



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, January 9, 2023

2:00 PM

Council Chambers

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

WORK SESSION

Discussion Regarding Potential Ballot Propositions

Executive Director of Economic Development Jason Moore spoke on a possible May 2023 special election to amend the existing type 4A sales tax to have type 4B powers. Julie Partain with Bracewell spoke on potential bond propositions and answered Council questions. Executive Director of Community Services Matt Young spoke on options for holding a bond election for the Veterans Memorial and Miracle Field projects. It was noted that these projects, if put on a ballot and passed, would be funded with no tax increase to Mansfield residents.

Discussion Regarding a Proposed Townhouse Development on Toll Road 360 in South Pointe

David Branch presented a proposed townhouse development and answered Council questions. He spoke on the site, the proposed townhomes, and the development in general. Anthony Natale with Grenadier Homes spoke on the proposed development and answered Council questions.

Discussion Regarding the January 9, 2023 Consent Agenda Items

City Attorney Drew Larkin answered a Council question regarding abstaining from a vote on a consent agenda item.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:31 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:39 p.m. Mayor Evans recessed the executive session at 7:04 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 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 Interviews

Appointment of City Attorney

City Manager's Quarterly Update

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 #16-05

Economic Development Project #22-23

Economic Development Project #22-24

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 7:08 p.m.

INVOCATION

Pastor Sam Russo of Life Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Broseh 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.

PRESENTATION

Salvation Army Mayoral Red Kettle Challenge Trophy Presentation

Lts. Konstantin and Anna Maslenikov with the Salvation Army presented Mayor Evans and the City of Mansfield with the 2022 Salvation Army Mayoral Red Kettle Challenge trophy for winning the competition with a total amount raised of \$125,230.33.

PROCLAMATION

[22-5127](#) Proclamation - Recognition of Council Member Mike Leyman

The proclamation was not presented as Mr. Leyman was not in attendance.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

SUB-COMMITTEE REPORTS

[22-5125](#) Minutes - Approval of the December 12, 2022 TIF Reinvestment Zone #1 Board Meeting Minutes (vote will be only by members of the sub-committee: Broseh (Chair), Leyman, Tonore, and Evans)

A motion was made by Mayor Pro Tem Tonore to approve the minutes of the December 12, 2022 TIF Reinvestment Zone #1 Board Meeting. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh; Todd Tonore and Michael Evans

Nay: 0

Abstain: 0

Non-Voting: 3 - Julie Short;Casey Lewis and Tamera Bounds

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Mayor Pro Tem Tonore to appoint Todd Simmons to the MEDC Board to fulfill the seat of Larry Klos' unexpired term. 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

A motion was made by Council Member Bounds to authorize the City Manager to negotiate, finalize, and execute a contract of sale for real property as discussed in executive session. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 5 - Larry Broseh;Julie Short;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0

Abstain: 1 - Casey Lewis

CONSENT AGENDA

22-5116

Resolution - A Resolution Authorizing the Application for a Transportation Alternatives Grant to the Texas Department of Transportation for the development of an Active Transportation and Safety Plan

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

A RESOLUTION AUTHORIZING THE APPLICATION FOR A TRANSPORTATION ALTERNATIVES GRANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE DEVELOPMENT OF AN ACTIVE TRANSPORTATION AND SAFETY PLAN

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

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

Aye: 7 - Larry Broseh;Julie Short;Mike Leyman;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3961-23

22-5117

Resolution - A Resolution Authorizing Funding for an Amount Not to Exceed \$350,000.00 and Awarding a Contract for the Construction of a Community Development Block Grant - Cares Act Project for Cotton Drive Water Line Improvements (West Broad St. to Wilson Dr.) to Excel 4 Construction, LLC (Utility Fund, Community Development Block Grant Program - Cares Act Entitlement Funds)

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

A RESOLUTION AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$350,000.00 AND AWARDING A CONTRACT FOR THE CONSTRUCTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT - CARES ACT PROJECT FOR COTTON DRIVE WATER LINE IMPROVEMENTS (WEST BROAD ST. TO WILSON DR.) TO EXCEL 4 CONSTRUCTION, LLC (UTILITY FUND, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - CARES ACT ENTITLEMENT FUNDS)

