



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
www.mansfield-tx.gov

## Meeting Minutes - Final City Council

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Monday, April 9, 2012

5:00 PM

Council Chambers

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**REGULAR MEETING  
JOINT WORK SESSION  
MANSFIELD CITY COUNCIL  
MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION**

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

*Mayor Cook called the meeting to order at 5:10 p.m.*

**Absent** 1 - Larry Broseh

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

**JOINT WORK SESSION WITH MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION**

*Mayor Cook called the work session to order at 5:12 p.m. Mansfield Park Facilities Development Corporation President Harold Bell called the meeting to order at 5:13 p.m.*

*Present - Harold Bell; Wendy Collini; Sandra Hightower; Wayne Lee; Dan Sides; Bob Kowalski and Dee Davey*

**Preliminary Design Plans for Mansfield Community Park on Matlock Road**

*Director of Parks and Community Services Shelly Lanners stated the work session was to discuss preliminary design plans. She provided a history on the plans of the Community Park. Dunaway and Associates representative Philip Neeley made a presentation on the preliminary design and an overview of Phase I and answered Council questions. Dunaway and Associates representative Elizabeth McIlrath made a presentation and answered Council questions. Council Members and Mansfield Park Facilities Development Corporation Board Members made comments. Park Planner Hillary Bueker made comments.*

*Mayor Pro Tem Broseh arrived at 6:24 p.m. Mayor Cook adjourned the joint work session at 6:25 p.m. Mansfield Park Facilities Development Corporation President Harold Bell adjourned the work session at 6:25 p.m.*

**RECESS INTO EXECUTIVE SESSION**

*Pursuant to Section 551.071 of the Texas Government Code, the Council reserves the right to convene into executive session(s) from time to time as deemed necessary during the meeting for any posted agenda item, to receive advice from its attorney as*

*permitted by law.*

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:25 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:35 p.m. Mayor Cook adjourned executive session at 7:02 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 the Proposed Amendment to Current Contract with Republic Waste Services

Seek Advice of City Attorney Regarding Contract Operations at the Law Enforcement Center

Seek Advice of City Attorney Regarding Legal Requirements Relating to VDC Mansfield Reserve I, LLC

### **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 Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087**

Economic Development Project #12-01: An Existing Sports Facility

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

*Mayor Cook reconvened into regular business session at 7:09 p.m.*

### **INVOCATION**

*Mayor Pro Tem Broseh led the Invocation.*

### **PLEDGE OF ALLEGIANCE**

*Council Member Lindsey 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**[12-0105](#)

National Library Week

*Mayor Cook proclaimed April 8-14, 2012 as National Library Week.*

[12-0106](#)

National Library Worker's Day

*Mayor Cook proclaimed April 10, 2012 as National Library Worker's Day. City Librarian Steve Standefer made comments and invited everyone to visit the library.*

[12-0107](#)

National Child Abuse Prevention Month

*Mayor Cook proclaimed April 2012 as Child Abuse Prevention Month. Alliance for Children representative Courtney Garrison made comments.*

**CITIZEN COMMENTS**

*There were no comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Haynes recognized the girls from Brownie Troop 2184 who were present in the audience and also reminded everyone about the upcoming election being held on May 12, 2012.*

*Council Member Hoffman had no announcements.*

*Council Member Newsom had no announcements.*

*Council Member Lindsey had no announcements.*

*Council Member Burgess thanked the Mansfield Masonic Lodge for their 24 hour feeding.*

*Mayor Pro Tem Broseh had no announcements.*

*Mayor Cook read a letter from Brownie Troop 2184 and thanked them for their advice regarding the coyote issue.*

**STAFF COMMENTS****City Manager Report or Authorized Representative**

Current/Future Agenda Items

Quarterly Reports: Planning and Zoning Commission, Mansfield Park Facilities Development Corporation, Mansfield Economic Development Corporation, Public Works, Legal

*Assistant City Manager Chris Burkett advised the Council that staff was available to*

*answer questions regarding the quarterly reports.*

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

No action taken by the Council.

