



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, January 23, 2023

2:00 PM

Council Chambers

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#### REGULAR MEETING

#### 2:00 P.M. - CALL MEETING TO ORDER

*Mayor Evans called the meeting to order at 2:00 p.m.*

*Council Member Leyman was absent due to his resignation.*

**Present** 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**N/A's** 1 - Mike Leyman

Tour of the Bud Ervin Water Treatment Plant and Discussion Regarding the Phase V Expansion  
707 Pleasant Ridge Court

*Director of Public Works Jeff Price introduced members of staff as well as representatives from Plummer Associates, Inc. Jeff walked the Council through the Bud Ervin Water Treatment Plant explaining what portions of the plant will be expanded and why the expansion is needed.*

#### WORK SESSION

Discussion Regarding Advisory Committee for the Future Land Use Plan

*Assistant City Manager Matt Jones spoke on forming an advisory committee to work on the Future Land Use plan and advise the Planning and Zoning Commission and City Council. Director of Planning Jason Alexander also spoke on the role of the committee. The Committee will be made up of two members appointed by each Council Member, the Board presidents of the Mansfield Parks Facilities Development Corporation, Mansfield Economic Development Corporation, and Planning and Zoning Commission, a member of the Mansfield Independent School District School Board, and two members of City Council.*

Discussion Regarding Intersection Design Alternatives for West Broad Street at Retta Road

*Assistant Director of Public Works - City Engineer Raymond Coffman presented a portion of the roadway capital improvement project of West Broad Street at Retta Road intersection design alternatives. He spoke on a signalized intersection, a multi-lane roundabout, primary evaluation criteria of safety, function, costs, and aesthetics, and gave recommendations. Council directed staff to move forward with the roundabout option.*

#### Discussion Regarding Potential Ballot Propositions

*Executive Director of Economic Development Jason Moore spoke on the language for the two potential ballot propositions, the need for two separate propositions, and the need for a public hearing on the propositions. Council and staff discussed options for the proposition language and public education on the propositions. Executive Director of Community Services Matt Young spoke on the cost estimates for the Miracle Field bond proposition and there was discussion regarding taking the project back to the voters.*

#### Discussion Regarding the January 23, 2023 Consent Agenda Items

*There was no discussion on this item.*

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:10 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:18 p.m. Mayor Evans recessed the executive session at 5:17 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 Pending Litigation – Cause No. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-325719-21

Seek Advice of City Attorney Regarding Active Code Enforcement Cases

Seek Advice of City Attorney Regarding Charter and Bylaw Language

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 #21-19

Economic Development Project #22-14

Economic Development Project #22-18

**JOINT WORK SESSION WITH THE MANSFIELD PARKS FACILITIES DEVELOPMENT CORPORATION**

Joint Discussion with the Mansfield Parks Facilities Development Corporation Regarding a Financial Sustainability Project

*Matt Young spoke on the kick-off of the Financial Sustainability Project and introduced the consultant, Jamie Sabbach with 110% Inc. who gave an overview on the project and solicited input from the Council and Board Members.*

**RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at --- p.m. Mayor Evans called the executive session to order in the Council Conference Room at 6:11 p.m. Mayor Evans recessed the executive session at 7:02 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 Pending Litigation – Cause No. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-325719-21

Seek Advice of City Attorney Regarding Active Code Enforcement Cases

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Economic Development Project #21-19

Economic Development Project #22-14

Economic Development Project #22-18

**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 Evans reconvened the meeting into regular business session at 7:13 p.m.*

**INVOCATION**

*Cory Smithee, Pastor of North Elevation Church, gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Short 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 Broseh led the Texas Pledge.*

**CITIZEN COMMENTS**

*Johnny Williams, 1104 Pebble Beach Drive - Mr. Williams spoke on the city's economic development agreement with Admiral Legacy.*

*Benita Reed, 2943 Arenoso - Dr. Reed spoke on the collaboration between the City of Mansfield and the Mansfield Independent School District.*

**COUNCIL ANNOUNCEMENTS**

*There were no Council announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*Jason Moore spoke on the Mansfield Innovation Corridor Admiral Legacy project.*

Stormwater Annual Report - Howard Redfearn

*Environmental Manager Howard Redfearn and Stormwater Inspector Julian Holmes presented the Stormwater Annual Report.*

**Community Engagement Department Report**

[23-5153](#)

Departmental Quarterly Reports

*Staff was available for questions.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*There was no action taken.*

**CONSENT AGENDA**

[22-5090](#)

Resolution - A Resolution to Consider Amending the Mansfield Park Facilities Development Corporation's Bylaws to Establish A Policy Regarding Consecutive Years of Service; the Appointment of its President; and to Amend Time for Budget Approval

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

**A RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION'S BYLAWS; AND PROVIDING 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 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3967-23

[22-5091](#)

Resolution - A Resolution to Consider Amending the Mansfield Park Facilities Development Corporation's Certificate of Formation to Establish A Policy Regarding Consecutive Years of Service

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

**A RESOLUTION APPROVING AMENDMENTS TO THE MANSFIELD PARK FACILITIES DEVELOPMENT CORPORATION'S CERTIFICATE OF FORMATION; AND PROVIDING FOR 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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3968-23

[22-5094](#)

Resolution - A Resolution Amending the Bylaws for the Historic Preservation Advisory Board to Establish a Policy Regarding Consecutive Years of Service

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

**A RESOLUTION AMENDING THE BYLAWS FOR THE HISTORIC PRESERVATION ADVISORY BOARD**

**(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3969-23

[22-5103](#)

Resolution - A Resolution Amending the Bylaws for the Mansfield Public Library Advisory Board to Establish a Policy Regarding Consecutive Years of Service

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

**A RESOLUTION AMENDING THE BYLAWS FOR THE MANSFIELD PUBLIC LIBRARY ADVISORY BOARD**

**(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3970-23

[23-5144](#)

Resolution - A Resolution Appointing Mayor Michael Evans as a Cluster City Representative to the North Central Texas Council of Governments Regional Transportation Council (RTC)

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPOINTING MAYOR MICHAEL EVANS AS A CLUSTER CITY REPRESENTATIVE TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS REGIONAL TRANSPORTATION COUNCIL (RTC)**

**(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3971-23

[23-5145](#)

Resolution - A Resolution Authorizing a Contract with Plummer and Associates, Inc. for the Bud Ervin Water Treatment Plant Phase V Expansion for an Amount Not to Exceed \$3,735,921.00 (Utility Fund)

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

**A RESOLUTION AUTHORIZING.A CONTRACT WITH PLUMMER ASSOCIATES, INC. FOR THE DESIGN OF THE BUD ERVIN WATER TREATMENT PLANT PHASE V EXPANSION FOR AN AMOUNT NOT TO EXCEED \$3,735,921.00 (UTILITY FUND)**

(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3972-23

[23-5146](#)

Resolution - A Resolution Determining the Construction-Manager-At-Risk Delivery Method as Providing the Best Value for the Construction of the Bud Ervin Water Treatment Plant Phase V Expansion

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

**A RESOLUTION DETERMINING THE CONSTRUCTION MANAGER-AT-RISK DELIVERY METHOD AS PROVIDING THE BEST VALUE FOR THE CONSTRUCTION OF THE BUD ERVIN WATER TREATMENT PLANT PHASE V EXPANSION**

(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3973-23

[23-5155](#)

Resolution - A Resolution Amending the Bylaws for the Mansfield Economic Development Corporation Board to Establish a Policy Regarding Consecutive Years of Service; the Appointment of its President; and its Purchasing Guidelines

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

**A RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION'S BYLAWS; AND PROVIDING 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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3974-23

[23-5156](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$444,840.00 and Approval of Contracts, Including Program Management with Vieste, to Provide Professional Services for the Harvest Point Project Development

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

**A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$444,840.00 AND APPROVAL OF CONTRACTS, INCLUDING PROGRAM MANAGEMENT WITH VIESTE, LLC, AN INDIANA LIMITED LIABILITY COMPANY, TO PROVIDE PROFESSIONAL SERVICES FOR THE HARVEST POINT PROJECT DEVELOPMENT**

**(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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3975-23

[23-5157](#)

Resolution - A Resolution of the City of Mansfield, Texas Calling for a General Election to be held on May 6, 2023; Calling for a Special Election to fill a Vacancy to be Held on May 6, 2023; Designating Polling Places; Establishing Precincts Within the City; Establishing Other Procedures for Conduct of the Election; and Providing an Effective Date

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

**A RESOLUTION OF THE CITY OF MANSFIELD ("CITY"), TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2023; CALLING FOR A SPECIAL ELECTION TO FILL A VACANCY TO BE HELD ON MAY 6, 2023; DESIGNATING POLLING PLACES; ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; AND PROVIDING 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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3976-23

[23-5159](#)

Resolution - A Resolution to Amend the City of Mansfield Planning and Zoning Commission Rules of Procedure Relating to the Election of the Chair

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

**A RESOLUTION APPROVING PROPOSED AMENDMENTS TO THE CITY OF MANSFIELD PLANNING AND ZONING COMMISSION RULES OF PROCEDURE; AND PROVIDING 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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3977-23

[23-5160](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Johnson County Elections Administrator to Perform Election Services for the May 6, 2023 General and Special Election; and Providing an Effective Date

**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, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE JOHNSON COUNTY ELECTIONS ADMINISTRATOR TO PERFORM ELECTION SERVICES FOR THE MAY 6, 2023 GENERAL AND SPECIAL ELECTION; AND PROVIDING 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 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3978-23

[23-5154](#)

Minutes - Approval of the January 9, 2023 Regular City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the January 9, 2023 Regular City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**END OF CONSENT AGENDA**

**OLD BUSINESS**

[22-5106](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving an Economic Development Agreement Between the City of Mansfield, the Mansfield Economic Development Corporation, and Crystal Window and Door Systems; Authorizing the City Manager and MEDC President to Execute Said Agreement; and Providing an Effective Date

*Jason Moore spoke and requested the City Council table this item until the agreement has been signed and executed.*

**A motion was made by Council Member Broseh to table the item indefinitely. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

[22-5077](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Chapter 116.03 "Revocation of Permit," Providing that this Ordinance Shall be Cumulative of All Ordinances; Providing a Severability Clause; Providing a Penalty for Violation; Providing for the Publication as Required by Law; and Providing an Effective Date

*Director of Regulatory Compliance Nicolette Ricciuti presented the item.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XI OF THE MANSFIELD CODE OF ORDINANCES PERTAINING TO DONATION BOX**

PERMITS; CREATING A NEW CHAPTER 116 TO ESTABLISH A DONATION BOX PERMIT; ESTABLISHING MAINTENANCE REGULATIONS FOR DONATION BOXES; PROVIDING FOR THE REVOCATION OF SUCH PERMITS; PROVIDING FOR FEES RELATED TO CHAPTER 116; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; 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 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2287-23

## **PUBLIC HEARING**

### **[22-5110](#)**

Ordinance - Public Hearing Continuation and First and Final Reading on an Ordinance Amending Chapter 155, "Zoning" of the Mansfield Code of Ordinances to revise the Permitted Use Table in Section 155.054(B) and the Special Conditions in Section 155.099(B)(40) related to Donation Boxes (OA#23-001)

*Jason Alexander presented the item and answered Council questions. City Attorney Bradley Anderle spoke on additional revisions to the ordinance.*

*Mayor Evans opened the public hearing at 7:50 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:50 p.m.*

**A motion was made by Council Member Lewis to approve the following ordinance adding in the changes that were read by the City Attorney:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155 OF THE MANSFIELD CODE OF ORDINANCES PERTAINING TO DONATION BOXES; AMENDING THE PERMITTED USE TABLE IN SUBSECTION 155.054(B) TO REQUIRE A SPECIFIC USE PERMIT IN THE OP, C-1, AND C-2 DISTRICTS FOR DONATION BOXES AND TO ALLOW DONATION BOXES AS A PERMITTED ACCESSORY USE TO PLACES OF WORSHIP, NONPROFIT ORGANIZATIONS, AND SCHOOLS WITH WRITTEN CONSENT OF THE PROPERTY OWNER IN THE 2F, MF-1, MF-2, O-P, C-1, C-2, C-3, 1-1, AND 1-2 DISTRICTS; REVISING THE SPECIAL CONDITIONS FOR DONATION BOXES IN SECTION 155.099; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF A 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 Short. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2288-23

[23-5142](#)

Ordinance - Public Hearing and First and Final Reading on an Ordinance Amending Section 155.069(K)(1)(b) of the Mansfield Code of Ordinances to Adopt Design Guidelines for Commercial and Non-Residential Historic Landmarks and to Make the Guidelines Applicable to All Areas of the City of Mansfield (HLC#21-013)

*Planner II Art Wright presented the item and answered Council questions.*

*Mayor Evans opened the public hearing at 7:58 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:58 p.m.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155 OF THE MANSFIELD CODE OF ORDINANCES PERTAINING TO DESIGN GUIDELINES FOR HISTORIC LANDMARKS BY REVISING SECTION 155.069(K)(L) (B) TO ADOPT NEW DESIGN GUIDELINES FOR COMMERCIAL AND NON-RESIDENTIAL HISTORIC LANDMARKS AND TO MAKE THESE GUIDELINES APPLICABLE TO ALL AREAS OF THE CITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF A 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 Bounds. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2289-23

[22-5044](#)

Continued Public Hearing and Consideration of a Request for a Specific Use Permit for Apartments in the Reserve PD Workplace Sub-District on approx. 10.034 ac being a tract of land in the Elizabeth McAnier Survey, abstract no. 1005, City of Mansfield in Tarrant County Texas, located at 240 N Mitchell (Generally located to the southwest of the East Broad

Street and Reserve Way intersection) (SUP#22-004)

Jason Alexander presented the item and answered Council questions. Applicants Clay Roby and Cole Henley presented and answered Council questions. Council Member Broseh made a motion to recess into executive session to seek advice from the City Attorney. Seconded by Council Member Short. The motion passed unanimously. Mayor Evans recessed the meeting into executive session at 8:34 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 8:36 p.m. and recessed the executive session at 9:13 p.m. Mayor Evans reconvened the meeting into regular business session at 9:15 p.m.

Mayor Evans opened the public hearing at 9:15 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 9:15 p.m.

**A motion was made by Council Member Lewis to approve the specific use permit with the following conditions:**

- 1. No more than one retaining wall and it cannot be in excess of three feet on the entire property facing any public right of way.**
- 2. Future ROW developer required to construct and pay for prior to receiving a Certificate of Occupancy.**
- 3. Internal streetscape along western edge of building one to mirror setback, sidewalk, and landscaping requirements similar to Navhi Road.**
- 4. No perimeter fencing or vehicular access gates to provide for the orderly flow of pedestrian and vehicular traffic.**
- 5. Pedestrian connection from enhanced civic space along Domain Drive to the pedestrian sidewalk internal to development.**
- 6. Enhanced civic space must include terrace seating.**

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

**Aye:** 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 9:17 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

\_\_\_\_\_ Michael Evans, Mayor  
ATTEST:

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