



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, June 10, 2019

5:00 PM

Council Chambers

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#### REGULAR MEETING AMENDED AGENDA

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

*Mayor Cook called the meeting to order at 5:07 p.m.*

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

#### WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM

##### Budget

*City Manager Clayton Chandler made opening remarks regarding the upcoming 2019/2020 Budget. He explained the budget process as established by the City Charter. He spoke about the impact the legislative session was going to have on the city's budget. He identified eight topics of discussion: homestead exemption; strategic plan; capital requirements; facility issues; new programs; insurance (health and buildings); contingencies; and credit ratings. There was discussion regarding the current strategic plan and how staff has been committed to maintaining the plan Council put in place. Mr. Chandler touched on the capital requirements presented during the current budget cycle. He stated the Director of Development Services, Wade McLaurin did a complete review of all city facilities and identified various repairs needed to keep the integrity of the facilities. He made comments regarding building insurance and health insurance. There was detailed discussion regarding health insurance and how the city could reduce its cost. The state law requirements were discussed regarding a possible homestead exemption. Mr. Chandler mentioned if an exemption was to be adopted it would need to be in the State Comptroller's office by July 1st. There was discussion amongst staff and Council about a homestead exemption. Mr. Chandler spoke about the contingency fund and the need to secure city facilities. Deputy City Manager Peter Phillis answered questions regarding operational capital, homestead exemption, and keeping the AAA Bond Rating. Deputy City Manager Shelly Lanners explained the need for additional staffing in the Parks Department. Peter explained the state imposed revenue cap and the process of going over the rollback rate and answered questions regarding the election process. Staff explained the difference between General Obligation Bonds and Certificates of Obligation. The impact the legislative session will have on the city's budget was discussed in further detail. There was discussion regarding the items that could be put on a bond election before the voters. Council requested the next budget meeting be held on an off Council meeting night after July 25, 2019.*

**RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 6:45 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:51 p.m. Mayor Pro Tem Short stepped out of executive session at 6:58 p.m. and returned at 7:07 p.m. Mayor Cook adjourned the executive session at 7:26 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 Food Truck Regulations

Seek Advice of City Attorney Regarding Matters Relating to Structural Conditions of City Facilities (Addendum to Agenda)

**Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072****Personnel Matters Pursuant to Section 551.074**

Board Appointments

**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**

**6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION****7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

*Mayor Cook reconvened into regular business session at 7:31 p.m.*

**INVOCATION**

*Council Member Broseh 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"

*Council Member Lewis led the Texas Pledge.*

**CITIZEN COMMENTS**

*Lance Irwin - 1208 Killian Drive - Mr. Irwin spoke in opposition of alcohol variances. He stated variances should not be given to businesses beside schools.*

*Mayor Cook recognized the following non-speakers:*

*Bill Beard - 202 W. Oak Street - Opposed to agenda item 19-3132*

*Faye Rydell - 202 W. Oak Street - Opposed to agenda item 19-3132*

*Karen Marcucci - 829 Pecos Court - Opposed to alcohol sales near schools*

*Desiree Thomas - 5 Macan Court - Opposed to alcohol sales near schools*

**COUNCIL ANNOUNCEMENTS**

*Council Member Leyman had no announcements.*

*Mayor Pro Tem Short had no announcements.*

*Council Member Lewis stated he was thankful city park facilities are equiped with Automatic External Defibrillators (AED). He mentioned one was recently used at a city park.*

*Council Member Moore recognized the passing of former Mayor Mel Neuman who was also a Commissioner on the Planning and Zoning Commission.*

*Council Member Newsom had no announcements.*

*Council Member Broseh had no announcements.*

*Mayor Cook echoed Council Member Moore's comments.*

**SUB-COMMITTEE REPORTS**

*There were no sub-committee reports.*

**STAFF COMMENTS****City Manager Report or Authorized Representative**

Current/Future Agenda Items

*There were no staff comments.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

A motion was made by Council Member Lewis to appoint Anne Weydeck to the unexpired term of Mel Neuman on the Planning and Zoning Commission.

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

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

**Nay:** 0

**Abstain:** 0

**CONSENT AGENDA****[19-3128](#)**

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District and PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 7.7 Acres out of Lot 1R1, Change of Scenery; 1.2 Acres out of Lot 1R2, Change of Scenery; and 1.122 Acres out of the William Childress Survey, Abstract No. 1949, Tarrant County, TX, Totalling Approximately 10.022 Acres Located at the Southeast Corner of Seeton Road & National Parkway; Don Dykstra of Bloomfield Homes on behalf of Richard E. LeBlanc of Knox Street Partners No. 20, Ltd. c/o Hanover Property Co. (ZC#19-001)

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

A motion was made by Council Member Newsom 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 DESCRIBE PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL 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 Lewis. The motion CARRIED by the following vote:

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2127-19

[19-3129](#)

Ordinance -Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District & PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 11.82 Acres out of the Treese Crawford Survey, Abstract No. 831, Johnson County, TX, Located on the East Side of S. Main Street, Approximately 112 Feet North of Vinewood Drive; Rich Darragh of Skoburg Company on behalf of Lyndell Lacey of Central Mansfield Church of Christ and William B. Mashburn (ZC#19-002)

*Susana Marin read the caption into the record.*

**A motion was made by Council Member Newsom 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 SINGLE-FAMILY RESIDENTIAL 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 Lewis. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2128-19

[19-3133](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Building Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES C, E, F AND I; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR THE RECORDING OF THE CODES AS PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2129-19

[19-3134](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Residential Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES A, B, C, G, H, J, N, P, Q, AND T; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR THE RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2130-19

[19-3135](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Existing Building Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES B AND C; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS**

ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2131-19

[19-3136](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Fire Code and its Local Amendments

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

AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES B, C, D, E, F, G, H, I, J, K, L AND N; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2132-19

[19-3137](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Fuel Gas Code and its Local Amendments

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

AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES A, B, AND C; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2133-19

[19-3138](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2017 Edition of the National Electrical Code and its Local Amendments

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

AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE (NFPA 70), AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2134-19



[19-3139](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Mechanical Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDIX A; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2135-19

[19-3140](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Plumbing Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, AND LOCAL AMENDMENTS; ADOPTING APPENDICES C AND E; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2136-19

[19-3141](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 Edition of the International Energy Conservation Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2137-19

[19-3142](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018 edition of the International Property Maintenance Code and its Local Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AND LOCAL AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING**

**FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE;  
PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR  
PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE  
DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2138-19

[19-3143](#)

Ordinance - Third and Final Reading of an Ordinance Adopting the 2018  
Edition of the International Swimming Pool and Spa Code and its Local  
Amendments

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

**AN ORDINANCE OF THE CITY OF MANSFIELD ADOPTING THE 2018 EDITION OF  
THE INTERNATIONAL SWIMMING POOL AND SPA CODE, AND LOCAL  
AMENDMENTS; PROVIDING FOR THE MODIFICATION OF THE CODES TO  
INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE  
CODES AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE  
CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR THE REPEAL OF ALL  
ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING  
FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE;  
PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR  
PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE  
DATE**

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

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

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2139-19

[19-3172](#)

Minutes - Approval of the May 28, 2019 Regular City Council Meeting Minutes

**A motion was made by Council Member Newsom to approve the minutes of the  
May 28, 2019 Regular City Council Meeting as presented. Seconded by Council  
Member Lewis. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Abstain:** 0

[19-3173](#)

Request for Special Event Permit: Eubanks Snow Cones

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

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

**Nay:** 0

**Abstain:** 0

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

[19-3160](#)

Ordinance - Second Reading of an Ordinance Approving the Sale of Certain Real Property Described as Lot 18R1 Block 5, Hillcrest Addition, Also Known As 801 Stell Avenue, Lot 18R2 Block 5, Hillcrest Addition, Also Known As 315 McKown Drive, Lot 9 Block 7, Hillcrest Addition Also Known As 416 McKown Drive, Mansfield, Texas to Jennifer Belz for \$48,000 for Each Property Listed for a Total Sum of \$144,000

*Mayor Pro Tem Short removed this item from the consent agenda.*

**A motion was made by Council Member Newsom to approve the second reading of "AN ORDINANCE APPROVING THE SALE OF CERTAIN REAL PROPERTY DESCRIBED AS LOT 18R1 BLOCK 5, HILLCREST ADDITION, ALSO KNOWN AS 801 STELL AVENUE, LOT 18R2 BLOCK 5, HILLCREST ADDITION, ALSO KNOWN AS 315 MCKOWN DRIVE, LOT 9 BLOCK 7, HILLCREST ADDITION ALSO KNOWN AS 416 MCKOWN DRIVE, MANSFIELD, TEXAS." Seconded by Council Member Broseh. The motion CARRIED by the following vote:**

**Aye:** 6 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Mike Leyman and Casey Lewis

**Nay:** 0

**Abstain:** 1 - Julie Short

**END OF CONSENT AGENDA**

**OLD BUSINESS**

[19-3132](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Mobile Food Unit Sales, Outdoor Dining, Outdoor Stage/live

Entertainment, Bar, Special Event, and Office Uses on Approximately 0.7495 Acres Located at 107 Walnut Street; Shane Farrar of Open Range Properties (ZC#18-007)

A MAIN motion was made by Council Member Lewis to approve the following ordinance with the hours of operation being from Sunday thru Thursday, 7:00 a.m. to 12:00 a.m. with no live music after 10:00 p.m.; Friday and Saturday 7:00 a.m. to 2:00 a.m. with no live music after 11:00 p.m.; food trucks must comply with all future food truck ordinances of the City of Mansfield; and that a food truck can only be used on the property for up to six weeks consecutively and must be off of the property for a minimum of two weeks before it can return:

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 MOBILE FOOD UNIT SALES, OUTDOOR DINING, OUTDOOR STAGE/LIVE ENTERTAINMENT, BAR, SPECIAL EVENT, AND OFFICE 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

A motion to amend the main motion was made by Council Member Moore allowing for live music to start at 4:00 p.m. Sunday thru Thursday and 10:00 a.m. on Friday and Saturday. The motion FAILED for lack of a second.

A motion to amend the main motion was made by Council Member Lewis that the same food truck can not be on the property for more than one consecutive day and can not be at the location for more than three days in a week.

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

Ayes: David Cook, Brent Newsom, Mike Leyman, Casey Lewis, Julie Short and Larry Broseh

Nays: Terry Moore

The amended MAIN motion CARRIED by the following vote:

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

Nay: 1 - Mike Leyman

Abstain: 0

Enactment No: OR-2140-19

## **ADJOURN**

A motion was made by Council Member Newsom to adjourn the meeting at 8:24 p.m. Seconded by Council Member Lewis. The motion CARRIED by the

**following vote:**

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

**Nay:** 0

**Abstain:** 0

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

\_\_\_\_\_  
Susana Marin, City Secretary