



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Tuesday, May 29, 2018

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:02 p.m.

Absent 1 - Brent Newsom

Present 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:05 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:10 p.m. Mayor Cook adjourned executive session at 7:21 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

Receive a Briefing from the City Attorney on Land Use Regulatory Procedures

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

Land Acquisition for Future Development

Personnel Matters Pursuant to Section 551.074

Discussion Regarding Board Appointments

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

Staff Update and Council Discussion Regarding Project #18-02

Staff Update and Council Discussion Regarding Project #18-05

Staff Update and Council Discussion Regarding Project #18-08

Staff Update and Council Discussion Regarding Project #18-09

Staff Update and Council Discussion Regarding Project #18-10

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

Mayor Cook called the meeting to order at 7:27 p.m.

INVOCATION

Council Member Broseh gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore 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 Moore led the Texas Pledge.

PRESENTATION

Mansfield Volunteer Program (MVP) - City of Mansfield Employee Organization, Lake Ridge High School Football Team, and Mansfield High School Football Team

Deputy City Manager Joe Smolinski gave a brief explanation about the Mansfield Volunteer Program and showed a video of the most recent volunteer project. He recognized the Lake Ridge High School Football Team, Mansfield High School Football Team and the City of Mansfield Employee Organization for their outstanding willingness to help the coach in need. Football coaches and players spoke about their volunteer experience with this project. Volunteer Coordinator Priscilla Sanchez spoke about her role in bringing volunteer projects together.

CITIZEN COMMENTS

Lance Irwin - 1208 Killian Drive - Mr. Irwin spoke about earthquakes due to gas well drilling.

Cathy Wallace - 3900 Teleport Road, Irving - Ms. Wallace spoke about earthquakes due to gas well drilling.

Mayor Cook recognized the following non-speaker:

Houston Mitchell - 605 Saint Eric Drive - Injection wells

COUNCIL ANNOUNCEMENTS

Council Member Leyman asked for Council support to hold quarterly meeting with the Mansfield Independent School District.

Council Member Short had no announcements.

Council Member Lewis had no announcements.

Council Member Moore acknowledged former Council Members Cory Hoffman, Darryl Haynes, and Stephen Lindsey as they watch the meeting on the television.

Mayor Pro Tem Newsom was absent.

Council Member Broseh requested a meeting with the Planning and Zoning Commission in the near future.

Mayor Cook thanked Joe Smolinski for his leadership and thanked Priscilla Sanchez for all of her hard work around the city.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Lewis to appoint Council Members Broseh, Moore, Leyman and Lewis; and Tarrant County Commissioner Andy Nguyen to the Tax Increment Reinvestment Zone No. 1 with Council Member Broseh being the Chairman and Council Member Moore being the Vice Chairman. Seconded by Council Member Moore. The motion CARRIED unanimously with Mayor Pro Tem Newsom not present.

A motion was made by Council Member Lewis to appoint Mayor Cook, Mayor Pro Tem Newsom, Council Members Lewis and Short; and Tarrant County Commissioner Andy Nguyen to the Tax Increment Reinvestment Zone No. 2 with Mayor Pro Tem Newsom being the Chairman. Seconded by Council Member Moore. The motion CARRIED unanimously with Mayor Pro Tem Newsom not present.

CONSENT AGENDA**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**[18-2747](#)

Resolution - A Resolution Authorizing of Funding in an Amount Not to Exceed \$175,000.00 and Approval of a Contract with Freese and Nichols, Inc. for Engineering Design Services to Prepare Seeton Road Roadway and Embankment Improvements at Joe Pool Lake for Public Bidding and Construction (Street Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$175,000.00 AND APPROVAL OF A CONTRACT WITH FREESE AND NICHOLS, INC. FOR ENGINEERING DESIGN SERVICES TO PREPARE SEETON ROAD ROADWAY AND EMBANKMENT IMPROVEMENTS AT JOE POOL LAKE FOR PUBLIC BIDDING AND CONSTRUCTION (STREET BOND FUND)

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

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

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3472-18

[18-2748](#)

Minutes - Approval of the May 14, 2018 Regular City Council Meeting Minutes

A motion was made by Council Member Moore to approve the minutes of the May 14, 2018 Regular City Council Meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS**18-2704**

Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/16, Single-Family Residential District, SF-8.4/18, Single-Family Residential District, SF-12/22, Single-Family Residential District and C-2, Community Business District, to PD, Planned Development District for Single-Family Residential, Townhouse and Commercial Uses or Some Intermediate Zoning Classification on Approximately 714.5 Acres, Generally Located East of FM 917, Approximately 1,200 Feet West of South Main Street, Approximately 350 Feet North of English Trail, West of FM 917, Being Northwest from the Intersection of FM 917 and Mesquite Drive, and East of Jessica Drive; Hanover Property Company (ZC#18-004)

City Secretary Tracy Norr read the caption into the record.

A motion was made by Council Member Lewis to table this agenda item to the July 9, 2018 regular scheduled meeting. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 5 - Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 1 - David Cook

Absent: 1 - Brent Newsom

Abstain: 0

PUBLIC HEARING AND FIRST READING**18-2743**

Ordinance - Public Hearing and First Reading of an Ordinance to Consider a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential Uses on Approximately 52.1225 Acres Situated in the Esquire Hendricks Survey, Abstract #659 & the William H. Herrall Survey, Abstract #724 and Approximately 10.4597 Acres Situated in the Esquire Hendricks Survey, Abstract #659, Altogether Totaling Approximately 62.7195 Acres Generally Located on the West Side of Callender Road, North of the MISD Center for the Performing Arts, and Southeast of the Woodland Estates subdivision; Charles F. Dibrell III of Terra Associates on Behalf of Dolce Vita Development Group, LLC (developer) and ACCP, LP, Michael Balloun, and Urban Contractors (owners) (ZC#17-022)

Tracy Norr read the caption into the record. Terra Associates representative Charles Dibrell gave a power point presentation and answered Council questions. Terra Associates consultant John Pierret made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:17 p.m. The following people spoke in opposition:

Lance Irwin - 1208 Killian Drive

Thomas Crouch - 2031 Callender Road

Donald D. Clark - 1205 Tremont Street

Blake Axen - 2407 Denali Court

Charles Marineau - 1206 Killian Drive
Nicholas Romero - 1004 Tremont Street
Bill Glacken - 1111 Tremont Street
Christina Drauden - 1110 Meriwether Street
Laurie Flynn - 1827 Callender Hill Road
Chris Hamilton - 9800 Hillwood Parkway, Ste. 250, Fort Worth
Tamera J. Bounds - 1009 Meriwether Street
Susan Johnson - 1105 Tremont Street
Erik Orsak - 906 Tremont Street
Breana Chan - 1111 Meriwether Street
Steven Dill - 903 Killian Drive
Sarah Wilkinson - 1100 Meriwether Street

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

Nick Smith - 1522 Piedmont Drive
Kevin Hess - 4361 Powers Branch
Max Aguilar - 3051 Matlock Road #12205
Keith Privett - 5416 Paloma Blanca
Chris Elwell - 22 Zachary Court
Mike Futrell - 1000 N. Main Street
Coby Kleinsan - 7153 Granville Drive

Mayor Cook recognized the following non-speakers opposed to this agenda item:

Rick Beaty - 908 Tremont Street
Samuel Jones - 2400 Cabrillo Lane
Sonya Jones - 2400 Cabrillo Lane
Kathy Cunningham - 405 Summer Trail
Robert Cunningham - 405 Summer Trail
Mark Mowcha - 1812 Callender Hill Road
Keertana Reddy - 1812 Callender Hill Road
Sandra Zachmeyer - 1203 Tremont Street
Paul M. Duncan - 900 Tremont Street
Dyann Campbell - 1206 Ravenna Street
Jane M. Lyon - 2508 Sedona Street
Gary Scott - 2405 Cabrillo Lane
Jan Duncan - 900 Tremont Street
Kevin Flynn - 1827 Callender Hill Road
James Bounds - 1009 Meriwether Street
Jacqueline Rosckes - 1201 Killian Drive
Justin Okon - 1808 Callender Hill Road
Courtney Borg - 1106 Meriwether Street
Natalie Tims - 1104 Starleaf Drive
Dennis Stroer - 1108 Meriwether Street
Michelle Stoer - 1108 Meriwether Street
Jamel Dorsey - 703 Acadia Street
Keri Guerin - 1105 Meriwether Street
John Guerin - 1105 Meriwether Street
Sen Xu - 806 Bandelier Lane
Herlinda Flores - 1116 Starleaf Drive
Krystal Dorsey - 703 Acadia Street
Kala Schlaegel - 1002 Killian Drive
Todd Schlaegel - 1002 Killian Drive

Bailey Clough - 1109 Starleaf Drive
Lori Doss - 2405 Denali Court
Larry Doss - 2405 Denali Court
Diane Lindsey - 1111 Tremont Street
Arnold Treadway - 2422 Ravenwood Court
Kevin Brown - 220 Country Meadow Court
Cephus Hill - 704 Bandelier Lane
William F. Daneke - 1204 Ravenna Street
Doris Daneke - 1204 Ravenna Street
Rosa Acevedo - 901 Tremont Street
Tina Brown - 220 Country Meadow Court
Debra Frizzell - 801 Acadia Street
Phillip Worobey - 13 Willowstone Court
Becky Brayton - 1823 Callender Hill Road
Aubrey Richardson - 807 Bandelier Lane
Candace Romero-Axen - 2407 Denali Court
Christie Miller - 807 Killian Drive
Dave and Aurdrey Mason - 806 Acadia Street
James C. Miller - 807 Killian Drive
Jerod and Brandi Parker - 1202 Ravenna Street
Diannia Brightbill - 1101 Meriwether Street
Jim Brightbill - 1101 Meriwether Street
James B. Mershon - 420 Chimney Hill Circle
Alison Britton - 1205 Killian Drive
Darryl Ward - 237 Wildwood Court
Jennifer Haynes - 2411 Denali Court
Joe Haynes - 2411 Denali Court
Angela Dill - 903 Killian Drive
Mark Britton - 1205 Killian Drive
Judy Clark - 1205 Tremont Street
Susan Cawley - 1804 Callender Hill Road
Debbie Black - 418 Chimney Hill Circle
Doug Black - 418 Chimney Hill Circle
Lynda Lotman - 1006 Tremont Street
Amberly Jones - 801 Killian Drive
Vanessa Chavarria - 903 Tremont Street
Jennifer Kendricks - 900 Killian Drive
Donna Mitchell - 605 St. Eric Drive
Joel Wetmore - 1102 Ravenna Street
Michael and Lisa Schuler - 1103 Tremont Street
Kadee Williams - 1007 Meriwether Street
Lindsay Figueroa - 1003 Killian Drive
Mary Ditore - 1102 Meriwether Street
Sam Morton and Kevin - 1211 Tremont Street
Tamara Bennett - 800 Acadia Street
Tyrone Bennett - 800 Acadia Street
Lisa Key - 255 Country Meadow Drive
Dan, Sue and Betsy Jurchenko - 1104 Meriwether Street
Lesha Hampton - 1201 Tremont Street
Myles Zachmeyer - 1203 Tremont Street
Stephen Dragoo - 810 Acadia Street
Krista Dragoo - 810 Acadia Street
Bertha and Felipe Holguin - 1861 Callender Road
Curtis Hendrick - 1207 Killian Drive

Jerrilynn Hendrick - 1207 Killian Drive

Mayor Cook continued the public hearing through second reading at 9:45 p.m. City Attorney Allen Taylor made comments regarding the zoning of the property being discussed.

Mayor Cook recessed the meeting for a break at 9:45 p.m. Mayor Cook reconvened into regular business session at 9:54 p.m.

A motion was made by Council Member Moore to table this agenda item for 60 days. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

NEW BUSINESS

18-2744

Review and Consideration of a Request to Approve a Minor Modification of the Development Plan for Pioneer Place PD (ZC#16-026A)

Pioneer Place representative Dr. Michael Evans made brief comments.

A motion was made by Council Member Broseh to approve this agenda item. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

18-2745

Request for Special Event Permit: Meat, Mugs & Music

The LOT Downtown representative Justin Gilmore made brief comments and answered Council questions.

A motion was made by Council Member Moore approved the request for special event permit. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

[18-2746](#)

Ordinance - First Reading of an Ordinance Approving a Request to Abandon a Portion of a Utility Easement Along North Main Street at 715 North Main Street to Main Street Lofts, L.P.

Tracy Norr read the caption into the record. City Engineer Raymond Coffman made brief comments and answered Council questions.

A motion was made by Council Member Moore to approve the first reading of "AN ORDINANCE VACATING AND ABANDONING A PORTION OF A UTILITY EASEMENT RELATING TO MAIN STREET LOFTS 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." Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

[18-2750](#)

Request for Special Event Permit: Eubanks Snow Cones

Eubanks Snow Cones owner Will Eubanks made brief comments and answered Council questions. Allen Taylor made comments and answered Council questions related to food trucks.

A motion was made by Council Member Moore to approve the request for special event permit. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND READING

[18-2728](#)

Ordinance - Continuation of a Second Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development District and SF-12/22, Single-Family Residential District to PD, Planned Development District for Single-Family Residential Uses on Approximately 68.543 Acres out of the James McDonald Survey, Abstract No. 997, Tarrant County, Texas, Generally Located West of Gertie Barrett Road and North of Linda Jobe Middle School, on Property Addressed at 2789 Gertie Barrett Road; Felix Wong (ZC#18-010)

Applicant representative Felix Wong gave a brief presentation and answered Council questions. Allen Taylor made comments addressing sending this item back to the Planning and Zoning Commission for further review. Assistant Director of Public Works David Boski and Raymond Coffman answered Council questions regarding traffic along Gertie Barrett Rd. Mayor Cook continued the public hearing through second reading at 10:40 p.m. The following people spoke:

*Darryl Ward - 237 Wildwood Court - Opposed
Christine Taylor - 229 Oakwood Court - Opposed
Pat Senn - 301 Wildwood Court - Opposed
James Mershon - 420 Chimney Hill Circle - Opposed
William Hodges - 258 Country Meadows Court - Opposed
Lisa Key - 255 Country Meadow Court - Opposed
Tina Brown - 220 Country Meadow Court - Opposed*

Mayor Cook recognized the following non-speakers opposed to this agenda item:

*Ronnie Batts - 191 Wildwood Court
JoAnn Batts - 191 Wildwood Court
Cheryl Ward - 237 Wildwood Court
Christie Miller - 807 Killian Drive
James C. Miller - 807 Killian Drive
Kadee Williams - 1007 Meriwether Street
Jerod and Brandi Parker - 1202 Ravenna
Michael and Lisa Schuler - 1103 Tremont Street
Lindsay Figueroa - 1003 Killian Drive
Jason and Mary Ditore - 1102 Meriwether Street
Lesha Hampton - 1201 Tremont Street
Alison Britton - 1205 Killian Drive
Larry Kincade - 1000 Tremont Street
Mark Britton - 1205 Killian Drive
Isaac and Richard Chan - 1111 Meriwether Street
Martha Milhime - 414 Meadow Creek Drive
Jerry Milhime - 414 Meadow Creek Drive
Kevin Brown - 220 Country Meadow Court
David Hightower - 290 Wildwood Court
Linda Hightower - 290 Wildwood Court
Todd Schlaegel - 1002 Killian Drive
Kala Schlaegel - 1002 Killian Drive
Debbie Black - 418 Chimney Hill Circle
Doug Black - 418 Chimney Hill Circle*

With no others wishing to speak, Mayor Cook closed the public hearing at 11:05 p.m.

A motion was made by Council Member Leyman to refer this item back to the Planning and Zoning Commission to review the revised plan. The motion FAILED for lack of a second.

A motion was made by Council Member Short 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 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." Seconded by Mayor Cook. The motion TIED by the following vote:

Aye: 3 - David Cook; Larry Broseh and Julie Short

Nay: 3 - Terry Moore; Mike Leyman and Casey Lewis

Absent: 1 - Brent Newsom

Abstain: 0

18-2730

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for C-2 Uses on Approximately 11.867 Acres Located at 1200 FM 157; Pete Shopp, Mouser Electronics (ZC#18-009)

Mayor Cook continued the public hearing at 11:21 p.m. Mayor Cook acknowledged the following non-speaker opposed to this agenda item:

Alfred Maldonado - 1821 Callender Road

With no one wishing to speak, Mayor Cook closed the public hearing at 11:21 p.m.

A motion was made by Council Member Moore 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 C-2 COMMUNITY BUSINESS DISTRICT 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 Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 11:22 p.m. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

ATTEST: David L. Cook, Mayor

Tracy Norr, City Secretary