



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, October 22, 2018

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Pro Tem Newsom called the meeting to order at 5:00 p.m.

Absent 1 - David Cook

Present 6 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Pro Tem Newsom recessed the meeting into executive session at 5:02 p.m. Mayor Pro Tem Newsom called the executive session to order in the Council Conference Room at 5:10 p.m. Mayor Cook arrived at 6:30 p.m. Mayor Cook adjourned the executive session at 7:01 p.m.

Present 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

Seek Advice of the 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

Land Acquisition for Future Development

Seek Advise from City Attorney Regarding Agreement for Property Located at 201 N. Main Street

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

Discussion Regarding ZC#18-021

Discussion Regarding Development Agreements

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

Mayor Cook reconvened into regular business session at 7:12 p.m.

INVOCATION

St. John Lutheran Church Pastor Jon Thomas gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Newsom 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 Short led the Texas Pledge.

PROCLAMATION

[18-2935](#)

Arbor Day

Mayor Cook proclaimed November 2, 2018 as Arbor Day and presented a proclamation to Landscape Administrator Stevon Smith. Texas A&M Forest Service representative Courtney Blevins made brief comments.

[18-2936](#)

Friends of the Library Week

Mayor Cook proclaimed October 21-22, 2018 as Friends of the Library Week and presented a proclamation to the Friends of the Library Members. Friends of the Library President Carol Ann Grantham made brief comments. City Manager Clayton Chandler made brief comments.

[18-2943](#)

Texas Trekkers for Pitt Hopkins Day

Mayor Cook proclaimed November 3, 2018 as Texas Trekkers for Pitt Hopkins Day and presented a proclamation to Jeremy Green. Mr. Green made brief comments

regarding Pit Hopkins Syndrome.

CITIZEN COMMENTS

Angela Sexton - 1441 Southern Hills Drive - Ms. Sexton made comments regarding the need for additional tennis courts at Clayton W. Chandler Park.

Roger Greenwood - 5 Louis Court - Mr. Greenwood made comments regarding the need for additional tennis courts at Clayton W. Chandler Park.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Council Member Short stated early voting had started and encouraged everyone to vote.

Council Member Lewis had no announcements.

Council Member Moore made comments regarding the Mansfield Historical Society's Ghost Tours and the Veterans Day Parade and Salute to be held on November 10, 2018.

Mayor Pro Tem Newsom had no announcements.

Council Member Broseh had no announcements.

Mayor Cook made comments regarding the need for tennis courts at Chandler Park.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Parks and Recreation Marketing and Communications Manager Ann Beck extended an invitation to the Veterans Day Parade and Salute to be held on Saturday, November 10, 2018 at 10:00 a.m. at RL Anderson Stadium.

Information and Invitation for Turkey Palooza on November 3, 2018

Director of Library Services Yolanda Botello made brief comments and extended an invitation to the first annual Turkey Palooza to be held on November 3, 2018 from 11:00 a.m. to 2:00 p.m. at the Chris Burkett Service Center.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[18-2879](#)

Ordinance - Third and Final Reading of an Ordinance Granting a Permanent Access Easement In, Upon and Across City Owned Property On Lot 4, Blk 5, Original Town Of Mansfield (301 South Main Street), in the City of Mansfield, Tarrant County, Texas

City Secretary Tracy Norr read the caption into the record.

A motion was made by Council Member Lewis to approve the following ordinance:

AN ORDINANCE GRANTING A PERMANENT ACCESS EASEMENT IN, UPON AND ACROSS CITY OWNED PROPERTY ON LOT 4, BLK 5, ORIGINAL TOWN OF MANSFIELD (301 SOUTH MAIN 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

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: OR-2099-18

[18-2899](#)

Ordinance - Third and Final Reading of an Ordinance Changing the Speed Limits on Regency Parkway from East Broad Street to Heritage Parkway and Mouser Way from FM 157 to the US Hwy 287 Southbound Frontage Road

Tracy Norr read the caption into the record.

A motion was made by Council Member Lewis to approve the following ordinance:

AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: OR-2100-18

[18-2915](#)

Ordinance -Second Reading of an Ordinance Granting An Oncor Electric Easement In, Upon and Across City Owned Property as described in Vol. 13582 PG. 221 D.R.T.C.T. (918 Magnolia St.), in the City of Mansfield, Tarrant County, Texas

A motion was made by Council Member Lewis to approve the second reading of "AN ORDINANCE GRANTING A PERMANENT ONCOR ELECTRIC EASEMENT IN, UPON AND ACROSS CITY OWNED PROPERTY AS DESCRIBED IN VOL. 13582 PG. 221 D.R.T.C.T. (918 MAGNOLIA ST.), IN THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD TO EXECUTE THE EASEMENT DOCUMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[18-2927](#)

Resolution - Resolution of the City of Mansfield, Texas, Authorizing the Fire Chief to act as the City's Representative in all Matters Relating to the Mutual Aid Agreement with the Tarrant County Fire Chiefs Association

A motion was made by Council Member Lewis 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 AGREEMENT FOR MUTUAL AID IN FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WITH THE TARRANT COUNTY FIRE CHIEFS ASSOCIATION

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3515-18

[18-2939](#)

Resolution - A Resolution Authorizing a Contract with Trinity River Authority for Industrial Sampling and Analytical Services

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

A RESOLUTION AUTHORIZING A CONTRACT WITH THE TRINITY RIVER AUTHORITY FOR INDUSTRIAL SAMPLING AND ANALYTICAL SERVICES

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3516-18

[18-2918](#)

Request for special event permit: Legacy HS Band March-A-Thon

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[18-2940](#)

Request for Special Event Permit: Veterans Day Parade & Salute

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[18-2925](#)

Minutes - Approval of the October 8, 2018 Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the October 8, 2018 Regular City Council Meeting Minutes as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

18-2908

Ordinance - Second Reading and Consideration of an Ordinance Amending Chapter 130 of the Mansfield Code of Ordinances to Regulate Residential Outdoor Lighting (OA#18-004)

A motion was made by Council Member Newsom to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 130 OF THE MANSFIELD CODE OF ORDINANCES, "GENERAL OFFENSES," BY ADDING A NEW SUBCHAPTER "RESIDENTIAL OUTDOOR LIGHTING," SECTIONS 130.60 THROUGH 130.67, TO ESTABLISH REGULATIONS RELATED TO OUTDOOR LIGHTING ON RESIDENTIAL PROPERTIES; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Short. The motion CARRIED by the following vote:

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

Nay: 1 - David Cook

Abstain: 0

PUBLIC HEARING AND FIRST READING

18-2838

Ordinance - Public Hearing and Continuation of a First Reading on an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Single-Family Attached Townhomes on Approximately 0.885 Acres out of Lot 4, Block 1, Cooper Square and Approximately 7.155 Acres out of the T.O. Harris Survey, Abstract No. 645, Totaling Approximately 8.05 Acres Located at 1400-1420 Turner Warnell Road; Felix Wong on Behalf of Hector Escamilla Jr. of Escamilla Capital Corp., General Partner of Mansfield Commercial Partners, and John R. Hardee of First Momentum Enterprises, LLC (Owners) and Mark J. Fueling of Turnkey Construction and Development Group (Developer) (ZC#18-011)

Applicant representative Felix Wong requested this agenda item to be withdrawn. City Attorney Allen Taylor answered Council questions.

A motion was made by Council Member Broseh to allow the applicant to withdraw the application for zoning change. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[18-2928](#)

Ordinance - Public Hearing and First Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Designating a Certain Area as a Tax Abatement Reinvestment Zone for Commercial-Industrial Tax Abatement Within the City of Mansfield, Texas; Establishing the Boundaries Thereof and Other Matters Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.

Interim Director of Economic Development Richard Nevins made comments and answered Council Questions. Allen Taylor answered Council questions. Mayor Cook opened the public hearing at 7:56 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:56 p.m.

