



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Tuesday, May 26, 2020

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.

Mayor Cook advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.

Present 8 - David Cook; David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:03 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:07 p.m. Mayor Cook adjourned executive session at 7:29 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

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

Personnel Matters Pursuant to Section 551.074

C1. Consideration of Council Appointment of City Manager and Annual Review Process

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

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

Mayor Cook reconvened into regular business session at 7:38 p.m.

INVOCATION

Living Church Executive Pastor Whitney Barth 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

Skip Butler - 1115 Spyglass Drive - Mr. Butler expressed his concern with the increased fee to play pickle ball at the Mansfield Activity Center. He asked for the fee to be lowered.

John Pressley - 1306 Brittany Lane - Mr. Pressley spoke on behalf of the Pickled Mansfield Society in support of agenda item 20-3555.

Dennis Davidson - 1810 Clover Hill Road - Mr. Davidson expressed his concern with the increased fee to play pickle ball at the Mansfield Activity Center. He asked for the fee to be lowered.

Mayor Cook recognized the following non-speakers:

Sheri Curb - 706 Fort Worth Street - Support of agenda item 20-3555

Amanda Kowalski - 4 River Crest Court - Support of agenda item 20-3555

Joe Kowalski - 4 River Crest Court - Support of agenda item 20-3555

Bob Kowalski - 4 River Crest Court - Support of agenda item 20-3555

Houston Mitchell - 605 St. Eric Drive - Support of agenda item 20-3555

John and Linda Brandes - 1007 Chasemore Drive - Opposed to increased pickle ball fees

Alison Dolezal - 1400 Danbury Drive - Opposed to increased pickle ball fees

Robert Johnson - 1322 Danbury Drive - Opposed to increased pickle ball fees

Karen Parker - 2309 Royal Oaks Drive - Opposed to increased pickle ball fees

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

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

Current/Future Agenda Items

City Manager Clayton Chandler made brief comments regarding the comments made during citizen comments.

SUB-COMMITTEE REPORTS

May 18, 2020 Budget Sub-Committee Meeting Update (Casey Lewis, Chair; Brent Newsom; Terry Moore)

Council Member Lewis, Chair of the Sub-Committee, provided a brief overview of the discussion held during the meeting. He touched briefly on the topics of discussion; to include, preliminary plans of the FY 20/21 Budget, initial department expenditure requests, early revenue projections, and COVID-19 and its impact on the FY 19/20 Budget. He advised the Sub-Committee agreed that the FY 20/21 Budget discussion should be with the full Council. Council Member Lewis gave an overview of the goals laid out during the meeting and asked the Council to weigh in on what they would like to see and provide feedback on goals. There was discussion about holding special meetings to discuss health insurance benefits and a homestead exemption. Council Member Lewis provided the deadlines for each topic.

Mr. Chandler made brief comments and discussed the meeting date possibilities. He answered Council questions regarding employee health insurance.

There was Council consensus to hold a work session on Tuesday, June 2, 2020 to discuss employee health insurance; and, to hold a work session prior to the next regular scheduled meeting of June 8, 2020 beginning at 3:00 p.m. to discuss a possible homestead exemption.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by Council.

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

[20-3557](#)

Ordinance - Second Reading of an Ordinance to Consider Proposed Changes to the Mansfield, Texas Code of Ordinances: Chapter 96 Parks and Recreation

A motion was made by Council Member Moore to approve the second reading of "AN ORDINANCE AMENDING CHAPTER 96, "PARKS AND RECREATION" OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS BY CREATING A NEW SECTION 96.26, "FISHING" AND PROHIBITING FISHING IN PARK LAND AREAS NOT DESIGNATED BY THE CITY; PROHIBITING THE USE OF CERTAIN FISHING METHODS; PROHIBITING THE CLEANING OF FISH WITHIN PARK LANDS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[20-3561](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive and Expend Grant Funding from the Texas Department of Motor Vehicle Crime Prevention Authority to Continue a Multi-agency Task Force

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

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE TEXAS DEPARTMENT OF MOTOR VEHICLE CRIME PREVENTION AUTHORITY TO CONTINUE A MULTI-AGENCY TASK FORCE

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

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

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3655-20

[20-3569](#)

Minutes - Approval of the May 11, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Moore to approve the minutes of the May 11, 2020 Regular City Council Meeting as presented. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

[20-3555](#)

Consider Supplemental Funding Request from the Hotel Occupancy Tax Fund for the Pickled Mansfield Society's World's Only St. Paddy's Pickle Parade & Palooza Event in the Amount of \$90,644.13 (Julie Short, Chair)

Council Member Short, Chair of the Hotel/Motel Occupancy Tax Funds Sub-Committee, thanked the Pickled Mansfield Society for all the work they do. She made brief comments regarding how Hotel/Motel Occupancy Tax Funds can be spent.