### **CONSENT AGENDA**

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

##### [12-0108](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive and Expend Grant Funding from the Texas Department of Transportation Automobile Burglary & Theft Prevention Authority for FY 2012-2013 to Continue Operating a Multi-Agency Task Force

**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 AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE AND EXPEND GRANT FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY TO CREATE A MULTI-AGENCY FACILITY TASK FORCE. FUNDS REQUESTED ARE NOT TO EXCEED \$500,000 WITH A 20% MATCH OF \$100,000 REQUIRED**

**(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-2791-12

##### [12-0109](#)

Resolution - A Resolution to Approve an Inter-local Agreement Between the City of Mansfield and Tarrant County for Assistance with Construction of a Parking Area at 450 Heritage Parkway South in the Amount of \$1,500

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

**A RESOLUTION TO APPROVE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF MANSFIELD AND TARRANT COUNTY FOR ASSISTANCE WITH CONSTRUCTION OF A PARKING AREA AT 450 HERITAGE PARKWAY SOUTH IN THE AMOUNT OF \$1,500**

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

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

Enactment No: RE-2792-12

[12-0104](#)

Minutes - Approval of the March 26, 2012 Regular City Council Meeting Minutes

**A motion was made by Council Member Hoffman to approve the March 26, 2012 Regular City Council Meeting Minutes as presented. Seconded by Council Member Haynes. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

**END OF CONSENT AGENDA**

**OLD BUSINESS**

[12-0076](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR to PD for Single-Family Residential on Approximately 23.84 Acres, Generally Located at the Northwest Corner of Newt Patterson Road and Cardinal Road by Tipton Engineering (ZC#11-010)

*City Secretary Vicki Collins read the caption into the record. Mayor Cook stated the applicant had requested this item be withdrawn. Bloomfield Homes representative Charles Jowell made brief comments and thanked the Council for their time and efforts.*

**No action taken.**

**PUBLIC HEARING CONTINUATION AND SECOND READING**

[12-0087](#)

Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Amending "Exhibit A" - Non Exclusive Contract and Franchise By and Between the City of Mansfield, Texas and Republic Waste Services of Texas, LTD. Doing Business as - Duncan Disposal

*Vicki Collins read the caption into the record. Mayor Cook continued the public hearing at 7:23 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:24 p.m.*

**A motion was made by Mayor Pro Tem Broseh to approve the second and final reading of the following ordinance:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING ORDINANCE NUMBER 1443 OF THE CITY OF MANSFIELD, TEXAS, AS HERETOFORE AMENDED BY ORDINANCE NUMBER 1582 AND ORDINANCE NUMBER OR-1705-08, GRANTING A CONTRACT RENEWAL WITH DUNCAN DISPOSAL AND APPROVING A RATE INCREASE AND CONTRACT EXTENSION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR**

**AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE**

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

**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

Enactment No: OR-1833-12

[12-0088](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 3.46 Acres, Located at 840 S. Mitchell Road; XTO Energy, Inc. (ZC#12-001)

*Peloton Land Solutions representative Jonathan Ragsdale stated he was available for questions. Mayor Cook continued the public hearing at 7:25 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:25 p.m.*

**A motion was made by Mayor Pro Tem 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 GRANT AN AMENDED 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 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

**NEW BUSINESS**[12-0103](#)

Resolution - Resolution Approving Economic Development Agreement with Soccer Texas Style, Inc. (STS)

*Director of Economic Development Scott Welmaker made brief comments. Soccer Texas Style, Inc. representative Jason Watson made 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 SOCCER TEXAS STYLE, INC. 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 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-2793-12

**COUNCIL ANNOUNCEMENTS**

*Mayor Cook made comments regarding the use of the City Logo by Council Candidate Brent Dalley.*

**ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 7:30 p.m. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

**Nay:** 0

**Abstain:** 0

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

ATTEST:

\_\_\_\_\_ Vicki Collins, City Secretary