A motion was made by Council Member Leyman to approve the first reading of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, DESIGNATING A CERTAIN AREA AS A TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT WITHIN THE CITY OF MANSFIELD, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE." Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short and Mike Leyman

Nay: 1 - Casey Lewis

Abstain: 0

[18-2929](#)

Ordinance - Public Hearing and First Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Designating a Certain Area as a Tax Abatement Reinvestment Zone for Commercial-Industrial Tax Abatement Within the City of Mansfield, Texas; Establishing the Boundaries Thereof and Other Matters Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.

Richard Nevins made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:00 p.m. With no one wishing to speak, Mayor Cook continued the public hearing at 8:00 p.m.

A motion was made by Council Member Moore to approve the first reading of "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, DESIGNATING A CERTAIN AREA AS A TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT WITHIN THE CITY OF MANSFIELD, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short and Mike Leyman

Nay: 1 - Casey Lewis

Abstain: 0

18-2934

Public Hearing and First Reading on an Ordinance approving a zoning change from PR, Pre-Development District to PD, Planned Development District for I-1, Light Industrial uses on approximately 241.69 acres, generally located at the northwest corner of Lone Star Road and S. Miller Road; the northeast corner of Britton Road and S. Miller Road; and south of Lone Star Road and Britton Road approximately 660 feet east of SH 360 and approximately 1500 feet west of S. Holland Road; Logistics Property Company (ZC#18-021)

Deputy City Manager Joe Smolinski made brief comments. Logistics Property Company representative Kent Newsom made a brief presentation and answered Council questions. Pacheco Koch representative Clayton Strolle made brief comments. Property owner Robbie Mayse made brief comments. Mayor Cook opened the public hearing at 8:50 p.m. The following people spoke:

*Samuel Francis - 4702 Oakview Drive - Opposed
Robert Putman - 941 McCampbell Road - Support
Shelia Favor - 503 Titleist Drive - Opposed
Toby Goodman - 1 Hidden Lake Court - Opposed
Sam Byrd - 4708 Bluebird Lane - Opposed
Kelly Priest - 2316 Castle Creek Drive - Support
Brian Avirett - 600 Six Flags Dr., Ste 500, Arlington - Opposed
Adam Stanley - 4102 Nicklaus Avenue - Opposed
Joe Ballard - 3892 Britton Road - Support
Sean Fanning - 4801 Bluebird Lane - Opposed
Larry Davis - 1013 Walnut Falls Circle - Support
Mark Rickerman - 4805 Bluebird Lane - Opposed
Rob Miller - 15455 Dallas Pkwy #400, Dallas - Support
Jim Wagmon - 600 Six Flags Dr., Ste 500, Arlington - Opposed*

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

*William Rhodes - 3210 Penny Lane
Larry Fabian - 1106 Fairway Court
Kim Mayse - 8271 CR 206, Grandview
Misty Mayse - 8097 CR 105, Grandview
Rick Bonner - 1266 Lakeview*

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

*Kathleen Francis - 4701 Oakview Drive
Alexandra Favor - 503 Titleist Drive
Casey Coon - 4904 Sunflower Drive
Hal Morton - 4206 Nicklaus Avenue
Sandy Morton - 4206 Nicklaus Avenue
Christy Tucker - 4803 Ashbury Lane
Steve Worst - 4611 Valleyview Drive
Robert Nicholson - 4303 Spring Lake Parkway*

*Rhonda Hunter - 911 Cook Street
Reginald Hunter - 911 Cook Street
Cathy Bartle - 704 Tee Box Court
Tommy Favor - 503 Titleist Drive
John and Kathrine Powell - 701 Tee Box Court
Morgan McBride - 919 Spencer Street
Jo Elaine Daves - 936 Cope Street
Harold Story - 4224 Britton Road
Robert Nguyen - 4307 Eagle Drive
Julie Viere - 213 Bayfield Drive
Andy Neubauer - 213 Bayfield Drive
Brenda Ruth - 514 Carnation Lane
Barry Ruth - 514 Carnation Lane*

With no others wishing to speak, Mayor Cook continued the public hearing through second reading at 9:47 p.m. Joe Smolinski, Interim Director of Planning Lisa Sudbury, Richard Nevins, and Police Chief Tracy Aaron answered Council questions.

A motion was made by Council Member Leyman 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 I-1, LIGHT INDUSTRIAL 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 Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Brose; Brent Newsom; Julie Short; Mike Leyman and Casey Lewis

Nay: 1 - Terry Moore

Abstain: 0

Mayor Cook recessed the meeting for a break at 10:45 p.m. Mayor Cook reconvened into regular business session at 10:53 p.m.

PUBLIC HEARING CONTINUATION AND SECOND READING

[18-2743](#)

Ordinance - Public Hearing Continuation and Second 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 Totalling 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)

A motion was made by Council Member Newsom to table this agenda item for 90 days. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[18-2861](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District to PD Planned Development District for OP Office Park District uses on Approximately 0.647 Acres out of the Joab Watson Survey, Abstract No. 1632, Located at 4451 E. Broad Street; Bob Blackwelder of HCC Contracting, Inc. on Behalf of Smart & Stella Ajayi of Harplet Marketing, LLC (ZC#18-019)

A motion was made by Council Member Moore to table this agenda item for 90 days. The motion FAILED for lack of a second.

A motion was made by Council Member Leyman to table this agenda item to the November 12, 2018 Regular Scheduled Meeting. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

NEW BUSINESS

[18-2734](#)

Ordinance - First Reading of an Ordinance Renewing a Franchise to Construct, Maintain, and Operate Pipelines and Equipment in the City of Mansfield, Tarrant County Texas granted to Atmos Energy Corporation, a Texas and Virginia Corporation, its Successors and Assigns, for the Transportation, Delivery, Sale and Distribution of Gas in, out of, and Through Said City; Providing for the Payment of a Fee or Charge for the Use of the Public Right-of-Way; and Providing that Such Fee Shall be in Lieu of Certain Other Fees and Charges

Tracy Norr read the caption into the record. Director of Utilities Jeff Price made a brief presentation.

A motion was made by Council Member Broseh to approve the first reading of "AN ORDINANCE RENEWING A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF MANSFIELD, TARRANT COUNTY TEXAS, GRANTED TO ATMOS ENERGY CORPORATION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAY; AND PROVIDING

THAT SUCH FEE SHALL BE IN LIEU OF CERTAIN OTHER FEES AND CHARGES."

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

Aye: 7 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

18-2937

Consideration of a Request for a Minor Modification of the Approved Specific Use Permit for Eating Place with Drive-Through Service on Approximately 1.28 Acres out of the Jacob Back Survey, Abstract No. 126, generally located on the north side of E. Broad Street, the east side of Cannon Drive, and the west side of SH 360; Scott Brown of Hat Creek Burger Co. on behalf of Charles W. Anderson of CWA Vistas, LP (ZC#18-018A)

Hat Creek Burger Co. representative Scott Brown made a brief presentation and answered Council questions. ID Studio 4 Architects representative Randy Barnett made brief comments and answered Council questions. Lisa Sudbury answered Council questions.

A motion was made by Council Member Lewis to approve the request of a minor modification with the following stipulations: with 90% masonry, raise the fence around the playground to a minimum of 4 feet, along with all staff's recommendations in the staff report. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

18-2938

Resolution - City's Notice of Intention to Issue City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation

Deputy City Manager Peter Phillis made brief comments and answered Council questions.

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

A RESOLUTION RELATING TO THE GIVING OF NOTICE OF INTENTION TO ISSUE CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION; DECLARING INTENT TO REIMBURSE CERTAIN PRIOR CAPITAL COSTS AND APPROVING OTHER MATTERS RELATED THERETO

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

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

Aye: 7 - David Cook; Larry Brose; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3517-18

[18-2941](#)

A Resolution of the City Council of the City of Mansfield, Tarrant County, Texas, Transferring the Duties of Vital Statistics Registrar to the County Clerk of Tarrant County

Tracy Norr made brief comments. Tarrant County Vital Statistics Manager Gayla Neal made brief comments and answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS TRANSFERRING THE DUTIES OF VITAL STATISTICS REGISTRAR TO THE COUNTY CLERK OF TARRANT COUNTY

(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; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3518-18

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 11:49 p.m. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

ATTEST: David L. Cook, Mayor

Tracy Norr, City Secretary