



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, March 6, 2017

5:30 PM

Council Chambers

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#### REGULAR MEETING

##### **5:30 P.M. - CALL MEETING TO ORDER**

*Mayor Cook called the meeting to order at 5:30 p.m.*

**Absent** 2 - Stephen Lindsey and Larry Broseh

**Present** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

##### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:32 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:40 p.m. Mayor Cook adjourned executive session at 6:20 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 Development Update at 287/Broad

Seek Advice of City Attorney Regarding Status Update on Eagleridge's Gas Lift Compressors

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

##### **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 regular business session at 7:01 p.m.*

**Absent** 1 - Larry Broseh

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

### **INVOCATION**

*Christ Church of Mansfield Pastor Chris Gensheer 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.*

### **PROCLAMATION**

#### [17-2222](#)

Mansfield Reads! Month

*Mayor Cook proclaimed April 2017 as Mansfield Reads! Month. Friends of the Library President Carol Ann Grantham introduced the Library Advisory Board Members, Friends of the Library, and Library staff. She invited everyone to attend the Mansfield Reads! Event to be held on April 28, 2017.*

### **CITIZEN COMMENTS**

*Joy Keller - 6970 Dick Price Rd. - Ms. Keller spoke about her concerns regarding agenda item 17-2176.*

*Terry M. Moore - 3 Morningside Ct. - Mr. Moore spoke about his opposition to the alcohol variances being requested on the current agenda.*

*Tamera J. Bounds - 1009 Meriwether St. - Ms. Bounds spoke about her opposition to the alcohol variances being requested on the current agenda.*

*Mike Leyman - 808 Turnberry Dr. - Mr. Leyman spoke about his opposition to the alcohol variances being requested on the current agenda.*

*Mayor Cook recognized the following non-speakers in opposition of agenda item 17-2175:*

*Erica Porter - 2310 Welch Place  
Stacy Imbong - 200 Moss Court  
Karen Marcucci - 289 Pecos Court*

*Mayor Cook recognized the following non-speakers in support of agenda item*

17-2224:

Cesar Torrubartes - 107 E. Broad St.  
Anna Shaffer - 7022 Rovato Dr.

Mayor Cook recognized the following non-speakers in support of agenda item 17-2176:

Deanna Jefferson Smith, Janice Gosa, Billy P. Smith, Jonathan Taylor, Barbara Pipkins, Jordan Taylor, Vincent Taylor, Shere Taylor, Karlis Kelley, Eugenia Anderson, Henry Anderson, Yanina Washington, Carol Lee, Terry D. Sheppard, John Scruggs, Marcus Scruggs, Toney R. Turner, Marcus Moore, Tina Green, Reginald Evans, Diane Morris, Bruce Franklin, Edith Franklin, Deborah R. Watson, Marie Jolly, Barbara Dunn, Julia Taylor, Priscilla Justice, Jacqueline Conley, Marsha Waters, Jeffrey Hall, Tonita Hall, Cynthia Jackson, Mildred Scales, Beverly Pugh, Melba Tree Ford, James Scales, Bobby Echols, Stephanie Spriggins, Larry Pugh, Ebony M. Turner, Karen Nash, Leslie McCalister, Travis L. McCalister, Benjamin Paul, Tiyanina Covington, Joe Conley, Janette Madlock-Dent, Montrice Coggins, Gayle Jones, Janet Sheppard, Bertha Soto, Trey Calhoun, Terri Denson, Richard Lee, Charmaine Evans, Benita Lewis, Kelvin Goins, Louis T. Block, Jr., Warren L. Farr, Kelvin Kidd, James Love, Bobby Captain, Rivers L. Cochran, Bobby Jackson, Carla Reed-Fry, Shireen Ambersley, Alistain Ambersley, Deloris Armstrong, Altheria Tyrone, Rodney Kase Tyrone, Curtis Mason, Jr., Belinda Smith, Avery Steward, Fonda Bonner, Mr. & Mrs. Curtis Mason, David L. Miller, Katherine Miller, Evelyn Nickerson, Shakita Johnson, Zachariah Johnson, Rev. Dr. Mary Bellinger, Joyce Brown, Jerome & Mary Eugene, Linda Issac, James Clay, Michael Mainer, Lena Captain, Hallie Kates-Calloway, Charles Brown, Linda Brown, Andrea Cleveland, Juanita Brundy, Leonard Hornsby, Charles Eldridge, Patricia Manning, Tamiko Jones, Jean Sampson, Sandra Gardner, Melvin Gardner, Howard Ford, Victoria Dodd, Lois Conner, Michael A. Evans, Sr., Lisa Evans, Arnee E. Dodd, Carlton Adams, Betty Adams, Samuel Fry, Eddie Hall, Dominicia Morgan, Barbara Kilpatrick, Rose Wilkins

## **COUNCIL ANNOUNCEMENTS**

*Council Member Lindsey had no announcements.*

*Council Member Hoffman recognized the Mansfield Parks and Recreation Department mentioning they received an award for the Best Park System in Texas.*

*Council Member Haynes had no announcements.*

*Council Member Burgess had no announcements.*

*Council Member Newsom congratulated the Mansfield Timberview girls basketball team who finished 2nd in the State finals. He congratulated the Mansfield Timberview boys basketball team as well for their trip to State finals the following weekend.*

*Mayor Pro Tem Broseh was absent.*

*Mayor Cook thanked Mansfield Chamber of Commerce President Lori Williams for coordinating Mansfield Day in Austin. He thanked Clint Burgess for the bus*

*transportation to Austin.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*City Manager Clayton Chandler thanked Pastor Chris Gensheer for his Invocation.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

No action taken by the Council.

**CONSENT AGENDA**

[17-2174](#)

Ordinance - Third and Final 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

*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, 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**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: OR-2037-17

[17-2182](#)

Ordinance - Second 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

**A motion was made by Council Member Hoffman to approve the second 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." Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

[17-2216](#)

Resolution - A Resolution Awarding the Construction of the US Highway 287/Mountain Creek Sanitary Sewer Interceptor to Mountain Cascade of Texas in Accordance with the Developer's Agreement Executed Between the City and Hanover Property Company

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

**RESOLUTION AWARDING THE CONSTRUCTION OF THE US HIGHWAY 287/MOUNTAIN CREEK SANITARY SEWER INTERCEPTOR TO MOUNTAIN CASCADE OF TEXAS IN ACCORDANCE WITH THE DEVELOPER'S AGREEMENT EXECUTED BETWEEN THE CITY AND HANOVER PROPERTY COMPANY**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: RE-3340-17

[17-2217](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to Green Mound in the Amount of \$231,845 for Landscaping and Irrigation of Medians on East Debbie Lane between Matlock Road and the East City Limits

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

**A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO GREEN MOUND IN THE AMOUNT OF \$231,845 FOR LANDSCAPING AND IRRIGATION OF MEDIANS ON EAST DEBBIE LANE BETWEEN MATLOCK ROAD AND THE EAST CITY LIMITS**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: RE-3341-17

[17-2220](#)

Resolution - A Resolution to Consider Approval of a Contract with Schrickel, Rollins and Associates, Inc., for Master Planning Services Related to the Michael L. Skinner Sports Complex and James McKnight Park East, for an Amount not to Exceed \$85,000

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

**A RESOLUTION TO CONSIDER APPROVAL OF A CONTRACT WITH SCHRICKEL, ROLLINS AND ASSOCIATES, INC., FOR MASTER PLANNING SERVICES RELATED TO THE MICHAEL L. SKINNER SPORTS COMPLEX AND JAMES MCKNIGHT PARK EAST, FOR AN AMOUNT NOT TO EXCEED \$85,000**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: RE-3342-17

[17-2221](#)

