



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, January 22, 2018

5:00 PM

Council Chambers

REGULAR MEETING AMENDED AGENDA

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 Terry Moore

Present 5 - David Cook; Cory Hoffman; Larry Broseh; 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 to order in the Council Conference Room at 5:05 p.m. Council Member Lindsey arrived at 5:05 p.m. Mayor Cook adjourned the executive session at 7:00 p.m.

Absent 1 - Terry Moore

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

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 Legal Limitation on Development Fee Waivers

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**

RECESS INTO EXECUTIVE SESSION**Pending or Contemplated Litigation or to Seek the Advice of the City Attorney
Pursuant to Section 551.071**

Seek Advice of City Attorney Regarding Development at Hwy 287 and Broad Street (Addendum to Agenda)

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

Mayor Cook reconvened into regular business session at 7:05 p.m.

INVOCATION

Council Member Broseh gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member 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 Haynes led the Texas Pledge.

PRESENTATION

State Farm Grant Presentation for Teen Age Safety Driving Education - Mansfield Police Department

There was no presentation.

PROCLAMATION**[18-2615](#)**

School Board Recognition Month

Mayor Cook proclaimed January 2018 as School Board Recognition Month and presented a proclamation to Mansfield Independent School Board members and staff.

CITIZEN COMMENTS

Alimayu (Ali) Hackshaw - 1719 Farmington Dr. - Mr. Hackshaw spoke about a notice of violation he received regarding the parking of his recreational vehicle.

COUNCIL ANNOUNCEMENTS

Council Member Lindsey had no announcements.

Mayor Pro Tem Hoffman had no announcements.

Council Member Haynes announced the State Comptroller would be visiting Klein Tools on Thursday, February 22, 2018.

Council Member Moore had no announcements.

Council Member Newsom had no announcements.

Council Member Broseh had no announcements.

Mayor Cook recognized the 2018 Leadership Mansfield Class present during the meeting.

STAFF COMMENTS**City Manager Report or Authorized Representative****Current/Future Agenda Items**

City Manager Clayton Chandler gave a brief update regarding the Shops at Broad development and the completion of Fieldhouse Drive. He mentioned the Star Center would be turned over to the Stars by July 1, 2018; and, Academy would be completed by August 31, 2018. Mr. Chandler discussed the budget calendar stating staff was already discussing the FY 2018-2019 budget. He advised the Council there was a preliminary strategic planning session scheduled for March 6, 2018. He discussed the AAA rating and provided a hand out to the Council comparing Mansfield with other AAA cities.

Deputy City Manager Joe Smolinski discussed the RV parking ordinance. He stated Code Compliance staff is currently working with residents to come into compliance with the ordinance.

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**

[17-2585](#)

Ordinance - Third and Final Reading of an Ordinance Authorizing the City Manager to Execute a Contract of Sale to the Trinity Habitat for Humanity, Inc. to Construct a New Affordable Single Family House at 229 Cotton Drive

Acting City Secretary Susana Marin read the caption into the record.

A motion was made by Mayor Pro Tem Hoffman to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT OF SALE TO TRINITY HABITAT FOR HUMANITY, INC. TO CONSTRUCT NEW AFFORDABLE SINGLE FAMILY HOUSING IN THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; 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: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: OR-2077-18

[18-2605](#)

Resolution - A Resolution to Consider Contract Amendment #2 to the Design Services Contract with Graham and Associates in the amount of \$45,840.50 for Additional Design, Engineering and Construction Documents Related to the North Main Street Trail

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

A RESOLUTION TO CONSIDER CONTRACT AMENDMENT #2 TO THE DESIGN SERVICE CONTRACT WITH GRAHAM AND ASSOCIATES IN THE AMOUNT OF \$45,840.50 FOR ADDITIONAL DESIGN, ENGINEERING AND CONSTRUCTION DOCUMENTS RELATED TO THE NORTH MAIN STREET TRAIL

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

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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3433-18

[18-2604](#)

Resolution - A Resolution to Consider Approving Change Order #2 to the Construction Contract With Klütz Construction, Inc. in the Amount of

\$186,458.10 for Additional Construction Items Related to Phase I of the Pond Branch Linear Park

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

RESOLUTION TO CONSIDER APPROVING CHANGE ORDER #2 TO THE CONSTRUCTION CONTRACT WITH KLÜTZ CONSTRUCTION, INC. IN THE AMOUNT OF \$186,458.10 FOR ADDITIONAL CONSTRUCTION ITEMS RELATED TO PHASE I OF THE POND BRANCH LINEAR PARK

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

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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3434-18

[18-2606](#)

Resolution - A Resolution to Consider Approving Change Order #3 to the Construction Contract With Klütz Construction, Inc. in the Amount of \$116,295 for Additional Retaining Walls Along Pond Branch (Drainage Fund)

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

RESOLUTION TO CONSIDER APPROVING CHANGE ORDER #3 TO THE CONSTRUCTION CONTRACT WITH KLÜTZ CONSTRUCTION, INC. IN THE AMOUNT OF \$116,295 FOR ADDITIONAL RETAINING WALLS ALONG POND BRANCH

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

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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3435-18

[18-2607](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to Muckleroy & Falls of Fort Worth, Texas in the amount of \$2,485,161 for Site Development and Construction of the Parks and Recreation Administration

Building

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

RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO MUCKLERoy & FALLS OF FORT WORTH, TEXAS IN THE AMOUNT OF \$2,485,161 FOR SITE DEVELOPMENT AND CONSTRUCTION OF THE PARKS AND RECREATION ADMINISTRATION BUILDING

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

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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3436-18

[18-2616](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$250,000 and Approval of Contracts, Including Engineering Services with Freese and Nichols, Inc., to Complete the Analysis of the North Street and Walnut Creek Drive Bridges Over Walnut Creek (Street Bond Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$240,000 AND APPROVAL OF CONTRACTS, INCLUDING ENGINEERING SERVICES WITH FREESE AND NICHOLS, INC., TO COMPLETE THE WALNUT CREEK BRIDGES ANALYSIS (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: 6 - David Cook; Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3437-18

[18-2601](#)

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

A motion was made by Mayor Pro Tem Hoffman to approve the minutes of the January 8, 2018 Regular City Council Meeting as presented. 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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

17-2591

Ordinance - Public Hearing and First Reading of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Kids Zone 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

Susana Marin read the caption into the record. Recreation Superintendent Andy Binz made brief comments. Mayor Cook opened the public hearing at 7:33 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:33 p.m.

A motion was made by Mayor Pro Tem Hoffman 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 KIDS ZONE 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."

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

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

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

18-2602

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned

Development District for Single-Family Residential Use on Approximately 15.598 Acres, Generally Located East of Newt Patterson Road and South of Sabine Trail, Pecos Court and Columbia Court; Bloomfield Homes (ZC#16-022)

Susana Marin read the caption into the record. Interim Director of Planning Lisa Sudbury made brief comments. Bloomfield Homes representative Don Dykstra made brief comments and answered Council questions. Goodwin & Marshall representative Matt Goodwin gave a powerpoint presentation and answered Council questions. Director of Public Works Bart VanAmburgh spoke about staff's position regarding drainage. Mayor Cook opened the public hearing at 7:45 p.m. The following people spoke:

*Laurie McGee - 898 Newt Patterson - Opposed
Patricia Wirtz - 821 Pecos Court - Opposed*

Mayor Cook recognized the following non-speakers in support:

*Sandra Myrow - 216 N. Willow Street
Mark Sullivan - 1101 Pebble Beach Drive
Michael Gibson - 203 S. Main Street
Bill Myrow - 216 N. Willow Street
Aline Blacklock - 1141 Cardinal*

A motion was made by Council Member Lindsey 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 SINGLE-FAMILY RESIDENTIAL USE, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE," with the stipulation that the developer meet with residents and staff regarding drainage concerns. Seconded by Mayor Cook. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

NEW BUSINESS

[18-2609](#)

Ordinance - Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2018; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Awarding the Sale of the Certificates; Approving the Official Statement; Approving an Engagement Letter; and Enacting Other Provisions Relating Thereto

Susana Marin read the caption into the record. Deputy City Manager Peter Phillis

made brief comments and turned it over to Hilltop Securities representative Boyd London and Nick Bulaich. Mr. London and Mr. Bulaich gave a presentation and answered Council questions.

A motion was made by Mayor Pro Tem 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 2018, IN THE AGGREGATE PRINCIPLE AMOUNT OF \$15,960,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING THE FORM OF SAID CERTIFICATES; APPROVING EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND COUNSEL ENGAGEMENT LETTER; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO

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

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

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

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: OR-2078-18

[18-2610](#)

Resolution - Resolution Approving a Resolution Adopted by the Board of Directors of the Mansfield Economic Development Corporation Authorizing the Issuance of Mansfield Economic Development Corporation Sales Tax Revenue Bonds, New Series 2018; Approving the Issuance of the Bonds, the Plan of Financing Authorized Thereby and the Financing Documents

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS OF THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF MANSFIELD ECONOMIC DEVELOPMENT CORPORATION SALES TAX REVENUE BONDS, TAXABLE NEW SERIES 2018; APPROVING THE ISSUANCE OF THE BONDS AND THE PLAN OF FINANCING AUTHORIZED THEREBY AND THE FINANCING DOCUMENTS

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

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 Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3438-18

[18-2611](#)

Resolution - Resolution Approving a Resolution Adopted by the Board of Directors of the Mansfield Park Facilities Development Corporation Authorizing the Issuance of Mansfield Park Facilities Development Corporation Sales Tax Revenue Bonds, New Series 2018; and Mansfield Park Facilities Development Corporation New Sales Tax Revenue Bonds, Taxable New Series 2018; Approving the Issuance of the Bonds and the Plans of Financing Authorized Thereby and the Financing Documents

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING RESOLUTIONS ADOPTED BY THE BOARD OF DIRECTORS OF THE MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION SALES TAX REVENUE BONDS, NEW SERIES 2018 AND MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION NEW SALES TAX REVENUE BONDS, TAXABLE NEW SERIES 2018; APPROVING THE ISSUANCE OF THE BONDS AND THE PLANS OF FINANCING AUTHORIZED THEREBY AND THE FINANCING DOCUMENTS

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

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

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

Nay: 0

Absent: 1 - Terry Moore

Abstain: 0

Enactment No: RE-3439-18

OLD BUSINESS

[17-2571](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from SF-7.5/12 to PD for Office, Retail, Artist Studio, and Live-Work Unit Uses and Retaining the Existing Historic Landmark Overlay District on Approximately 0.3 Acres Located at 303 E. Broad Street; Felix Wong (ZC#17-020)

Mayor Cook recused himself from this agenda item.

Susana Marin read the caption into the record. Lisa Sudbury made brief comments. Applicant representative Felix Wong made brief comments.

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 A PD, PLANNED DEVELOPMENT DISTRICT FOR OFFICE, RETAIL, ARTIST STUDIO, AND LIVE-WORK UNIT USES; RETAINING THE EXISTING HISTORIC LANDMARK OVERLAY DISTRICT; 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 Newsom. The motion CARRIED by the following vote:

Aye: 5 - Stephen Lindsey; Cory Hoffman; Larry Broseh; Darryl Haynes and Brent Newsom

Nay: 0

Absent: 1 - Terry Moore

Abstain: 1 - David Cook

Enactment No: OR-2079-18

Mayor Cook recessed the meeting into the work session at 8:30 p.m.

WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

Mayor Cook called the work session to order in the Multi-Purpose Room at 8:37 p.m. and turned it over to Director of Parks and Recreation Matt Young.

Wayfinding Masterplan

Matt made brief comments regarding the Wayfinding Subcommittee meetings held. He introduced MERJE representative John Bosio and turned the work session over to him. Mr. Bosio gave a powerpoint presentation and discussed the various options of the gateway signs and downtown signs discussed during the subcommittee meetings. Director of Public Works Bart VanAmburgh made brief comments regarding street signs. Council directed MERJE and staff to bring back the cost of downtown street signs with lights.

Mayor Cook adjourned the work session at 9:00 p.m.

ADJOURN

Mayor Cook adjourned the meeting at 9:00 p.m.

ATTEST: David L. Cook, Mayor

Susana Marin, Acting City Secretary