



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, February 26, 2024

1:30 PM

Council Chambers

REGULAR MEETING

1:30 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 1:30 p.m.

Absent 1 - Larry Broseh

Present 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

WORK SESSION

Discussion Regarding Noise Regulations

Assistant City Manager Matt Jones presented the item and spoke on the National Institute for Occupational Safety and Health recommended exposure limits, common sources of noise and decibel levels, and comparison communities and their regulations for entertainment districts. There was Council discussion regarding noise regulations for a proposed entertainment district. Staff will bring this item back to Council for formal approval.

Discussion Regarding Accessible Parking

Matt Jones presented and spoke on the recent legislation changes on handicap parking and the ordinance amendments staff is working on which requires property owners to have lawful signage and striping. Once the accessible spaces are properly identified, the Police Department will have the ability to issue citations to those parked unlawfully. There was discussion regarding notification to businesses, the grace period, enforcement, and signage. Matt answered Council questions, and City Manager Joe Smolinski made brief comments.

Discussion Regarding the February 26, 2024 Consent Agenda Items

There was no discussion.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 1:53 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 2:10 p.m. Mayor Evans recessed the executive session at 5:14 p.m.

Consultation with City Attorney to Seek Advice About Pending or Contemplated Litigation, a Settlement Offer, or on a Matter in Which the Duty of the City Attorney to the City's Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with Chapter 551 of the Texas Government Code Pursuant to 551.071

Seek Advice of City Attorney Regarding SB 1145

Seek Advice of City Attorney Regarding Possible Amendment to the Ground Lease and Operating Agreement with STORE Master Funding VIII, LLC

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

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

Land Acquisition for Future Development

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

Economic Development Project #21-26

Economic Development Project #21-33

Economic Development Project #22-27

Economic Development Project #23-17

6:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened into the regular business session at 5:18 p.m.

SUB-COMMITTEE REPORTS

[24-5875](#)

Minutes - Approval of the February 12, 2024 Tax Increment Reinvestment Zone Number One Board Meeting Minutes (Broseh (Chair), Bounds, Evans, and Tonore)

Mayor Evans presented a report of the meeting.

A motion was made by Council Member Bounds to approve the minutes of the February 12, 2024 Tax Increment Reinvestment Zone Number One Board Meeting. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 3 - Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Non-Voting: 3 - Julie Short; Casey Lewis and Brent Newsom

[24-5881](#)

Minutes - Approval of the February 12, 2024 Annual Audit Committee Meeting Minutes (Evans (Chair), Tonore, and Broseh)

Mayor Evans presented a report of the meeting.

A motion was made by Mayor Pro Tem Tonore to approve the minutes of the February 12, 2024 Annual Audit Committee Meeting. Seconded by Mayor Evans. The motion CARRIED by the following vote:

Aye: 2 - Todd Tonore and Michael Evans

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Non-Voting: 4 - Julie Short; Casey Lewis; Tamera Bounds and Brent Newsom

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

CONSENT AGENDA

[24-5854](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Section 92.10 "Fee Schedule Adopted by Reference" and Subsection "Public Swimming Pool/Spa" of Chapter 92 "Health and Sanitation" of Title IX "General Regulations," of the Code of Mansfield, Texas; Revising Compliance Standards for Pools/Spas and Interactive Water Features; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violations Hereof; Providing a Savings Clause; Providing for Publication in the Official Newspaper; and Providing an Effective Date

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING SECTION 92.10 "FEE SCHEDULE ADOPTED BY REFERENCE" AND SUBSECTION "PUBLIC SWIMMING POOL/SPA" OF CHAPTER 92 "HEALTH AND SANITATION" OF TITLE IX "GENERAL REGULATIONS," OF THE CODE OF MANSFIELD, TEXAS; REVISING COMPLIANCE STANDARDS FOR POOLS/SPAS AND INTERACTIVE WATER FEATURES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; 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 Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2347-24

[24-5855](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Chapter 94 "Food Establishment Regulations" of Title IX "General Regulations" of the Code of Mansfield, Texas by Revising Definitions; Permits and Inspections; Competency of Inspectors; Food Protection Managers; Physical Facilities; and Mobile Food Vendors; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violations Hereof; Providing for Publication in the Official Newspaper as Required by Law; and Providing an Effective Date

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 94, "FOOD ESTABLISHMENT REGULATIONS," OF TITLE IX "GENERAL REGULATIONS" OF THE CODE OF MANSFIELD, TEXAS, BY REVISING DEFINITIONS; UPDATE PERMITS AND INSPECTIONS; REVISE COMPETENCY OF INSPECTORS; FOOD PROTECTION MANAGERS; PHYSICAL FACILITIES; AND MOBILE FOOD VENDORS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; 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 Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2348-24

[24-5856](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Sections 110.25 Through 110.33 of Subchapter Entitled "Child Care Facilities" of Chapter 110, "General Provisions," of Title XI "Business Regulations" of the Code of Mansfield, Texas by Revising State Code References; Update Health and Fire Permit Requirements; Revise Minimum Requirements for Permit; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violations Hereof; Providing for Publication in the Official Newspaper; and Providing an Effective Date

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING SECTIONS 110.25 THROUGH 110.33 OF SUBCHAPTER ENTITLED "CHILD CARE FACILITIES" OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI "BUSINESS REGULATIONS" OF THE CODE OF MANSFIELD, TEXAS, BY REVISING STATE CODE REFERENCES; UPDATE HEALTH AND FIRE PERMIT REQUIREMENTS; REVISE MINIMUM REQUIREMENTS FOR PERMIT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; 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 Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2349-24

[24-5883](#)

Ordinance - An Ordinance of the City Council of the City of Mansfield, Texas, Accepting Certification of Unopposed Candidates for the Offices of Council Member, Place Three (3), Council Member, Place Four (4), and Council Member, Place Five (5) as Elected; Declaring that the May 4, 2024, General Election is Canceled and the Unopposed Candidates Elected to Office;

Providing a Severability Clause; Providing for Posting of Notice; and Providing an Effective Date

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ACCEPTING CERTIFICATION OF UNOPPOSED CANDIDATES FOR THE OFFICES OF COUNCIL MEMBER PLACE THREE (3), COUNCIL MEMBER PLACE FOUR (4), AND COUNCIL MEMBER PLACE FIVE (5) AS ELECTED; DECLARING THAT THE MAY 4, 2024, GENERAL ELECTION IS CANCELED AND THE UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING OF NOTICE; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2350-24

[24-5876](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing an Updated Interlocal Cooperation Contract between the Texas Department of Public Safety and the City of Mansfield, Texas for Implementation of the Failure to Appear Program; Authorizing the City Manager, or Designee, to Execute any Documents Necessary to Implement this Resolution; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING AN UPDATED INTERLOCAL COOPERATION CONTRACT BETWEEN THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND THE CITY OF MANSFIELD, TEXAS FOR IMPLEMENTATION OF THE FAILURE TO APPEAR PROGRAM; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

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

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-4163-24

[24-5877](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing an Interlocal Cooperation Contract between the City of Mansfield and Mansfield Independent School District for Implementation of the Purchase of Motor Fuel; Authorizing the City Manager, or Designee, to Execute any Documents Necessary to Implement this Resolution; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE CITY OF MANSFIELD AND MANSFIELD INDEPENDENT SCHOOL DISTRICT FOR THE PURCHASE OF MOTOR FUEL; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE

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

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

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-4164-24

[24-5859](#)

Minutes - Approval of the January 31 - February 3, 2024 City Council Strategic Visioning Workshop Minutes

A motion was made by Council Member Short to approve the minutes of the January 31 - February 3, 2024 City Council Strategic Visioning Workshop as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