(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

Non-Voting: 1 - Mike Leyman

Enactment No: RE-3962-23

22-5118

Resolution - A Resolution Authorizing a Change Order and Providing Additional Funds for Holland Road Phase 2 Improvements (Stonebriar Trail to Garden Path Lane) with Ed Bell Construction Company for an Amount Not to Exceed \$657,800.16 (Utility Fund)

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

A RESOLUTION AUTHORIZING A CHANGE ORDER AND PROVIDING ADDITIONAL FUNDS FOR HOLLAND ROAD PHASE 2 IMPROVEMENTS (STONEBRIAR TRAIL TO GARDEN PATH LANE) WITH ED BELL CONSTRUCTION COMPANY FOR AN

AMOUNT NOT TO EXCEED \$657,800.16 (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-3963-23

22-5119

Resolution - A Resolution Authorizing Funding for the Purchase of a 30-inch Flow Control Valve for the 30-inch Lone Star Rd Water Line to Municipal Valve & Equipment Company through the Interlocal Purchasing System (TIPS) for an Amount Not to Exceed \$208,100.00 (Utility Fund)

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

A RESOLUTION AUTHORIZING FUNDING FOR THE PURCHASE OF A 30-INCH FLOW CONTROL VALVE FOR THE 30-INCH LONE STAR RD WATER LINE TO MUNICIPAL VALVE & EQUIPMENT COMP ANY THROUGH THE INTERLOCAL PURCHASING SYSTEM (TIPS) FOR AN AMOUNT NOT TO EXCEED \$208,100 .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-3964-23

22-5126

Resolution - A Resolution Authorizing a Contract with Freese & Nichols, Inc. for the 2023 Water and Wastewater Master Plan and Impact Fee Update for an Amount Not to Exceed \$390,000 (Utility Fund)

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

A RESOLUTION AUTHORIZING A CONTRACT WITH FREESE & NICHOLS, INC. FOR THE 2023 WATER AND WASTEWATER MASTER PLAN AND IMPACT FEE UPDATE FOR AN AMOUNT NOT TO EXCEED \$390,000.00

(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-3965-23

[22-5122](#)

Minutes - Approval of the December 12, 2022 1:30 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the December 12, 2022 1:30 p.m. 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

[22-5123](#)

Minutes - Approval of the December 12, 2022 7:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the December 12, 2022 7:00 p.m. 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

[22-5124](#)

Minutes - Approval of the December 19, 2022 Special City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the December 19, 2022 Special 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 presented the item and requested the City Council table this item to the January 23, 2023 City Council Meeting.

A motion was made by Council Member Short to table this item to the January 23, 2023 City Council meeting. Seconded by Council Member Broseh. 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

PUBLIC HEARING AND FIRST READING22-5110

Ordinance - Public Hearing 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)

Director of Planning Jason Alexander presented and requested the City Council table the item to the January 23, 2023 City Council meeting.

Mayor Evans opened the public hearing at 7:24 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:24 p.m.

A motion was made by Council Member Broseh to table this item to the January 23, 2023 City Council Meeting. 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

NEW BUSINESS22-5077

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

A motion was made by Council Member Lewis to table this item to the January 23, 2023 City Council meeting. Seconded by Council Member Broseh. 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

22-5107

Resolution - A Resolution of the City of Mansfield, Texas, Approving an Economic Development Agreement Between the City of Mansfield, Texas, the Mansfield Economic Development Corporation, the Board of Directors of Reinvestment Zone Number One, and Admiral Legacy, LLC; Authorizing the City Manager, MEDC President, and TIRZ #1 Board Chair, to Execute Said Agreement; and Providing an Effective Date

Jason Moore presented the item and answered Council questions.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MANSFIELD, THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE, AND ADMIRAL LEGACY INVESTMENTS, LLC.; AUTHORIZING THE CITY MANAGER, MEDC PRESIDENT, AND CHAIRMAN OF TIRZ #1 BOARD TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

(Resolution 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: RE-3966-23

22-5115

Review and Consideration of a Request to Approve Modifications to the South Pointe Planned Development (PD) District Standards, Office Residential (OR) Sub-District; RUBY 07 SPMTGE LLC, developer (ZC#04-012C)

This item was withdrawn.

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 7:33 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

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary