



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, August 24, 2020

3:30 PM

Council Chambers

REGULAR MEETING

3:30 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 3:30 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 7 - Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 3:33 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 3:35 p.m. Mayor Cook recessed executive session at 7:08 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 the City Attorney Regarding Regulatory Requirements for Subdivision Plat Approval

Seek Advice of City Attorney Regarding City Owned Public/Private Partnership Agreements

Seek Advice of City Attorney Regarding Claim Notice Letter

Seek Advice of City Attorney Regarding Disposition of Property

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

Disposition of City Property

Personnel Matters Pursuant to Section 551.074

Board Interviews

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

Economic Development Project #20-05

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

Mayor Cook reconvened into regular business session at 7:16 p.m.

INVOCATION

Walnut Ridge Baptist Church Missions Director Jerry Ritchie 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 Newsom led the Texas Pledge.

CITIZEN COMMENTS

Tamera Bounds - 1009 Meriwether Street - Ms. Bounds provided an update on the city's first parklet in Downtown Mansfield. She invited the Council to participate in the grand opening on August 29, 2020 from 10:00 a.m. to 12:00 p.m.

George Fassett - 912 Andalusia Trail - Mr. Fassett thanked the Council and city staff for their service to the city. He spoke about the need for property tax relief and thanked the Mayor and Council for the homestead exemption and the reduction in the tax rate.

Karen McFarland - 1106 Almond Drive - Mrs. McFarland spoke in support of agenda item 20-3711. She asked the Council to support a temporary moratorium on mosquito spraying.

Larry McFarland - 1106 Almond Drive - Mr. McFarland spoke in support of agenda item

20-3711. He discussed the risk of ground spraying for mosquito's.

Karen Self - 1600 Piccadilly Court - Mrs. Self thanked the Council, city staff, and volunteers for their service to the city. She made comments related to a social media post regarding the homestead exemption.

Deena Walker - 1117 Saint Andrews Drive - Ms. Walker spoke in support of agenda item 20-3711. She stated she was in favor of a short-term moratorium on mosquito spraying.

Mayor Cook recognized the following non-speakers:

Tammie Pavese - 113 Millington Trail - Support of agenda item 20-3711

Mitch Henry - 1571 Meadow Way Court - Support of agenda item 20-3711

Mayor Cook read the following comments received by email:

Carolyn Trimmer - 3402 Egerton Lane - Support of agenda item 20-3711

Katie Bideler - 907 Red Oak Drive - Support of agenda item 20-3711

Julie Whitis - Support of agenda item 20-3711

COUNCIL ANNOUNCEMENTS

Council Member Leyman - commended city staff for their hard work in the preparation of the budget. He expressed staff's efforts in providing a homestead exemption, a tax rate decrease, employee merit raises, additional capital, and continuation of the employee health care benefits.

Mayor Pro Tem Short had no announcements.

Council Member Newsom wished Council Member Moore a Happy Birthday.

Council Member Moore had no announcements.

Council Member Broseh commented on the cumulative effort in decreasing the tax rate. He expressed his appreciation to all involved in making it possible.

Council Member Lewis recognized employee Brad Collins for assisting a Mansfield family in need. He made comments regarding the work put into providing a homestead exemption and a decrease in the tax rate.

Mayor Cook echoed previous Council announcements. He commended City Manager Joe Smolinski and Deputy City Manager Peter Phillis for their work on the budget and tax rate. He made comments regarding the employee merit raises.

SUB-COMMITTEE REPORTS

There were no Sub-Committee Reports.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Joe Smolinski recognized employee Brad Collins and echoed Council Member Lewis' comments.

Park Master Plan Update - Matt Young

Parks and Recreation Matt Young provided a brief update of the timeline of events to adopt a new Parks and Recreation Master Plan. Parks and Recreation Communications and Marketing Manager Ann Beck provided information on the marketing and communications strategy for the master plan process.

Man House Update - Jessica Baber

Museum Manager Jessica Baber provided an update on the Man House Museum restoration and invited the Council to tour the site and the house. She gave a brief overview of the history of the Man House. There was Council consensus to schedule the tour for Tuesday, September 15, 2020, immediately after the scheduled City Council meeting.

Downtown Parklet Update

Assistant to the City Manager Nicolette Allen gave a brief overview on the city's first parklet located at 126 Main Street and answered Council questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Moore to direct staff to repurchase the land discussed in executive session. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

CONSENT AGENDA**[20-3642](#)**

Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD, Planned Development District for Single-family Residential Uses on Approximately 0.547 Acres Located at 911 Noah Street and 906 Cope Street; Ben Hartman, owner/developer (ZC#20-007)

Susana Marin read the caption into the record.

A motion was made by Council Member Moore 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 Leyman. The motion CARRIED by the following
vote:

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

Nay: 0

Abstain: 0

Enactment No: OR-2181-20

[20-3691](#)

Resolution - A Resolution Authorizing an Engineering Contract with Kimley
Horn and Associates, Inc. for an Update to the Master Thoroughfare Plan and
Roadway Impact Fee Study; Authorizing and Directing the City Manager to
Execute Contract Documents; and Authorizing Funding for an Amount Not to
Exceed \$146,000.00 (Street Bond Fund)

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

**A RESOLUTION AUTHORIZING A CONTRACT WITH KIMLEY HORN AND
ASSOCIATES, INC FOR A MASTER THOROUGHFARE PLAN AND ROADWAY
IMPACT FEE UPDATE STUDY (STREET BOND FUND)**

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3673-20

[20-3697](#)

Resolution - A Resolution Rejecting all Bids for Granular Activated Carbon
Filter Media (GAC) and Authorizing the Issuance of a Best Value Bid for Such
Services

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

A RESOLUTION REJECTING ALL BIDS FOR GRANULAR ACTIVATED CARBON

FILTER MEDIA AND AUTHORIZING THE ISSUANCE OF A BEST VALUE BID FOR SUCH SERVICES

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3674-20

[20-3698](#)

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 CHIEF OF POLICE 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 Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

Enactment No: RE-3675-20

[20-3700](#)

Resolution - A Resolution Authorizing the City Manager to Enter into an Agreement with The Texas Department of Transportation - Fort Worth District for a Local On-System Improvement Project (LOSA) for Roadway Improvements on FM 157

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

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION - FORT WORTH DISTRICT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT (LOSA) FOR ROADWAY IMPROVEMENTS ON FM 157

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3676-20

[20-3702](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting and Authorizing the use of the Competitive Sealed Proposed Delivery Method for Construction of the Man House Museum Information Center and Restroom Building; Delegating Authority to the City Manager, and Providing an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ADOPTING AND AUTHORIZING THE USE OF THE COMPETITIVE SEALED PROPOSAL DELIVERY METHOD FOR THE MAN HOUSE MUSEUM INFORMATION CENTER & RESTROOM BUILDING; DELEGATING AUTHORITY TO THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3677-20

[20-3701](#)

Minutes - Approval of the August 10, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Moore to approve the minutes of the August 10, 2020 Regular City Council Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

[20-3708](#)

Minutes - Approval of the August 15, 2020 Special City Council Meeting

Minutes

A motion was made by Council Member Moore to approve the minutes of the August 15, 2020 Special City Council Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA[20-3680](#)

Ordinance - Second Reading of an Ordinance Amending Ordinance Chapter 30, "Personnel" of the Code of Mansfield, Texas by Amending the Code of Ethics and Conduct for City Elected Officials and Board and Committee Members

Council Member Leyman removed this item from the consent agenda.

A motion was made by Mayor Pro Tem Short to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 30, "PERSONNEL" OF THE CODE OF MANSFIELD, TEXAS BY AMENDING THE CODE OF ETHICS AND CONDUCT FOR CITY ELECTED OFFICIALS AND BOARD AND COMMITTEE MEMBERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 5 - Larry Broseh; Brent Newsom; Julie Short; Casey Lewis and David Cook

Nay: 2 - Terry Moore and Mike Leyman

Abstain: 0

[20-3690](#)

Resolution - A Resolution Awarding a Construction Contract for the City Wide Wayfinding and Signage Program to Facility Solutions Group (FSG); Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$754,032.00 (General Fund Bonds)

Council Member Leyman removed this item from the consent agenda. Assistant Director of Public Works David Boski answered Council questions.

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

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE CITY WIDE WAYFINDING AND SIGNAGE PROGRAM TO FACILITY SOLUTIONS GROUP (FSG); AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$754,032.00

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

Nay: 1 - Mike Leyman

Abstain: 0

Enactment No: RE-3678-20

[20-3703](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting and Authorizing the Use of the Competitive Sealed Proposal Delivery Method for the Expansion and Remodel of the Mansfield Library; Delegating Authoring to the City Manager, and Providing an Effective Date

Council Member Lewis removed this item from the consent agenda. Joe Smolinski made brief comments and answered Council questions. Director of Building Services Wade McLaurin and Director of Library Services Yolanda Botello answered Council questions.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ADOPTING AND AUTHORIZING THE USE OF THE COMPETITIVE SEALED PROPOSAL DELIVERY METHOD FOR THE MANSFIELD LIBRARY EXPANSION AND REMODEL PROJECT; DELEGATING AUTHORITY TO THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3679-20

