



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, June 10, 2024

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.*

**Present** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

#### RECESS INTO EXECUTIVE SESSION

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 2:00 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 2:16 p.m. Mayor Evans recessed the executive session at 4:25 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 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**

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**

Economic Development Project #15-02

Economic Development Project #21-33

Economic Development Project #22-27

Economic Development Project #23-15

Economic Development Project #24-01

### **WORK SESSION**

Discussion Regarding Roadway Capital Improvement Projects

*Assistant City Manager Matt Jones presented the item. He spoke on project summaries, including the portion of Broad Street from Fire Station 3 to State Highway 360, Heritage Parkway from Main Street to US 287, the Walnut Creek Drive Road Diet, and North Street. Mr. Jones also spoke on the recommendations for these projects as made by the Local Transportation Issues Sub-Committee, which the City Council agreed with.*

Discussion Regarding Land Use Regulations Pertaining to Retail Sales of Alcoholic Beverages for Off-Premise Consumption

*Executive Director of Planning and Development Services Jason Alexander presented the item and spoke on considerations, zoning considerations, and solicited guidance and feedback from the City Council.*

Discussion Regarding the Fiscal Year 2025 Budget

*Deputy City Manager Troy Lestina presented the item and gave a high level overview of the Fiscal Year 2025 Budget.*

Discussion Regarding the June 10, 2024 Consent Agenda Items

*There was no discussion.*

### **RECESS INTO EXECUTIVE SESSION**

*The Council did not recess into executive session again.*

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

*Mayor Evans reconvened the meeting into regular business session at 6:03 p.m.*

### **INVOCATION**

*Pastor Jon Thomas gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Mayor Pro Tem Tonore 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.*

**RECOGNITION**

Recognition of Re-Elected and Newly Elected Council Members by Representative David Cook

*State Representative David Cook recognized Council Members Fresquez and Newsom and former City Council Member Lewis for their service on the City Council.*

Employee Recognition

*Mayor Evans and the City Council recognized Planning Manager/Historic Preservation Officer Art Wright for going above and beyond his duties and providing remarkable experiences to Mansfield residents.*

**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

*Communications and Public Affairs Manager Dustin Dangli spoke on the upcoming Juneteenth Celebration.*

100 Hours of Play Challenge

*Parks and Recreation Communications Manager Ann Beck spoke on the 100 Hours of Play Challenge.*

**Business Services Department Report**

[24-6027](#) Monthly Financial Report for the Period Ending April 30, 2024

*Staff was available for questions.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**A motion was made by Mayor Pro Tem Tonore to appoint James Sellers to the Mansfield Economic Development Board to fill an unexpired term ending September 2025. Seconded by Council Member Short.. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

**CONSENT AGENDA**

[24-6035](#) Resolution - A Resolution of the City of Mansfield, Texas Appointing the Presiding Judge of the Mansfield Municipal Court of Record NO. 1: Approving a Contract Appointing the Presiding Judge of the Mansfield Municipal Court of Record NO. 1; Finding that the Meeting as 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 Broseh to approve the following resolution:**

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPOINTING THE PRESIDING JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD NO. 1; APPROVING A CONTRACT APPOINTING THE PRESIDING JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD NO. 1; 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 Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4206-24

[24-6040](#) Resolution - A Resolution Authorizing a Change Order and Providing Additional Funds for Day Miar Road Improvements (East Broad St. to 700 ft

South of Seeton Rd.) with McMahon Contracting in the amount of \$395,466.33 (Street Bond Fund)

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

**A RESOLUTION AUTHORIZING A CHANGE ORDER AND PROVIDING ADDITIONAL FUNDS FOR DAY MIAR ROAD IMPROVEMENTS (EAST BROAD ST. TO 700 FT SOUTH OF SEETON RD.) WITH MCMAHON CONTRACTING; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (STREET BOND FUND)**

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

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

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4207-24

[24-6020](#)

Minutes - Approval of the May 13, 2024 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the May 13, 2024 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

[24-6028](#)

Minutes - Approval of the May 20, 2024 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the May 20, 2024 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

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

[24-6044](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas,

Approving the City Manager or His Designee to Negotiate, Finalize, and Execute a Professional Services Contract with Stantec Consulting Services, Inc. in an Amount Not to Exceed \$1,681,947 for Design and Engineering Services Related to the Downtown Main Street Project; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (Issuance of Bonds)

*Council Member Bounds removed this item from the consent agenda. Matt Jones explained the item.*

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH STANTEC CONSULTING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$1,681,947 FOR DESIGN AND ENGINEERING SERVICES RELATED TO THE DOWNTOWN MAIN STREET PROJECT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (ISSUANCE OF BONDS)**

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

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

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4208-24

[24-6036](#)

Resolution - A Resolution to Consider Awarding an Annual Contract to Green World Care in the Amount of \$337,740.37 for Grounds Maintenance of Medians and Rights-of-Way

*Council Member Broseh removed this item from the consent agenda. Interim Assistant Director of Parks and Recreation Brian Coatney answered Council questions.*

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AWARDED AN ANNUAL CONTRACT TO GREEN WORLD CARE IN THE AMOUNT OF \$337,740.37 FOR GROUNDS MAINTENANCE OF MEDIANS AND RIGHTS-OF-WAY; AUTHORIZING THE CITY MANAGER OR HIS 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 (GENERAL FUND)**

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

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

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4209-24

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING AND FIRST READING**

#### **[24-6003](#)**

Ordinance - Public Hearing Continuation and First Reading on an Ordinance Approving a Change of Zoning from PR, Pre-Development District to PD, Planned Development District for Mixed Uses on Approximately 134.8 Acres of Land Situated in the J. Lawrence Survey, Abstract No. 616, the M. Gregg Survey, Abstract No. 385, J. Lawrence Survey, Abstract No. 616, and the H. Henderson Survey, Abstract No. 432; City of Mansfield, Ellis County, Texas, Located Approximately 1500 Feet East of State Highway 360, South of Lone Star Road, and South of Britton Road (ZC#24-009)

*Jason Alexander presented the item and answered Council questions. Applicant William Gietema spoke and answered Council questions.*

*Mayor Evans opened the public hearing at 7:04 p.m. With no one wishing to speak, Mayor Evans continued the public hearing at 7:04 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 PROPERTY TO PD, PLANNED DEVELOPMENT DISTRICT FOR MIXED 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 Bounds. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2368-24

**NEW BUSINESS**

[24-6042](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving the Award of a Construction Manager at Risk (CMAR) Contract to Moss Construction for the Harvest Point Public Infrastructure Project; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (TIRZ #4)

*Executive Director of Economic Development Jason Moore presented the item.*

**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, APPROVING THE AWARD OF A CONSTRUCTION MANAGER AT RISK (CMAR) CONTRACT TO MOSS CONSTRUCTION FOR THE HARVEST POINT PUBLIC INFRASTRUCTURE PROJECT; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (TIRZ #4)**

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

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

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4210-24

**ADJOURN**

**A motion was made by Council Member Broseh to adjourn the meeting at 7:08 p.m. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

**Nay:** 0

**Abstain:** 0

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ATTEST: Michael Evans, Mayor

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Susana Marin, City Secretary