Resolution - A Resolution to Consider Approving the First of Three One-Year Renewal Options in the Contract for Janitorial Services of Park Sites with Country Maid Services of Mansfield, Texas in the Amount of \$50,699.25

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

**A RESOLUTION TO CONSIDER APPROVING THE FIRST OF THREE ONE-YEAR RENEWAL OPTIONS IN THE CONTRACT FOR JANITORIAL SERVICES OF PARK SITES WITH COUNTRY MAID SERVICES OF MANSFIELD, TEXAS IN THE AMOUNT OF \$50,699.25**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: RE-3343-17

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

[17-2218](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to Klütz Construction, Inc. in the Amount of \$2,212,156.70 for Construction of Phase I of the Pond Branch Linear Park

*Council Member Newsom removed this item from the consent agenda. Director of Parks and Community Services Matt Young gave a brief presentation regarding the Pond Branch Linear Park project.*

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

**A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO KLÜTZ CONSTRUCTION, INC. IN THE AMOUNT OF \$2,212,156.70 FOR CONSTRUCTION OF PHASE I OF THE POND BRANCH LINEAR TRAIL**

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

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

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: RE-3344-17

### **END OF CONSENT AGENDA**

### **OLD BUSINESS**

#### **[17-2175](#)**

Ordinance - Third and Final 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 Toliver gave a brief powerpoint presentation and answered Council questions.*

**A motion was made by Mayor Cook to approve the following ordinance with the specific revision to Exhibit C, striking the number 12 but not the paragraph; under Variance Request paragraph A to read "A variance to Section 7800, Special Conditions (21)(d) of the Zoning Ordinance to allow the sale of alcoholic beverages within (300) feet of a public school, on pad site B and retail buildings C & D as stated in proposed planned development; the initial tenant and any tenant change for pad site B and buildings C & D will require City Council approval if said tenant requires the sale of alcohol as part of their occupancy."; with the wall on the western boundary to be a combination of brick and stone columns or all stone; with the 2 ft pilaster setbacks on the rear of the Market Street building:**

**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**



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

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

**Aye:** 5 - David Cook; Stephen Lindsey; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 1 - Wendy Burgess

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: OR-2039-17

[17-2176](#)

Ordinance - Third and Final 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. Carleton Residential Properties representative Will Henderson made brief comments and answered Council questions.*

**A motion was made by Council Member Hoffman to approve the following ordinance to include a 6:12 roof pitch:**

**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**

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

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

**Aye:** 5 - David Cook; Stephen Lindsey; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 1 - Wendy Burgess

**Absent:** 1 - Larry Broseh

**Abstain:** 0

Enactment No: OR-2038-17

[17-2224](#)

Consider City Council Request to Reconsider the Variance Granted to Carnicera Carmelita Meat Market Located at 1275 N. Main Street Allowing

the Sale of Alcoholic Beverages for Off-Premise Consumption; If Reconsideration is Approved, the Variance Request will be Re-presented at the March 27, 2017 Regular City Council Meeting for Action

*Council Member Newsom stated he requested this item to be placed on an upcoming agenda to allow more public input.*

**A motion was made by Council Member Newsom to reconsider and represent the variance request at the March 27, 2017 Regular City Council Meeting. Seconded by Mayor Cook. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

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

#### **17-2200**

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance for a Zoning Change from SF-7.5/12 to PD for Office, Limited Residential and Retail Uses, and Historic Landmark Status on Approximately 0.23 Acres Located at 200 W. Oak Street; 200 W. Oak LLC (ZC#17-002)

*Mayor Cook continued the public hearing at 8:00 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:01 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 PLANNED DEVELOPMENT DISTRICT CLASSIFICATION FOR OFFICE, LIMITED RESIDENTIAL AND RETAIL USES; ASSIGNING A HISTORIC LANDMARK STATUS, 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:** 6 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

#### **17-2202**

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance for a Request for Specific-Use Permit for Used Merchandise Store at 1071 Country Club Drive, Suite 107; Kids Garage (ZC#17-003)

*Mayor Cook continued the public hearing at 8:02 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:02 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 GRANT A SPECIFIC USE PERMIT FOR USED MERCHANDISE STORE TO 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 Newsom. The motion CARRIED by the following vote:

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

## **NEW BUSINESS**

### **[17-2219](#)**

Ordinance - First Reading of an Ordinance Approving a Request to Abandon a Portion of the Sentry Drive South Right-of-Way (.536 Acres) Along Proposed Antler Drive as Described in Abstract No. 571, Mansfield, Johnson County, Texas Sentry Drive South Vol. 388-95 Pg. 5, of the Plat Records of Tarrant County, Texas And Deed Record Volume 3809, Page 191, of Johnson County to Rin Co. Holdings, LP

*Jeanne Heard read the caption into the record. Director of Public Works Bart VanAmburgh made brief comments.*

A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE VACATING AND ABANDONING A PORTION OF SENTRY DRIVE SOUTH RIGHT-OF-WAY ALONG PROPOSED ANTLER DRIVE, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A DEED WITHOUT WARRANTY RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE." Seconded by Council Member Hoffman. The motion CARRIED by the following vote:

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

## **PUBLIC HEARING AND FIRST READING**

### **[17-2211](#)**

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from an existing Planned Development to a new

Planned Development for a grocer and other C-2 Uses on Approximately 10 Acres, Generally Located at the Northwest Corner of State Highway 360 and East Broad Street; Stantec (ZC#16-024)

*Jeanne Heard read the caption into the record. GSO Architects representative Amy Summers gave a powerpoint presentation and answered Council questions. Stantec representative Josh Milsap answered Council questions. Clay Moore Engineering representative Clay Christy made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:27 p.m. The following people spoke during the public hearing:*

*Dan Smith - 3417 Vista Lake Circle - Opposed  
Wayne Wilshire - 1101 Pinehurst Court - Opposed  
Anne Odum - 1006 High Lake Trail - Opposed  
Zulema Miller - 1008 High Lake Trail - Opposed*

*With no one else wishing to speak, Mayor Cook closed the public hearing at 8:48 p.m. Council requested the applicant meet with the affected homeowners and the Homeowners Association by the next meeting.*

**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 CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR C-2 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," with the following additions to be brought back by second reading: that the applicant meet with the affected property owners as well as the Homeowners Association prior to second reading; to bring back multiple exhibits and renderings of the screening wall, living wall, and fencing; and a drainage study from the Engineering Department." Seconded by Council Member Hoffman. The motion CARRIED by the following vote:**

**Aye:** 4 - David Cook; Stephen Lindsey; Cory Hoffman and Brent Newsom

**Nay:** 2 - Wendy Burgess and Darryl Haynes

**Absent:** 1 - Larry Broseh

**Abstain:** 0

[17-2212](#)

Ordinance - Public Hearing and First Reading for an Ordinance Approving a Specific Use Permit for Hospital/Home/Center for Substance Addiction or Psychiatric Patients on Approximately 40.199 Acres, Generally Located North of the Intersection of Heritage Parkway and SH 360; Texas Health Resources (ZC#17-001)

*Jeanne Heard read the caption into the record. Texas Health Resources representative Levi Schmidt and Beck Group representative Jennifer Cull gave a brief presentation and answered Council questions. Mayor Cook opened the public hearing at 9:13 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:13 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 GRANT A SPECIFIC USE PERMIT FOR HOSPITAL/HOME/CENTER FOR SUBSTANCE ADDICTION OR PSYCHIATRIC PATIENTS 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 Hoffman. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman and Brent Newsom

**Nay:** 1 - Darryl Haynes

**Absent:** 1 - Larry Broseh

**Abstain:** 0

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 9:14 p.m. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Larry Broseh

**Abstain:** 0

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

ATTEST:

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