



# CITY OF MANSFIELD

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

## Meeting Minutes - Final City Council

---

Monday, March 17, 2014

5:00 PM

Council Chambers

---

### REGULAR MEETING

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

*Mayor Cook called the meeting to order at 5:00 p.m.*

**Absent** 2 - Stephen Lindsey and Larry Broseh

**Present** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

#### RECESS INTO EXECUTIVE SESSION

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:02 p.m. Mayor Cook called the executive session in order in the Council Conference Room at 5:04 p.m. Mayor Cook adjourned the executive session at 5:12 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 City of Mansfield vs. Martinez Family Limited - Cause No. 2013-007537-1

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

Consider Possible Purchase of Certain Properties for Future Development/Use

#### **Personnel Matters Pursuant to Section 551.074**

Board Interview; Mansfield Economic Development Corporation

#### **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**

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

*Mayor Cook called the joint work session to order at 5:19 p.m.  
Mansfield Park Facilities Development Corporation President Harold Bell called the joint work session to order at 5:20 p.m.*

#### On-Street Bicycle Master Plan

*City Manager Clayton Chandler asked staff to hand out a time line of the On-Street Bicycle Master Plan. Mr. Chandler made brief comments and turned the work session over to Director of Parks and Community Services Shelly Lanners. Shelly gave an overview of the master plan and turned it over to Kimley-Horn & Associates representative Jeff Whitaker. Mr. Whitaker made a power point presentation and answered Council questions. There was discussion between the Council, Mansfield Park Facilities Development Corporation and staff and consensus that this item will be placed on a Council agenda for a vote in April after it has been voted on by the Mansfield Park Facilities Development Corporation.*

*Mayor Cook adjourned the work session at 6:20 p.m. President Bell adjourned the work session at 6:21 p.m.*

#### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:22 p.m. Mayor Cook called the executive session in order in the Council Conference Room at 6:25 p.m. Mayor Cook adjourned the executive session at 7:20 p.m.*

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

*Mayor Cook reconvened into regular business session at 7:25 p.m.*

#### **INVOCATION**

*Council Member Haynes 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 Newsom led the Texas Pledge.*

#### **PRESENTATION**

TML Excellence in Libraries Award

*Mayor Cook presented a plaque to City Librarian Steve Standefer, Library Staff and Friends of the Library for TML Excellence in Libraries Award. Steve made brief*

comments. Mr. Chandler made brief comments.

### **CITIZEN COMMENTS**

*Bryan Miller - 602 Saint Eric Drive - Mr. Miller spoke on behalf of the Mansfield Masonic Lodge. He invited all Public Safety staff as well as Council Members to the Masonic Lodge Annual Feed the Public Servants 24 Hour Appreciation Dinner. He stated it would take place beginning Friday, March 28, 2014 and end Saturday, March 29, 2014. He encouraged everyone to attend and mentioned dinner would be delivered to 911 dispatch staff.*

*Walter Dueease - 810 Houston Street, Fort Worth - Mr. Dueease expressed Chesapeake Gas Company's opinion regarding the Gas Well Ordinance revisions.*

*Mayor Cook recognized the following non-speaker:*

*James Young - 1109 Old Dominion Place*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Haynes thanked the citizens for a great Pickle Parade turn out. He thanked Best Maid owner Gary Dalton.*

*Council Member Hoffman asked for a status update on the water/sewer line project on Matlock Road. Director of Public Works Steve Freeman gave an update.*

*Council Member Newsom had no announcements.*

*Mayor Pro Tem Lindsey was absent.*

*Council Member Burgess encouraged everyone invited to attend the Mansfield Masonic Lodge Annual Appreciation Dinner.*

*Council Member Broseh was absent.*

*Mayor Cook stated he was out of town during the Pickle Parade and thanked everyone who promoted the event.*

### **STAFF COMMENTS**

#### **City Manager Report or Authorized Representative**

##### Current/Future Agenda Items

*Mr. Chandler echoed Council Member Burgess' comments regarding the Masonic Lodge event. He stated the City of Mansfield was ranked number two by Nerd Wallet's Cities on the Rise.*

Watermark Award for Excellence in Communications from Texas Section of AWWA - Joe Smolinski

*Education Specialist Arianne Shipley introduced Keep Mansfield Beautiful Commission Board Members Lucretia Mills and Russell Wilson. She made a power point presentation and spoke about the awards the Utilities Department has received.*

Keep Texas Beautiful Awards - Arianne Shipley

*Arianne Shipley gave an update on the upcoming events.*

Follow up on Grackle Complaints - Police Chief Gary Fowler

*Police Chief Gary Fowler made comments regarding grackle complaints and answered Council questions.*

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

**No action taken by the Council.**

### **CONSENT AGENDA**

[14-0841](#)

Resolution - A Resolution Authorizing the City of Mansfield, Texas ("City") to Enter into a Lease Agreement with Johnson County Elections Administrator for the Use of AutoMark Voting Equipment to be Used in the May 10, 2014 General Election and Run-Off, If Necessary

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

**A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, TEXAS ("CITY") TO ENTER INTO A LEASE AGREEMENT WITH JOHNSON COUNTY ELECTIONS ADMINISTRATOR FOR THE USE OF AUTOMARK VOTING EQUIPMENT TO BE USED IN THE MAY 10, 2014 GENERAL ELECTION AND RUN-OFF ELECTION, IF NECESSARY**

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

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

**Aye:** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: RE-2996-14

[14-0852](#)

Resolution - Authorization of Additional Funding for an Amount Not to Exceed \$21,900.00 for a Change in Scope to the South Waxahachie Street and Prairie View Drive Paving and Water Line Improvements Project (Street Bond Fund)

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

**A RESOLUTION AUTHORIZING OF ADDITIONAL FUNDING FOR A CHANGE IN**

**SCOPE TO THE SOUTH WAXAHACHIE STREET AND PRAIRIE VIEW DRIVE  
PAVING AND WATER LINE IMPROVEMENTS PROJECT WITH JERRY PARCHE  
CONSULTING ENGINEERS**

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

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

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent  
Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: RE-2997-14

[14-0836](#)

Request for Special Event Permit; Mellow Mushroom Bake Bus

**A motion was made by Council Member Haynes to approve the special event  
permit request. Seconded by Council Member Hoffman. The motion CARRIED  
by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent  
Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

[14-0837](#)

Request for Special Event Permit; Mansfield Tiki Triathlon

**A motion was made by Council Member Haynes to approve the special event  
permit request. Seconded by Council Member Hoffman. The motion CARRIED  
by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent  
Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

[14-0843](#)

Minutes - Approval of the February 24, 2014 Regular City Council Meeting

**A motion was made by Council Member Haynes to approve the February 24,  
2014 Regular Meeting Minutes as presented. Seconded by Council Member  
Hoffman. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent  
Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

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

[14-0811](#)

Resolution - A Resolution Approving a Joint Election Agreement Between the City of Mansfield and the Mansfield Independent School District for the May 10, 2014 General Election

*Council Member Hoffman removed this item from the consent agenda. Director of Business Services Peter Phillis answered Council questions.*

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD JOINTLY WITH THE MANSFIELD INDEPENDENT SCHOOL DISTRICT 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:** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: RE-2998-14

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING AND FIRST READING**

[14-0842](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from MF-2, PR, I-1 & 2F to SF-7.5/16, SF-8.4/18, SF-12/22, MF-2 and C-2 on Approximately 555 Acres, Generally Located at the Intersection of South 2nd Avenue and FM Road 917 and East of FM Road 917, West of South Main Street and North of English Trail; Setback Partners (ZC#14-001)

City Secretary Vicki Collins read the caption into the record. Setback Partners representative Bob McCaslin made a presentation and answered Council questions. Mr. Chandler made brief comments. Director of Planning Felix Wong answered Council questions. Council Member Hoffman requested a map overlay of where the existing gas wells are on the properties as well as a comparison chart of the existing zoning and the proposed zoning for the properties by the next reading. Mayor Cook opened the public hearing at 8:10 p.m. The following people spoke:

Mike Leyman - 808 Turnberry Lane - Support  
Kenneth Nowicki - 521 English Trail - Opposed  
Mark Sullivan - 1101 Pebblebeach Drive - Support  
Dee Davey - 1606 Meadow Crest - Support

Mayor Cook acknowledged the following non-speakers:

Danny Ray - 1831 E. Broad Street - Support  
John Watson - 8029 Levy County Line Road - Support  
Jim Watson - 3405 Hollow Creek - Support  
Nathan Watson - 5505 Archbridge Court - Support  
Sarah Odman - 1001 Amanda Drive - Support  
Frank Cram - 305 Regency, Suite 705 - Support  
Matthew Alt - 1014 Springfield Street - Support  
Jennifer Alt - 2771 E. Broad Street, Suite 209 - Support  
Larry Nix - 1507 Cannon Gate - Support  
Carol Parrish - 1114 Country Club Court - Support  
Bill Parrish - 1114 Country Club Court - Support  
Randall Canedy - 2217 Cain's Lane - Support  
Raymond Meeks - 1000 W. Walnut Creek Lane, Suite C - Support  
Dana Sullivan - 1101 Pebblebeach Drive - Support  
Bob Vinson - 9 Kimberly Court - Support  
Larry Fabian - 1106 Fairway Court - Support  
Roger Richardson - 880 N. Miller Road - Support

With no one else wishing to speak, Mayor Cook continued the public hearing at 8:17 p.m.

**A motion was made by Council Member Haynes 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 SF-7.5/16, SINGLE-FAMILY RESIDENTIAL; SF-8.4/18, SINGLE-FAMILY RESIDENTIAL, SF-12/22, SINGLE FAMILY RESIDENTIAL, MF-2, MULTI-FAMILY RESIDENTIAL; AND C-2, COMMUNITY BUSINESS DISTRICT CLASSIFICATION, 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:** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

Abstain: 0

[14-0844](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR to C-2 on Approximately 10.5 Acres, Generally Located at the Southeast Corner of E Debbie Lane and Matlock Road; Hijo, Ltd. (ZC#14-003)

*Vicki Collins read the caption into the record. Felix Wong made a brief presentation. Hijo, Ltd. representative Stacy McVey made a brief presentation. Mayor Cook opened the public hearing at 8:26 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:28 p.m.*

**A motion was made by Council Member Hoffman 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 C-2, COMMUNITY BUSINESS DISTRICT CLASSIFICATION, 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 Haynes. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

**PUBLIC HEARING CONTINUATION AND SECOND READING**

[14-0817](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving Historic Landmark Overlay District Classification for Properties Located at 107 N. Main Street, 124 N. Main Street and 128 N. Main Street; City of Mansfield (ZC#14-002)

*Felix Wong made brief comments. Mayor Cook continued the public hearing at 8:29 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 8:29 p.m.*

**A motion was made by Council Member Hoffman 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 A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 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:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: OR-1903-14

[14-0818](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving Amendment of Section 7100.C and 7100.D of the Zoning Ordinance Pertaining to Regulations on Window Sign and Message Center (OA#14-001)

*Felix Wong made brief comments and answered Council questions. Mayor Cook continued the public hearing at 8:38 p.m. The following person spoke:*

*Danny Ray - 1831 E. Broad Street - Opposed*

*With no one else wishing to speak, Mayor Cook closed the public hearing at 8:38 p.m.*

*Mayor Cook stated for the record comments made by Council Member Broseh regarding his strong opposition to sections 1 and 2 of the ordinance regarding the message center.*

**A motion was made by Council Member Haynes to amend the main motion to remove what businesses can put on the window. The motion failed due to lack of a second.**

**A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 7100C AND 7100D OF THE SIGN STANDARDS OF THE ZONING ORDINANCE PERTAINING TO WINDOW SIGN AND MESSAGE CENTER; 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," removing the amendments presented for Sections 1 and 2. Seconded by Council Member Newsom. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: OR-1904-14

**NEW BUSINESS**

[14-0848](#)

Review and Consideration of a Detailed Site Plan for Lots 1-8 of The Village

off Broadway Planned Development located at the southwest corner of E. Broad Street and Cannon Drive South (DS#13-003)

*Applicant Max Thompson answered Council questions. Felix Wong made brief comments.*

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

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

[14-0853](#)

Review and Consideration of a Detailed Site Plan for the Initial Phases of South Pointe on Approximately 139.6 Acres Generally Located South of Mathis Road, West of Hwy 360 and North of the Proposed Lone Star Parkway (DS#14-001)

*Mr. Chandler made brief comments. Ruby 07 SPMTGE, LLC representative David Branch made a power point presentation and answered Council questions. City Attorney Betsy Elam answered Council questions.*

**A motion was made by Mayor Cook to approve this agenda item. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

[14-0857](#)

Discussion Regarding Approval of 2013 Hotel/Motel Funding Request by Sunrise Rotary Club

**A motion was made by Mayor Cook to approve the request. Seconded by Council Member Newsom. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

[14-0858](#)

Resolution - A Resolution Approving a Development Agreement with Ruby 07 SPMTGE, LLC Authorizing the Expenditure of Tax Increment Funds for the Construction of Public Improvements Within the Tax Increment Reinvestment Zoned Number One for the Initial Phases of South Pointe on Approximately 139.6 Acres Generally Located South of Mathis Road, West of Hwy. 360 and

North of the proposed Lone Star Parkway

*Mr. Chandler made brief comments.*

**A motion was made by Council Member Burgess to approve the following resolution with the stipulation of the dollar amount of the amenity center being at 1 million dollars:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH RUBY 07 SPMTGE, LLC FOR PUBLIC IMPROVEMENTS FOR SOUTH POINTE WITHIN THE TAX INCREMENT REINVESTMENT ZONE NUMBER ONE; 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:** 5 - David Cook; Wendy Burgess; Cory Hoffman; Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: RE-2999-14

[14-0860](#)

Ordinance - First Reading of an Ordinance Amending Regulations of Smoking in Chapter 92, "Health and Sanitation" of the Mansfield Code of Ordinances by Adding Definitions for "Electronic Vaping Device" and "Liquid Nicotine;" Amending the Definition of "Smoking" to Include Electronic Vaping Devices; Prohibiting Smoking at Seating Area of Outdoor Theater or Amphitheater; Prohibiting the Sale and Distribution of Electronic Vaping Devices and Liquid Nicotine to Minors; and Prohibiting the Possession of Electronic Vaping Devices and Liquid Nicotine by Minors

*Vicki Collins read the caption into the record. Felix Wong made a brief presentation.*

**A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING REGULATIONS OF SMOKING IN CHAPTER 92, HEALTH AND SANITATION OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS BY ADDING DEFINITIONS FOR "ELECTRONIC VAPING DEVICE" AND "LIQUID NICOTINE;" AMENDING THE DEFINITION OF "SMOKING" TO INCLUDE ELECTRONIC VAPING DEVICES; PROHIBITING SMOKING AT SEATING AREA OF OUTDOOR THEATER OR AMPHITHEATER; PROHIBITING THE SALE AND DISTRIBUTION OF ELECTRONIC VAPING DEVICES AND LIQUID NICOTINE TO MINORS; AND PROHIBITING THE POSSESSION OF ELECTRONIC VAPING DEVICES AND LIQUID NICOTINE BY MINORS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Hoffman. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

## **OLD BUSINESS**

### **[14-0822](#)**

Ordinance - Second Reading of an Ordinance Amending the Regulations in Chapter 114 of the Mansfield Code of Ordinances, "Gas Well Drilling and Production", Pertaining to Noise, Hours of Operation, Notification, and Other Drilling, Operation, and Production Activities (OA#14-002)

*Felix Wong made brief comments and answered Council questions.*

**A motion was made by Council Member Hoffman to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 114 OF THE MANSFIELD CODE OF ORDINANCES, "GAS WELL DRILLING AND PRODUCTION," PERTAINING TO NOISE, HOURS OF OPERATION, NOTIFICATION, AND OTHER DRILLING, OPERATION, AND PRODUCTION ACTIVITIES; 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 Newsom. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

Enactment No: OR-1905-14

## **ADJOURN**

**A motion was made by Council Member Hoffman to adjourn the meeting at 9:23 p.m. Seconded by Council Member Burgess. The motion CARRIED by the following vote:**

**Aye:** 5 - David Cook;Wendy Burgess;Cory Hoffman;Darryl Haynes and Brent Newsom

**Nay:** 0

**Absent:** 2 - Stephen Lindsey and Larry Broseh

**Abstain:** 0

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

ATTEST:

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