



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, December 12, 2016

6:00 PM

Council Chambers

REGULAR MEETING

6:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 6:00 p.m.

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

INVOCATION

Mayor Pro Tem Broseh 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 Haynes led the Texas Pledge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Clayton Chandler wished everyone a Merry Christmas.

CONSENT AGENDA**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA****16-2093**

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to C-2, Community Business District on Approximately 30 Acres Generally Located at the Southeast Corner of East Debbie Lane and North Matlock Road; Reilly Brothers (ZC#16-015)

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 C-2 COMMUNITY BUSINESS 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

(Ordinance 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: OR-2025-16

16-2096

Ordinance - Third and Final Reading on an Ordinance Approving a Specific Use Permit for Retail and Service Establishments Not Elsewhere Listed (Brewery) in the Existing Building at 117 N. Main Street; Dirty Job Brewing (ZC#16-019)

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 GRANT A SPECIFIC USE PERMIT FOR A RETAIL AND SERVICE ESTABLISHMENTS NOT ELSEWHERE LISTED (BREWERY) 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

(Ordinance 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: OR-2026-16

[16-2121](#)

Ordinance - Second Reading of an Ordinance Granting an Ingress-Egress and Access Easement In, Upon, and Across City Owned Property at 1004 Magnolia Street 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

A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE GRANTING AN INGRESS – EGRESS AND ACCESS EASEMENT IN, UPON, AND ACROSS CITY OWNED PROPERTY AT 1004 MAGNOLIA STREET 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." 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

[16-2129](#)

Resolution - A Resolution Authorizing the City Manager and the City of Mansfield Fire Department to Make Application for and Receive Funds from the Department of Homeland Security, Under Assistance to Firefighter Grant Program 2016 for Cardiac Compression Devices not to Exceed \$117,990 with a Required City Match of 10% Equal to \$11,799

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 FIRE DEPARTMENT TO MAKE APPLICATION FOR AND RECEIVE FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY, UNDER ASSISTANCE TO FIREFIGHTER GRANT PROGRAM 2016 FOR CARDIAC COMPRESSION DEVICES NOT TO EXCEED \$117,990 WITH REQUIRED CITY CASH MATCH OF 10% EQUAL TO \$11,799

(Ordinance 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-3314-16

[16-2132](#)

Resolution - A Resolution Authorizing the Fire Chief and the Mansfield Fire Department to Enter into an Automatic Aid Agreement with the Grand Prairie Fire Department

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE FIRE CHIEF TO ACT AS THE CITY'S REPRESENTATIVE IN ALL MATTERS RELATING TO THE AUTOMATIC AID AGREEMENT WITH THE GRAND PRAIRIE FIRE DEPARTMENT

(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-3315-16

[16-2133](#)

Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the City Manager and the Public Works Department to Enter into an Interlocal Agreement with the City of Grand Prairie, Texas for the Cooperative Purchasing of Goods, Products and/or Services.

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 PUBLIC WORKS DEPARTMENT TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF GRAND PRAIRIE FOR THE PURPOSE OF COOPERATIVE PURCHASING OF GOODS, PRODUCTS AND/OR SERVICES

(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-3316-16

[16-2135](#)

Resolution - A Resolution of the City of Mansfield, Texas Approving the Project Utility Adjustment Agreement (PUAA), and all Related Utility Adjustment Agreement Amendments (UAAAs) for Necessary Utility Relocations for the SH 360 Project.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING THE PROJECT UTILITY ADJUSTMENT AGREEMENT (PUAA), AND ALL RELATED UTILITY ADJUSTMENT AGREEMENT AMENDMENTS (UAAAs) FOR NECESSARY UTILITY RELOCATIONS FOR THE SH 360 PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE THE SAME AND ALL OTHER DOCUMENTS NECESSARY TO ACCOMPLISH THE PROJECT; AND PROVIDING AN EFFECTIVE DATE

(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-3317-16

[16-2124](#)

Request for Special Event Permit: Lifetime Fitness 5K

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

[16-2130](#)

Minutes - Approval of the November 28, 2016 Regular City Council Meeting Minutes

A motion was made by Council Member Hoffman to approve the minutes of the November 28, 2016 Regular City Council Meeting as presented. 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

END OF CONSENT AGENDA

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:10 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:12 p.m. Mayor Cook adjourned executive session at 6:23 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 Theater

Seek Advice of City Attorney Regarding Zoning Case #16-001

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

Deliberate the Purchase, Exchange, Lease or Value of Easements and Real Property for the Mountain Creek Sanitary Sewer Interceptor Project

Deliberate the Purchase, Exchange, Lease or Value of Easements and Real Property for the Pond Branch Linear Trail Project

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

RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Cook reconvened into regular business session at 7:00 p.m.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Hoffman to authorize staff to proceed with obtaining a drainage easement and a utility easement along Pond Branch 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 authorize staff to move forward with additional money for easements as discussed related to the water/sewer project along Mountain Creek. 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 7:01 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