[24-5874](#)

Minutes - Approval of the February 12, 2024 Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the February 12, 2024 Regular City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

END OF CONSENT AGENDA

NEW BUSINESS

[24-5878](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Approving a Development Agreement with Aligned Data Centers, Regarding the Development of Approximately 26.897 Acres Generally Located at the Northeast Corner of Heritage Parkway South and Britton Road; Approving a Concept Plan and Phasing Plan; Providing that this Ordinance Shall Be Cumulative of All Ordinances; Providing a Savings Clause; Providing for a Penalty Clause; Providing a Severability Clause; and Providing an Effective Date

Jason Alexander presented the item.

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

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH ALIGNED DATA CENTERS, LLC REGARDING PROPERTY BEING DESCRIBED AS APPROXIMATELY 26.837 ACRES OUT OF THE HUGH HENDERSON SURVEY AND THE SAMUEL C. NEILL SURVEY, ABSTRACT NO. 1159, DESCRIBED AS TRACT 2 IN DEED TO THE CITY OF MANSFIELD, TEXAS, DEED RECORDS OF ELLIS COUNTY, TEXAS; APPROVING A CONCEPT PLAN AND PHASING PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: OR-2351-24

Mayor Evans recessed the meeting at 5:29 and reconvened at 6:00 p.m.

INVOCATION

Jared Hyde with the Fellowship of Christian Athletes 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 Short led the Texas Pledge.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Veterans Memorial Update

Executive Director of Community Services Matt Young presented an update on the proposed Veterans Memorial.

Presentation of the Fiscal Year 2023 Annual Comprehensive Financial Report

Dan Barron and Meagan Holyfield with Forvis presented the FY 23 Annual Comprehensive Financial Report.

PUBLIC HEARING AND RESOLUTION

[24-5880](#)

Resolution - Public Hearing and Resolution Approving and Endorsing the 2024 (50th year) Community Development Block Grant Project for Downtown Neighborhood Sidewalks (Southwest Quadrant)

Director of Engineering Services Raymond Coffman presented the item and answered Council questions. Matt Jones and Joe Smolinski spoke and answered Council questions.

Mayor Evans opened the public hearing at 6:23 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 6:32 p.m.

A motion was made by Council Member Short to approve the following resolution with the understanding that the city will use the grant from the CDBG and will not issue any debt for this project at this time:

A RESOLUTION APPROVING AND ENDORSING THE 2024 (50TH YEAR) COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE CITY OF MANSFIELD, 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: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

Enactment No: RE-4165-24

PUBLIC HEARING AND FIRST READING

[24-5879](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District to PD Planned Development District for Attached Single-Family Residential (Rowhouse) Uses on Approximately 2.794 Acres out of the Henry McGehee Survey, Abstract No. 989, Tarrant County, TX, located at 1225 E Debbie Ln. 5E Real Estate, Developer (ZC#23-026)

Executive Director of Planning and Development Services Jason Alexander presented the item and answered Council questions. Applicants Erik Drentlaw and

Graham Pearce spoke and answered Council questions.

Mayor Evans opened the public hearing at 6:46 p.m.

Jeffery Davis, 3008 Upland Drive - Mr. Davis spoke in opposition to the item.

Mayor Evans continued the public hearing at 6:48 p.m.

A motion was made by Council Member Short to approve the first reading of 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 DETACHED AND ATTACHED 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

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

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

[24-5851](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from PR, Pre-Development District to PD, Planned Development District for a mixed lot single-family residential development on 32.352 acres out of the James McDonald Survey, Abstract No. 997, Tarrant County, TX, located at 1970 N Main. Kinney Family Living Trust, owner, Arcadia Realty Corp., Developer (ZC#23-018)

Jason Alexander presented the item.

A motion was made by Council Member Short to table the item indefinitely. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 6:53 p.m. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Larry Broseh

Abstain: 0

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary