



CITY OF MANSFIELD

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

Meeting Minutes - Final City Council

Monday, January 27, 2014

5:00 PM

Council Chambers

REGULAR MEETING

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

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

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

JOINT WORK SESSION WITH MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION

*Mayor Cook called the joint work session to order at 5:10 p.m.
Mansfield Park Facilities Development Corporation Vice President Wendi Collini called the joint work session to order at 5:10 p.m.*

On Street Bicycle Master Plan

Director of Parks and Community Services Shelly Lanners made opening comments and gave the history of the Bike Lane Study by the Mansfield Park Facilities Development Corporation. She introduced Jeff Whitaker with Kimley Horn and Associates. Mr. Whitaker made a power point presentation and answered Council questions. There was discussion between staff, MPFDC Board and Council. Staff answered questions.

*Mayor Cook adjourned the work session at 6:35 p.m.
Wendi Collini adjourned the work session at 6:35 p.m.*

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:36 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:40 p.m. Mayor Cook adjourned the executive session at 7:17 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 Pending Litigation/Sanders vs. City of Mansfield, 'etal

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

Mayor Cook reconvened into regular business session at 7:22 p.m.

INVOCATION

Council Member Broseh led the Invocation.

PLEDGE OF ALLEGIANCE

Cub Scout Den 8 from Pack 1993 led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

Cub Scout Den 8 from Pack 1993 led the Texas Pledge.

CITIZEN COMMENTS

Houston Mitchell - 605 St. Eric - Mr. Mitchell spoke in opposition of the Bicycle Lanes. He stated the city streets were already congested enough and bike lanes were not necessary.

Mary Elizabeth Phillips - 6563 Teague Road - Mrs. Phillips spoke in support of the Bicycle Lanes. She spoke about the benefits bike lanes would bring to the city.

John R. Swanson - 2218 Canterbury Drive - Mr. Swanson spoke in support of the Bicycle Lanes. He stated he would like to encourage the Council to continue the discussion about the bike lanes.

Rick Rose - 3801 Autumn Glen Court - Arlington - Mr. Rose spoke in opposition of the Bicycle Lanes.

Yvonne Armour - 822 Yellowstone Drive - Mrs. Armour spoke in support of the Bicycle Lanes. She provided the Council with a copy of a bicycle survey from the Bicycle Transportation Association. She thanked the Council for all the hours they have given and are going to keep giving to discuss bicycle inclusion.

Jack Muhlbeier - 1604 Arborcreek Trail - Mr. Muhlbeier stated he was directly affected by the opening of the new park.

Allison Arseneau - 1606 Arborcreek Trail - Mrs. Arseneau stated for the record that

on May 23, 2013 she contacted Mayor Cook's office and spoke to the City Secretary leaving her contact information. She stated she emailed Mayor Cook with her contact information and to discuss the park and land title issues. Mrs. Arseneau stated she did not receive a call back or an email. She asked that Mayor Cook and the Council to do their best to respond and assist in resolving issues when they are contacted by the public. She questioned Council Member Broseh's conflict of interest disclosures regarding Knightsbridge Estates. Mrs. Arseneau stated she still has a lot of unanswered questions regarding missing and questionable documents.

Kelli Saverling - 1613 Valleywood Trail - Mrs. Saverling spoke in opposition of the bridge that was placed at the Elmer Oliver Nature Park. She stated her neighborhoods privacy, security, peace of mind and home value are now gone with the opening of the bridge. She stated her daughter had to help people get out of their gated neighborhood because they were lost after exiting the trail.

Jolenna Cullum - 522 Mockingbird Drive - Mrs. Cullum spoke in support of the Bicycle Lanes. She stated she started biking 4 years ago and has lived in Mansfield for 10 years.

Mayor Cook recognized the following Non-Speaker:

Eddie Phillips - 6563 Teague Road - Support of Bicycle Inclusion

COUNCIL ANNOUNCEMENTS

Council Member Haynes had no announcements.

Council Member Hoffman spoke about the opening of the new Nature Park and encouraged citizens go out and enjoy the park.

Council Member Newsom had no announcements.

Mayor Pro Tem Lindsey spoke about the opening of the new park. He asked for there to be more signs along the trail system to educate the public, more bike racks, dog bag station and a water station toward the back of the property. He spoke about the parking at the park stating overall the opening was a success.

Council Member Burgess congratulated City Secretary Vicki Collins for her recent Texas Municipal Clerk Certification.

Council Member Broseh had no announcements.

Mayor Cook had no announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Clayton Chandler stated there was outstanding coverage from Channel 8 and 11 on the opening of the new park and apologized to the Mansfield News-Mirror for not thanking them for their coverage at the grand opening celebration of the new park. He thanked all of staff involved in the preparation for the opening.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

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

[14-0795](#)

Resolution - A Resolution Authorizing Funding for an Amount not to Exceed \$107,000.00 and Approval of [Contracts to Include](#) Jerry Parche Consulting Engineers for Design Services for the South Waxahachie Street and Prairie View Drive Paving and Water Line Improvements (Street Bond Fund)

A motion was made by Mayor Pro Tem Lindsey to approve the following resolution:

A RESOLUTION AUTHORIZING FUNDING AND APPROVING A CONTRACT WITH JERRY PARCHE CONSULTING ENGINEERS FOR DESIGN SERVICES FOR THE SOUTH WAXAHACHIE STREET AND PRAIRIE VIEW DRIVE PAVING AND WATER LINE IMPROVEMENTS

(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-2984-14

[14-0797](#)

Resolution - A Resolution Supporting the Closure of Main Street for the Annual St. Paddy's Pickle Parade

A motion was made by Mayor Pro Tem Lindsey to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS IN SUPPORT OF CLOSING NORTH MAIN STREET FOR THE ANNUAL ST. PADDY'S PICKLE PARADE

(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-2985-14

[14-0802](#)

Resolution - A Resolution Calling the May 10, 2014 General Election for the City of Mansfield, Council Member, Place 6 and Council Member, Place 7

A motion was made by Mayor Pro Tem Lindsey to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD ("CITY"), TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 10, 2014; DESIGNATING POLLING PLACES, ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; ESTABLISHING A DATE FOR CANVASSING RETURNS; ESTABLISHING A DATE FOR RUNOFF ELECTION, IF NECESSARY; 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-2986-14

[14-0796](#)

Request for Special Event Permit; Mansfield Pickle Parade and 5K & 10K races

A motion was made by Mayor Pro Tem Lindsey 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

[14-0798](#)

Minutes - Approval of the January 13, 2014 Regular City Council Meeting Minutes

A motion was made by Mayor Pro Tem Lindsey to approve the January 13, 2014 Regular Meeting Minutes 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

OLD BUSINESS

13-0741

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from SF-12/22 & PR to SF-8.4/18 & SF 9.6/20 on Approximately 67.48 Acres, Generally Located South of Grand Meadow Blvd, East of Winding Glen Lane, and West of Sunset Drive and N. Day Miir Road.; Alluvium Development (ZC#13-011)

Vicki Collins read the caption into the record. The Texas Mortgage Group representative Terrance Jobe made a brief presentation and answered Council questions. Director of Planning Felix Wong answered Council questions.

A motion was made by Mayor Cook to remove the item from the table. Seconded by Council Member Hoffman. The motion CARRIED with 7 ayes and 0 nays.

A motion was made by Council Member Broseh 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 PD, PLANNED DEVELOPMENT FOR SF-8.4/18 AND SF-9.6/20 SINGLE-FAMILY RESIDENTIAL LOTS, 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: 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

Enactment No: OR-1898-14

PUBLIC HEARING AND FIRST READING

14-0794

Ordinance - First 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 a Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

Vicki Collins read the caption into the record. Recreation Superintendent Andy Binz made brief comments. Mayor Cook opened the public hearing at 8:06 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:06 p.m.

A motion was made by Council Member Newsom to approve the first reading of "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 CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE." 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

PUBLIC HEARING CONTINUATION AND SECOND READING

[13-0777](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving Amendment of Section 6.2, Permitted Use Table of The Reserve Planned Development District Standards to Allow Drive-In Banking Facilities in the Central Sub-District of The Reserve Planned Development (OA#13-004)

Mayor Cook continued the public hearing at 8:08 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:08 p.m.

A motion was made by Council Member Haynes to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE RESERVE PLANNED DEVELOPMENT DISTRICT STANDARDS TO PERMIT DRIVE-IN BANKING FACILITIES AS A PERMITTED USES IN THE CENTRAL SUB-DISTRICT OF THE RESERVE PLANNED DEVELOPMENT; 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: 7 - David Cook; Stephen Lindsey; Wendy Burgess; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Abstain: 0

NEW BUSINESS

[14-0801](#)

Ordinance - An Ordinance Of The City Of Mansfield, Texas, Authorizing The Issuance And Sale Of City Of Mansfield, Texas Combination Tax And Revenue Certificates Of Obligation, Series 2014A; Levying A Tax In Payment Thereof; Prescribing The Form Of Said Certificates; Approving A Purchase Agreement; Approving The Official Statement; And Enacting Other Provisions Relating To Thereto

Vicki Collins read the caption into the record. Director of Business Services Peter Phillis made brief comments and turned it over to First SouthWest representative Boyd London. Mr. London made brief comments and advised he was available for questions.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,255,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING A PURCHASE AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

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

Seconded by Mayor Pro Tem Lindsey. 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-1899-14

[14-0788](#)

Ordinance - Second Reading of an Ordinance Vacating and Abandoning a Portion of Hospital Drive in the City of Mansfield, Tarrant County, Texas

City Attorney Allen Taylor made brief comments. Mayor Cook mentioned the third and final reading for this item and 13-0777 is scheduled for January 28, 2014 at 8:00 a.m.

A motion was made by Council Member Newsom to approve the second reading of "AN ORDINANCE VACATING AND ABANDONING A PORTION OF HOSPITAL DRIVE IN THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS; DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; RETAINING A PUBLIC UTILITY EASEMENT; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP, INTEREST AND CONTROL OF THIS

RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Broseh. 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

[13-0778](#)

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 Stepp /WCJ Investments, LLC. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Director of Economic Development Scott Welmaker made brief comments.

A motion was made by Mayor Pro Tem Lindsey 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 STEPP /WCJ INVESTMENTS, LLC, 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 Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook;Stephen Lindsey;Wendy Burgess;Cory Hoffman;Larry Broseh and Brent Newsom

Nay: 1 - Darryl Haynes

Abstain: 0

Enactment No: RE-2987-14

[14-0804](#)

Resolution - A Resolution Awarding a Contract Regarding the New Tactical Training Facility and the Renovation of the Mansfield Dispatch Office

Director of Development Services Richard Wright made brief comments and answered Council questions. Police Chief Gary Fowler answered Council questions.

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

A RESOLUTION AWARDING A CONTRACT REGARDING THE NEW TACTICAL TRAINING FACILITY AND THE RENOVATION OF THE MANSFIELD DISPATCH OFFICE

(Resolution 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: RE-2988-14

[14-0805](#)

Resolution - A Resolution Awarding a Contract Regarding the New Mansfield Service Center

Richard Wright made brief comments and answered Council questions. Director of Utility Operations Joe Smolinski answered Council questions.

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

A RESOLUTION AWARDING A CONTRACT REGARDING THE NEW MANSFIELD SERVICE CENTER

(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-2989-14

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 8:26 p.m. Seconded by Council Member Broseh. 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