A motion was made by Mayor Pro Tem Short to deny the request for supplemental funding. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 1 - Mike Leyman

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND READING

20-3550

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 C-2 Uses Including a Church and Eating Place with Drive-Through Service on Approximately 32.558 Acres, located at 748, 756 and 764 S. Mitchell Road and 1001 S. US 287; Bannister Engineering, Surveyor/Engineer and Living Church, Owner/Developer (ZC#19-023)

Director of Planning Matt Jones made a brief presentation and answered Council questions. Living Church Pastor Truston Baba made brief comments and answered Council questions. Living Church representative Whitney Barth and Bannister Engineering representative Jeff Linder answered Council questions. Mayor Cook continued the public hearing through second reading at 9:44 p.m. . The following people spoke:

*Dan Banks - 3318 Abbey Road - Support
Lance Irwin - 1208 Killian Drive
Robert Luttrell - 1092 S. Mitchell Road
Jolene Marchant - 2633 Morgan Ann Avenue*

Mayor Cook recognized the following non-speakers:

*Cassandra Nava - 2811 Saint Mark Drive - Support
Bailey Griffin - 748 S. Mitchell Road - Support
Amanda Stukey - 333 Carlin Road - Support
Jonathan Baba - 214 Country Meadow Court - Support
Alane Stone - 614 Ember Lane - Support
Brenda Baba - 214 Country Meadow Court - Support
Dong Hobbs - 3302 Stone Canyon Drive - Support
Terry Hawkins - N. Walnut Creek Circle Drive - Support
Diana Perez - 748 S. Mitchell Road - Support
Mat Ortiz - 756 S. Mitchell Road - Support*

With no others wishing to speak, Mayor Cook closed the public hearing at 9:56 p.m.

A motion was made by Council Member Lewis to suspend the rules for discussion. Seconded by Council Member Newsom. The motion CARRIED unanimously.

A motion was made by Council Member Newsom 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 C-2 USES INCLUDING A CHURCH AND EATING PLACE WITH DRIVE-THROUGH SERVICE, 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 a reduction in signs; an increase in masonry materials with direction to the Architect to grow that number trying to strike a balance of 70%, less a credit for what would have been installed on the west side of the building; monument signs on Mitchell Road being one in Phase One and one in Phase Two; the cross being down to 60ft. in height; the flag pole down to 35 ft. in height; and, the LED sign along Hwy 287 will be a maximum height of 20 ft. with the LED board a maximum of 120 sq. ft. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

NEW BUSINESS

20-3575

Discuss, Consider, and Approve a Resolution Continuing Mayor Cook's Declaration of Public Health Emergency

Mayor Cook made brief comments and explained that the action taken in the Seventh Amended Declaration is consistent with Governor Abbott's most recent order. He mentioned this resolution is effective until June 3, 2020.

A motion was made by Mayor Cook to approve the following resolution:

CONTINUATION OF SEVENTH AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY CITY OF MANSFIELD, TEXAS

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

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

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3656-20

20-3576

Discussion and Possible Action Regarding Mansfield's Rockin' 4th of July Celebration

There was discussion amongst Council Members regarding their thoughts on holding a fireworks show. Mr. Chandler made brief comments. Director of Parks and Recreation Matt Young and Police Chief Tracy Aaron made brief comments and answered Council questions. Various fireworks only options were discussed by the Council. Staff discussed concerns they had in regards to parking and allowing for social distancing should a live show be held as well as the concerns regarding traffic with a fireworks only show.

[20-3577](#)

Resolution - A Resolution of the City of Mansfield, Texas Authorizing the City Manager or Designee to Enter into an Interlocal Cooperation Agreement with Tarrant County, Texas for the Purpose of Receiving CARES Act Funds as Provided for by Chapter 791 of the Texas Government Code

Mr. Chandler made brief comments. Mayor Cook made brief comments and read a letter of thanks from the Mayor of North Richland Hills Mayor, Oscar Trevino, sent to Tarrant County Judge Glenn Whitley.

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

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, TEXAS, AS PROVIDED FOR BY CHAPTER 791 OF THE TEXAS GOVERNMENT CODE, TO ENTER AN INTERLOCAL COOPERATION AGREEMENT WITH TARRANT COUNTY, TEXAS FOR THE PURPOSE OF RECEIVING CARES ACT FUNDS FROM TARRANT COUNTY, TEXAS

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

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

Aye: 8 - David Cook;David Cook;Larry Broseh;Brent Newsom;Terry Moore;Julie Short;Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3657-20

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 11:12 p.m. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 8 - David Cook;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