[20-3707](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving the Selection of Komatsu Architects, of Fort Worth, TX, to Provide Architectural Services for the Expansion & Remodel of the Mansfield Library, and Authorizing the City Manager to Execute an Agreement on Behalf of the City

Council Member Lewis removed this item from the consent agenda.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING THE SELECTION OF KOMATSU ARCHITECTS, OF FORT WORTH,

TX, TO PROVIDE ARCHITECTURAL SERVICES FOR THE EXPANSION AND REMODEL OF THE LIBRARY, AND; AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY IN THE AMOUNT OF \$169,915.00 SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3680-20

[20-3710](#)

Request for Special Event Permit: Music Alley Festival 2020

Council Member Leyman removed this item from the consent agenda. Director of CVB Theresa Cohagen answered Council questions.

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

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

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

NEW BUSINESS

[20-3711](#)

Discussion and Possible Action Regarding a Short Term Moratorium to Mosquito Spraying in the City of Mansfield

Director of Public Works Bart VanAmburgh made brief comments and answered Council questions.

A motion was made by Council Member Moore to have a short term moratorium on mosquito spraying until such time as city staff brings back the revised proposal. Seconded by Council Member Cook. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

PUBLIC HEARING AND FIRST READING[20-3692](#)

Ordinance - Public Hearing and First Reading of an Ordinance Extending the School Zone on East Debbie Lane that Serves Asa Low Intermediate School and Brooks Wester Middle School

Susana Marin read the caption into the record. David Boski made brief comments and answered Council questions. Mayor Cook opened the public hearing at 8:58 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 8:58 p.m.

A motion was made by Council Member Moore to approve the first reading of "AN ORDINANCE AMENDING CHAPTER 73, OF THE TRAFFIC CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, PURSUANT TO SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE CONCERNING THE AUTHORITY TO ALTER SPEED LIMITS ON SPECIFIC STREETS AND HIGHWAYS BEING AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, REGULATING SPEED LIMITS ON HIGHWAYS AND ROADWAYS, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD AS SET OUT IN THE ORDINANCE: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION OF AN EFFECTIVE DATE; AND PROVIDING A PENALTY." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

[20-3696](#)

Ordinance - Public Hearing and First Reading to Consider a Historic Landmark Overlay District Classification for the 1924 High School and the 1940 Rock Gym at 605 E. Broad Street; Art Wright, City Historic Preservation Officer, on behalf of the Mansfield Independent School District, owner (ZC#20-011)

Susana Marin read the caption into the record. Director of Planning Matt Jones made brief comments. Mayor Cook opened the public hearing at 9:01 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:01 p.m.

A motion was made by Council Member Broseh 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE 1924 HIGH SCHOOL AND 1940 ROCK GYM BUILDINGS LOCATED AT 605 E. BROAD STREET; 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 Moore. The motion

CARRIED by the following vote:

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

Nay: 0

Abstain: 0

[20-3704](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-1, Neighborhood Business District to SF-7.5/18, Single-Family Residential District on Approximately 1.46 Acres Located at 1557 Speers Drive; Cristina Salinas, owner/developer (ZC#20-010)

Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. Property owner Venesa Acosta answered Council questions. Mayor Cook opened the public hearing at 9:18 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 9:18 p.m.

A motion was made by Mayor Pro Tem Short 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-7.5/18 SINGLE-FAMILY RESIDENTIAL 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." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 1 - Terry Moore

Abstain: 0

Mayor Cook recessed the meeting for a break at 9:20 p.m. Mayor Cook reconvened the meeting at 9:27 p.m.

[20-3705](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Apartment and Townhome Uses on Approximately 19.527 Acres out of the J. Grimsley Survey, Abstract No. 578, Generally Located at 2880 Matlock Rd.; Miller Sylvan of JPI on Behalf of Morreta A. & James A. Weatherford of Deblock, Ltd. (ZC#20-008)

Susana Marin read the caption into the record. Matt Jones made a brief presentation and answered Council questions. Winstead PC representative Tommy Mann, Ashton Woods representative Daniel Satsky, and Kimley-Horn Associates representative Brian

Shamburger made a presentation and answered Council questions. Mayor Cook opened the public hearing at 10:04 p.m. The following people spoke:

*Wayne Wilshire - 1101 Pinehurst Court - Opposed
Larry Wilshire - 2304 Field Lane - Opposed
Amy Weger - 2351 Matlock Road - Opposed
Ben F. Bruce - 2907 Avondale Drive - Opposed
Trinity Bruce - 2709 Avondale Drive - Opposed
Dr. Michael Evans - 3306 Hunter Oaks Court - Opposed
Tai Tran - 1915 Middleton Drive - Opposed
James LeFevers - 1921 Middleton Drive - Opposed
Houston Mitchell - 605 St. Eric Drive - Opposed*

Mayor Cook recognized the following non-speakers in opposition of this agenda item:

*David McDonald - 1308 New Have Drive
Uddeep Singh - 2805 St. Maria Drive
Michael Weger - 3251 Matlock Road
Asheesh Shamma - 1007 Manchester Drive
Angela Martin - 1 Willowstone Court
Mark Wagner - 2710 Ridge Oak Trail
Carolina Garrett - 2710 Ridge Oak Trail
Erin Arrivillaga - 3065 Willowstone Trail
Cynthia Favila-Terry - 2709 Ridge Oak Trail
Waheed Khan - 2706 Avondale Drive
Shehla Waheed - 2706 Avondale Drive
Sandra LaFevers - 1921 Middleton Drive
Tammie Pavese - 113 Millington Trail
Courtney Fox - 1917 Middleton Drive
Ann Cooper - 7 Wrexgate
Tammy Wilshire-Miller - 1348 Breckenridge Road
Arthur Hicks - 1906 Lassetter Drive
Nory Vela - 2707 Avondale Drive
Pedro Portocarrero - 2707 Avondale Drive
Brandon Martin - 1901 Middleton Drive
Danna Alturk - 1913 Middleton Drive
Tala Alturk - 1913 Middleton Drive
Phil Worobey - 13 Willowstone Court
Shana Friend - 13 Willowstone Court
Robin Martin - 2709 Grainger Drive
Everett Martin - 2709 Grainger Drive
Donald Clemmons - 2706 Grainer Road
Ursala Isan - 2706 Grainger Road
Thanhuyen Nguyen - 1911 Middleton Drive
Michael & Qamar Alturk - 1913 Middleton Drive*

Mayor Cook recognized the following online speaker cards and emails submitted to the Planning Department in opposition of this agenda item:

*Peter Losi - 1916 Lassetter Drive
Esther Santana - 1901 Middleton Drive
Kristen Fleming-Wood - 2220 Walnut Manor Drive
Lance Irwin - 1208 Killian Drive
Melissa Evinger - 2311 Charleston Drive*

*Lilly Omorogbe - 5128 Crestwater Drive
Ryan Bench - 2705 Avondale Drive
Raveen Singh - 2805 St. Maria Drive
Kim Gray - 2005 Walnut Hills Lane
Chelsie Bruce - 2709 Avondale Drive
Julie Cramer - 2004 Stonebridge Court
Jolene Marchant - 2633 Morgan Ann Avenue
Ben Cramer - 2004 Stonebridge Court
Travis Kralicke - 2608 Brookwood Drive
Monica Martin - 1800 Estates Drive
Jason Brown - 609 Joy Lane
Cory Hoffman - 1016 Aspen Lane
Mostaeen Jouya - 716 Coal Creek Drive
Jenny Kralicke - 2608 Brookwood Drive
Robert Summers - 1919 Middleton Drive
Amber Hanner - 208 Rock Meadow Court
Debi Reed - 901 Kingston Drive
Beth Stokman - 2612 Edgefield Trail
Casandra Harmon - 8 Watergrove Court
Chris York - 2607 Edgefield Trail
Christine Sullivan - 101 Deer Court
Debbie Landes - 1707 Oxford Drive
Kathy Pilson - 405 Lantern Ridge
Kim Gray - 2005 Walnut Hills Lane
Meggan and Trent Fletcher - 3209 High Ridge Court
Michael Lawson - 823 Muirfield Drive
Stacey Gooding - 2315 Richmond Court
Stacy Law - 4 Miterton Court
Tayler Strickland
Jeffrey Ghi
Andre Gonzalez
Ron White
Kim Roos
Leann Campbell*

A motion was made by Council Member Lewis to deny this agenda item.

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

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

Nay: 0

Abstain: 0

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 11:21 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 11:23 p.m. Mayor Cook adjourned executive session at 12:14 a.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 Claim Notice Letter

Seek Advice of City Attorney Regarding Disposition of Property

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

Disposition of City Property

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

Economic Development Project #20-05

ADJOURN

Mayor Cook adjourned the meeting at 12:14 a.m.

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary