



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, July 24, 2017

5:00 PM

Council Chambers

REGULAR MEETING

4:00 P.M. - MANSFIELD STARCENTER TOUR - 1750 E. BROAD ST. (Physical Address) - 201 CARLIN RD. (Parking Address)

City Council and staff attended the Mansfield StarCenter Tour.

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

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

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

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Mayor Cook called the work session to order in the multi-purpose room and turned it over to City Manager Clayton Chandler.

Preliminary Budget Review

Mr. Chandler gave an overview of the 2017/2018 proposed annual service program and proposed budget. Deputy City Manager Peter Phillis gave an overview of the budget process. There was Council consensus to schedule a work session to discuss the upcoming budget. Director of Parks and Community Services Matt Young gave an overview of the Mansfield Park Facilities Development Corporation's budget.

Code Compliance Subcommittee Follow-Up

Deputy City Manager Joe Smolinski gave an update from the Code Compliance Subcommittee regarding boats, trailers, RV's, and grass height. Staff asked the Council for direction to either enforce or amend the current enforcement ordinances. The subcommittee asked staff to place an ordinance amendment on the next regular meeting agenda for Council action.

Downtown Marketing Campaign

Deputy City Manager Shelly Lanners gave an update on the downtown marketing campaign.

Capital Improvement Project Follow-Up

There was no discussion regarding this item.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:26 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:33 p.m. Mayor Cook adjourned executive session at 7:41 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 Board of Adjustments and Appeals

Seek Advice of City Attorney Regarding Amendments to the DSE Development Agreement

Seek Advice of City Attorney Regarding Amendments to the DSE Lease Agreement

Seek Advice of City Attorney Regarding Amendments to the Shops at Broad Development Agreement

Seek Advice of City Attorney Regarding Amendment to the Construction Manager at Risk Contract with Durant and Associates

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 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 Request to Have Mayor Sign a Targeted Employment Area Designation Letter

Discussion Regarding Project #15-20

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

Mayor Cook reconvened into regular business session at 7:48 p.m.

INVOCATION

Executive Pastor of First Baptist Church Mansfield Don Miller 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"

Mayor Pro Tem Hoffman led the Texas Pledge.

PROCLAMATION

[17-2385](#)

First Baptist Church Pastor Don Miller

Mayor Cook proclaimed July 30, 2017 as Don Miller Day and presented Pastor Miller with a proclamation.

CITIZEN COMMENTS

Elizabeth Taylor - 1202 St. Andrews Court - Mrs. Taylor expressed her opposition to agenda item 17-2366. She expressed concerns regarding parking.

Mike Leyman - 808 Turnberry Drive - Mr. Leyman expressed is opposition to agenda items 17-2382, 17-2384, 17-2387, and 17-2388.

Tamera Bounds - 1008 Meriwether Street - Mrs. Bounds expressed her opposition to agenda items 17-2382, 17-2383, 17-2387, and 17-2388.

Steve Nelson - 257 Carlin Road - Mr. Nelson expressed his opposition to the Mansfield StarCenter change order.

Casey Lewis - 1313 Waterwood Drive - Mr. Lewis expressed his opposition to agenda items 17-2382, 17-2383, 17-2384, 17-2387, and 17-2388.

Mayor Cook recognized the following non-speakers:

Steve Taylor - 1202 St. Andrews Court - Opposed to 17-2366

Joelen Marchant - 2633 Morgan Ann Avenue - Opposed to 17-2382, 17-2383, 17-2387, and 17-2388

COUNCIL ANNOUNCEMENTS

Council Member Lindsey had no announcements.

Mayor Pro Tem Hoffman had no announcements.

Council Member Haynes had no announcements.

Council Member Moore congratulated Pastor Don Miller for his years of service. He gave a reminder of the need for volunteers for filling bags of food for Feed the Kids

every Wednesday at 6:00 p.m. at the Mansfield Cares Food Bank facility.

Council Member Newsom advised of the recent passing of former Mansfield Independent School Board member John Washington.

Council Member Broseh had no announcements.

Mayor Cook had no announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken by the Council.

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[17-2355](#)

Ordinance - Third and Final Reading of an Ordinance approving a zoning change from PD, Planned Development District to PD, Planned Development District for Retail on approximately 5.307 acres out of the James Grimsley Survey, Abstract #578, Tarrant County, TX, generally located south of E. Debbie Lane and approximately 1,300 feet east of Matlock Road; Kimley Horn (ZC#17-007)

City Secretary Jeanne Heard read the caption into the record.

A motion was made by Council Member Lindsey 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 A PD, PLANNED DEVELOPMENT DISTRICT FOR RETAIL 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

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

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

Aye: 7 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes;Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: OR-2054-17

[17-2339](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable Contract to the Lowest and Best Bid for the Supply of Liquid Ammonium Sulfate (LAS), for an Amount not to Exceed \$189.00 / Wet Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDDING A ONE YEAR RENEWABLE CONTRACT TO THE LOWEST AND BEST BID FOR THE SUPPLY OF LIQUID AMMONIUM SULFATE (LAS), FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes;Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3379-17

[17-2341](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable Contract to the Lowest and Best Bid for the Supply of Sodium Chloride (Salt), for an Amount Not to Exceed \$194.95 / Dry Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDDING A ONE YEAR RENEWABLE CONTRACT TO THE LOWEST AND BEST BID FOR THE SUPPLY OF SODIUM CHLORIDE (SALT), FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes;Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3380-17

[17-2342](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable Contract to the Lowest and Best Bid for the Supply of One Ton Chlorine Cylinders, for an Amount not to Exceed \$714.00 / Wet Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDING A ONE YEAR RENEWABLE CONTRACT TO THE LOWEST AND BEST BID FOR THE SUPPLY OF ONE TON CHLORINE CYLINDERS, FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3381-17

[17-2343](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable Contract to the Lowest and Best Bid for the Supply of Poly-Aluminum Chloride (PACL), for an Amount not to Exceed \$324.00 / Wet Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDING A ONE YEAR RENEWABLE CONTRACT TO THE BEST BID FOR THE SUPPLY OF POLY-ALUMINUM CHLORIDE (PACL), FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3382-17

[17-2344](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable

Contract to the Lowest and Best Bid for the Supply of Liquid Sodium Hydroxide (Caustic Soda), for an Amount not to Exceed \$531.00 / Dry Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDING A ONE YEAR RENEWABLE CONTRACT TO THE LOWEST AND BEST BID FOR THE SUPPLY OF LIQUID SODIUM HYDROXIDE (CAUSTIC SODA), FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3383-17

[17-2345](#)

Resolution - A Proposed Resolution Awarding a One Year Renewable Contract to the Lowest and Best Bid for the Supply of Liquid Aluminum Sulfate (Alum), for an Amount not to Exceed \$229.00 / Dry Ton (Utility Fund FY-2017, FY-2018 Operating Budget 025-8105-84-01)

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

A RESOLUTION AWARDING A ONE YEAR RENEWABLE CONTRACT TO THE LOWEST AND BEST BID FOR THE SUPPLY OF LIQUID ALUMINUM SULFATE (ALUM), FOR THE BUD ERVIN WATER TREATMENT PLANT

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3384-17

[17-2375](#)

Resolution - A Resolution of the City of Mansfield, Texas Finding that Oncor Electric Delivery Company LLC's ("Oncor" Or "Company") Application to Change Rates Within the City Should be Denied; Finding that the City's Reasonable Rate Case Expenses Shall be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required By Law; Requiring Notice of this

Resolution to the Company and Legal Counsel

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3385-17

[17-2380](#)

Resolution - A Resolution Authorizing Funding in an Amount not to Exceed \$40,000.00 and Approval of Contracts, Including Design Services with Schrickel, Rollins and Associates, Inc. to Prepare Walnut Creek Dr. Right Turn Lane at Pleasant Ridge Dr. for Public Bidding and Construction (Street Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$40,000 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN SERVICES WITH SCHRICKEL, ROLLINS AND ASSOCIATES, INC., TO PREPARE WALNUT CREEK DR. RIGHT TURN LANE FOR PUBLIC BIDDING AND CONSTRUCTION (STREET BOND FUND)

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

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

Enactment No: RE-3386-17

[17-2374](#)

Request for Special Event Permit: Mansfield ISD Back to School Bash

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

[17-2376](#)

Minutes - Approval of the July 10, 2017 Regular City Council Meeting Minutes

A motion was made by Council Member Lindsey to approve the minutes of the July 10, 2017 Regular City Council Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

[17-2366](#)

Consideration of a Request to Revise the Development Standards for the 404 E. Broad Street Planned Development to Add the Use of Family Viewings and Visitation for the Deceased on Property Generally Located at the Southwest Corner of E. Broad Street and Waxahachie Street; Prestige Mortuary, LLC (ZC#02-008A)

Prestige Mortuary representative Jonathan Mitchell made brief comments and answered Council questions. City Attorney Allen Taylor made comments regarding the issuance of the Certificate of Occupancy and answered Council questions. Council requested that the applicant present a plan that states what will happen in the event of a situation arising that would require more parking than what is currently available; for the applicant to contact the residents who signed the petition circulated; and for the applicant to provide the documents filed with the Secretary of State and the tax documents showing good standing.

A motion was made by Council Member Broseh to approve with a one year time limit amendment to the development standards. The motion FAILED for lack of a second.

A motion was made by Council Member Moore to table this agenda item to the next meeting. Seconded by Mayor Cook. The motion CARRIED by the following vote:

Aye: 5 - David Cook; Larry Broseh; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 2 - Stephen Lindsey and Cory Hoffman

Abstain: 0

PUBLIC HEARING

[17-2369](#)

Public Hearing and Consideration of a Request for an Alternate Location for a Roof-mounted Solar Panel System under Section 7800.B.37.H of the Zoning Ordinance to Allow Solar Panels on the Front Roof Slope of the House Facing a Public Street at 5005 Havenside Way; Elias Nkerbu (SP#17-002)

Texas Electric Services representative Brandon Webster made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:50 p.m. Mayor Cook recognized the following person:

Gayle Lahiri - 5013 Havenside Way - Opposed

With no one else wishing to speak, Mayor Cook closed the public hearing at 8:52 p.m.

Allen Taylor answered Council questions.

A motion was made by Mayor Pro Tem Hoffman to deny the request. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Brose; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND READING

[17-2354](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from PD, Planned Development District to PD, Planned Development District for Single-Family Residential Attached Townhomes on Approximately 16.13 Acres out of the T.J. Hanks Survey, Abstract #644, Tarrant County, TX, Generally Located East of S. Main Street and Airport Drive; Skorburg Company (ZC#17-005)

Skorburg Company representatives Adam Buczek and Noah Flabiano made a powerpoint presentation and answered Council questions. Mayor Cook continued the public hearing at 9:06 p.m. The following person spoke during the public hearing:

Casey Lewis - 1313 Waterwood Drive - Support

With no one else wishing to speak, Mayor Cook closed the public hearing at 9:08 p.m.

A motion was made by Council Member Lindsey 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 ATTACHED TOWNHOMES, 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," to include the dog park location being the one desired by Parks Department staff and to include the CCR provisions discussed. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2055-17

[17-2364](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development District for Eating Place with Drive-through Service and Retail on Approximately 2.063 Acres out of the Jacob Back Survey, Tarrant Co., TX, Generally Located at the Southwest Corner of Holland Road and E Broad Street Plus the Removal of a Specific Use Permit for Eating Place with Drive-through Service at Lot 2, Block 1, Jacob Back Addition Located at 3550 E Broad Street; GP Holland Xing, LLC (ZC#17-004)

Shield Engineering Group representative Jon Kroehler made brief comments and answered Council questions. Mayor Cook continued the public hearing at 9:16 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:16 p.m.

A motion was made by Mayor Pro Tem 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 CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR PROPOSED LANDUSE, 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; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Terry Moore

Nay: 1 - Brent Newsom

Abstain: 0

Enactment No: OR-2056-17

[17-2365](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PD, Planned Development District to PD for Grocery Store, Office and Retail, on Approximately 11.01 Acres, Generally Located at 3000 E Broad Street, 1,075 Feet East of Miller

Road and South of E. Broad Street; OSK Investments, LP (ZC#17-006)

Kimley Horn representative Kevin Gaskey made a powerpoint presentation and answered Council questions. Mayor Cook continued the public hearing at 9:35 p.m. The following people spoke during the public hearing:

Houston Mitchell - 605 St. Eric Street - Opposed

Tamera Bounds - 1009 Meriwether Street - Opposed

Casey Lewis - 1313 Waterwood Drive - Opposed

Mayor Cook recognized the following non-speaker:

Jolene Marchant - 2633 Morgan Ann Avenue - Opposed

With no one else wishing to speak, Mayor Cook closed the public hearing at 9:47 p.m.

A motion was made by Council Member Lindsey 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 PROPOSED LANDUSE, 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," to include a concrete footing under the south side fence line and with the motion being contingent upon access being agreed to with the Mansfield Independent School District. Seconded by Mayor Pro Tem Hoffman. The motion CARRIED by the following vote:

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

Nay: 1 - Terry Moore

Abstain: 0

NEW BUSINESS

[17-2382](#)

Consider an Amendment to the Development Agreement for Mansfield StarCenter Sports Facility between the City of Mansfield, the Mansfield Park Facilities Development Corporation and DSE Hockey Centers, L.P.

Shelly Lanners made brief comments.

A motion was made by Council Member Lindsey to approve this agenda item. Seconded by Mayor Pro Tem Hoffman. The motion CARRIED by the following vote:

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

Nay: 1 - Terry Moore

Abstain: 0

[17-2383](#)

Consider an Amendment of the Mansfield StarCenter Sports Facility Lease and Operating Agreement between the City of Mansfield and DSE Hockey Centers, L.P.

Shelly Lanners made brief comments. Allen Taylor answered Council questions.

A motion was made by Council Member Newsom to approve this agenda item with the stipulation that language be added to paragraph 2A that any type of public event that occurs between July 1, 2018 and September 1, 2018, not include revenues and to require the Dallas Stars to pay for the utilities during such time period. Seconded by Council Member Lindsey. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Brose; Darryl Haynes and Brent Newsom

Nay: 1 - Terry Moore

Abstain: 0

[17-2384](#)

Consider an Amendment to the Development and 380 Agreement Between Shops at Broad, LLC, a Texas Limited Liability Company, the City of Mansfield, and the Mansfield Economic Development Corporation

Shelly Lanners made brief comments.

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

Aye: 7 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Brose; Darryl Haynes; Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

[17-2387](#)

Resolution - A Resolution Amending the Construction Manager at Risk Agreement Between Pete Durant & Associates, Inc. and the City of Mansfield to Accept Alternate #1 to Add Approximately 3000 sq ft to the Mansfield StarCenter Project for Community Gathering Space in the Amount Not to Exceed \$419,975.00

Joe Smolinski made brief comments.

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

A RESOLUTION AMENDING THE CONSTRUCTION MANAGER AT RISK AGREEMENT BETWEEN PETE DURANT & ASSOCIATES, INC. AND THE CITY OF MANSFIELD TO ACCEPT ALTERNATE #1 TO ADD APPROXIMATELY 3000 SQ FT TO THE MANSFIELD STARCENTER PROJECT FOR COMMUNITY GATHERING SPACE IN THE AMOUNT NOT TO EXCEED \$419,975.00

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

Seconded by Mayor Pro Tem Hoffman. The motion CARRIED by the following

vote:

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

Nay: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3387-17

[17-2388](#)

Resolution - A Resolution Amending the Construction Manager at Risk Agreement Between Pete Durant & Associates, Inc. and the City of Mansfield to Accept Change Order No.1 for the Mansfield StarCenter Project in the Amount Not to Exceed \$3,228,167.00 and to Extend the Substantial Completion Date

Joe Smolinski made brief comments.

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

A RESOLUTION AMENDING THE CONSTRUCTION MANAGER AT RISK AGREEMENT BETWEEN PETE DURANT & ASSOCIATES, INC. AND THE CITY OF MANSFIELD TO ACCEPT CHANGE ORDER NO. 1 FOR THE MANSFIELD STARCENTER PROJECT IN THE AMOUNT NOT TO EXCEED \$3,228,167.00 AND TO EXTEND THE SUBSTANTIAL COMPLETION DATE

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

Seconded by Mayor Pro Tem Hoffman. The motion CARRIED by the following vote:

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

Nay: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3388-17

ADJOURN

A motion was made by Mayor Pro Tem Hoffman to adjourn the meeting at 10:13 p.m. Seconded by Council Member Moore. The motion CARRIED by the following vote:

Aye: 7 - David Cook;Stephen Lindsey;Cory Hoffman;Larry Broseh;Darryl Haynes;Brent Newsom and Terry Moore

Nay: 0

Abstain: 0

_____ David L. Cook, Mayor

ATTEST:

_____ Jeanne Heard, City Secretary