Monday, March 7, 2016

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 5:02 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:08 p.m. Council Member Lindsey arrived at 5:08 p.m. Mayor Cook adjourned executive session at 6:40 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

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

Consider Possible Purchase/Exchange of Certain Properties for Future/Development Use

#### **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 #14-14 - Entertainment Prospect Briefing and Update

Project #15-20 - Business Prospect Briefing and Update

**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**

*Walnut Ridge Baptist Church Pastor Jerry Ritchie led the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Pastor Ritchie 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.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman had no announcements.*

*Council Member Haynes reminded everyone about the Pickle Parade this weekend  
beginning with a movie (Grease) at 7:00 p.m. Friday, March 11, 2016 at Town Park.*

*Council Member Burgess had no announcements.*

*Mayor Pro Tem Newsom had no announcements.*

*Council Member Brose had no announcements.*

*Mayor Cook had no announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*Assistant City Manager Chris Burkett reminded everyone there would be a SH 360 public meeting held on Tuesday, March 8, 2016 from 5:30 p.m. to 7:30 p.m. in the Community Room at Newsom Stadium.*

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

*Mayor Cook announced pursuant to executive session that the City had been made aware that an organization by the name of Arlington Orthopedic and Spine Hospital LLC doing business as Baylor Orthopedic and Spine Hospital at Arlington Limited has contacted the City and expressed interest in bridging the \$1.8 million gap with regard to the Starcenter. City Attorney Allen Taylor made brief comments.*

**A motion was made by Mayor Cook for staff to resume any discussions necessary between the City of Mansfield and Mansfield Independent School District and/or Arlington Orthopedic and Spine Hospital LLC doing business as Baylor Orthopedic and Spine Hospital at Arlington Limited so that any necessary documents would be ready for submission to the City Council at the meeting on March 28, 2016. 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

### **CONSENT AGENDA**

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

##### **[16-1709](#)**

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR to PD for Office and Boat/RV Storage on Approximately 4.977 Acres, Generally Located West of Russell Lane and Approximately 700 Feet Southwest of the Intersection of E. Debbie Lane and Russell Lane; Bannister Engineering (ZC#15-013)

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

**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 AND BOAT AND RECREATIONAL VEHICLE STORAGE, 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 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-2000-16

[16-1742](#)

Minutes - Approval of the February 22, 2016 Regular City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the minutes of the February 22, 2016 Regular 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

[16-1748](#)

Resolution - A Resolution of the City of Mansfield, Texas, Opposing the Granting of the Texas Commission on Environmental Quality Type V Permit Major Amendment to Southwaste Disposal, LLC to Increase the Permitted Processing and Storage Capacity in the City; and Providing an Effective Date

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, OPPOSING THE GRANTING OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TYPE V PERMIT MAJOR AMENDMENT TO SOUTHWASTE DISPOSAL, LLC TO INCREASE THE PERMITTED PROCESSING AND STORAGE CAPACITY IN THE CITY; AND PROVIDING AN EFFECTIVE DATE**

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

**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: RE-3215-16

[16-1751](#)

Resolution - A Resolution to Reject All Bids Received for the Landscaping and Irrigation Project for the E. Broad Street Median Between S. Holland Road and Day Mair Road

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

**RESOLUTION TO REJECT ALL BIDS RECEIVED FOR THE LANDSCAPING AND IRRIGATION PROJECT FOR THE E. BROAD STREET MEDIANS BETWEEN S. HOLLAND ROAD AND DAY MAIR ROAD**

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

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: RE-3216-16

[16-1754](#)

Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the City Manager to Execute an Agreement to Participate in the Tarrant County Combined Narcotics Enforcement Team, and Providing an Effective Date

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO PARTICIPATE IN THE TARRANT COUNTY COMBINED NARCOTICS ENFORCEMENT TEAM, AND PROVIDING AN EFFECTIVE DATE**

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

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: RE-3217-16

[16-1755](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing Deputy City Manager Joe Smolinski or Deputy City Manager Peter Phillis to Negotiate and Execute an Electric Supply Agreement with an Electrical Services Rep or Broker For Deliveries Of Electricity Effective January 1, 2018

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS,**

**AUTHORIZING DEPUTY CITY MANAGER JOE SMOLINSKI OR DEPUTY CITY MANAGER PETER PHILLIS TO NEGOTIATE AND EXECUTE AN ELECTRIC SUPPLY AGREEMENT WITH AN ELECTRICAL SERVICES REP OR BROKER FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018**

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

**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: RE-3218-16

### **END OF CONSENT AGENDA**

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

#### **16-1725**

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Proposed Amendment of The Village off Broadway Planned Development to Include a PD for SpringHill Suites Marriott on 2.19 Acres, Generally Located North of Scenic Glen Drive, West of Conifer Street and Approximately 311' South of E. Broad Street, Countrywide Hospitality (ZC#15-027)

*Countrywide Hospitality representative Amar Patel made a brief powerpoint presentation and answered Council questions. Mayor Cook continued the public hearing at 7:26 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:26 p.m.*

*Representative Amar Patel stated for the record that the developer agreed the color, design, and materials of the architectural screening on the roof would be approved by city staff.*

**A motion was made by Council Member Broseh 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR A HOTEL AND ASSOCIATED 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." 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

## **NEW BUSINESS**

### **16-1743**

Ordinance - 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 a 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 7:29 p.m. With no one wishing to speak, Mayor Cook continued the public hearing at 7:29 p.m.*

**A motion was made by Mayor Pro Tem Newsom 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 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

### **16-1746**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Receiving City Secretary's Certification of Unopposed Candidates for the May 7, 2016 General Election and Providing an Effective Date

*Jeanne Heard made brief comments. Allen Taylor answered Council questions.*

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, RECEIVING CITY SECRETARY'S CERTIFICATION OF UNOPPOSED CANDIDATES FOR THE MAY 7, 2016 GENERAL ELECTION 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-3219-16

[16-1747](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Canceling the May 7, 2016 General Election and Declaring Each Unopposed Candidate Elected to Office; and Providing an Effective Date

*Jeanne Heard made brief comments.*

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, CANCELING THE MAY 7, 2016 GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; AND PROVIDING AN EFFECTIVE DATE**

**(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-3220-16

[16-1752](#)

Discussion and Consideration of Possible Amendment of Permitted Use Regulations in The Reserve Planned Development District

*Director of Planning Felix Wong made brief comments regarding possible amendments to the permitted use regulations in The Reserve Planned Development District. There was Council consensus for staff to move forward with the amendments and bring back recommendations from the Planning and Zoning Commission.*

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 7:38 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:

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