



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, February 28, 2022

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.

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

JOINT WORK SESSION WITH THE MANSFIELD COMMISSION FOR THE ARTS

Cultural Arts Master Plan Kick-Off Discussion

Cultural Arts Supervisor Rosalie Gilbert introduced the Cultural Arts Master Plan Discussion and discussed the history of the project. Amanda Golden of Designing Local, LTD and Christina Kruse of DLR Group spoke and gave examples of master plans in different communities they've worked with, touched on the project schedule, and answered Council questions. There was discussion regarding the existing conditions of art and culture in Mansfield and what the Council envisions public art in Mansfield to look like moving forward.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:27 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:34 p.m. Mayor Evans adjourned the executive session at 5:26 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. DC-20-16161

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

Land Acquisition for Future Development

Economic Development Project #21-09

Economic Development Project #22-06

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

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 6:43 p.m.

INVOCATION

Mr. Stoney Short gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Bounds 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.

CITIZEN COMMENTS

John Pressley, 1306 Brittney Ln.- Mr. Pressley spoke regarding Mansfield Cares and the donations that the organization has made over the last three years.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Council Member Short spoke regarding the Annual Charity Ball held by Mansfield Cares.

Council Member Lewis reminded everyone to vote in the primary elections.

Mayor Pro Tem Tonore thanked Mansfield Cares and Mr. Short.

Council Member Bounds spoke regarding the Annual Charity Ball held by Mansfield Cares.

Council Member Broseh had no announcements.

Mayor Evans spoke regarding Mansfield Cares and being able to serve a full term as Mayor.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Storm Water Annual Report Presentation - Julian Holmes

Stormwater Inspector Julian Holmes presented the Stormwater Annual Report to the Council.

Bond Election Update - Bernadette McCranie

Director of Communications and Outreach Bernadette McCranie presented a bond election update and answered Council questions. Chief Financial Officer Troy Lestina answered Council questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA

[22-4544](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$59,200 and Approval of a Contract with Walter P. Moore to Complete an Update to the Storm Water Management Design Manual (Drainage Utility Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$59,200 (FIFTY-NINE THOUSAND TWO HUNDRED DOLLARS) AND APPROVAL OF A CONTRACT WITH WALTER P. MOORE TO PREPARE AN UPDATE TO THE STORM WATER MANAGEMENT DESIGN MANUAL (DRAINAGE UTILITY FUND)

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3831-22

[22-4545](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$90,500.00 and Approval of a Contract with Kimley-Horn and Associates, Inc. for Engineering Concept Design Services for Eight Quiet Zone Locations along the Union Pacific Railroad (Street Bond Fund)

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

A RESOLUTION OF THE CITY OF MANSFIELD AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$90,500.00 AND APPROVAL OF A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ENGINEERING CONCEPT DESIGN SERVICES FOR EIGHT QUIET ZONE LOCATIONS ALONG THE UNION PACIFIC RAILROAD (STREET BOND FUND)

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3832-22

[22-4546](#)

Resolution - A Resolution Authorizing a Contract with Vepo, LLC, for the Online Envirotrax System for the City of Mansfield's Backflow Prevention, Customer Service Inspection, and Grease Trap Programs

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

A RESOLUTION AUTHORIZING A CONTRACT WITH VEPO, LLC FOR THE ONLINE ENVIROTRAX SYSTEM FOR THE CITY OF MANSFIELD'S BACKFLOW PREVENTION, CUSTOMER SERVICE INSPECTION, AND GREASE TRAP PROGRAMS

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3833-22

[22-4553](#)

Resolution - A Resolution Awarding a Contract for the Construction of Turner Warnell - Hunter Bend Drainage Improvements to Tex Pro Construction, LLC, and Authorizing Funding for an Amount Not to Exceed \$67,149.50 (Drainage Utility Fund)

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

A RESOLUTION AWARDED A CONTRACT FOR THE CONSTRUCTION OF TURNER WARNELL - HUNTER BEND DRAINAGE IMPROVEMENTS TO TEX PRO CONSTRUCTION, LLC FOR CONSTRUCTION, AND APPROPRIATING FUNDS; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3834-22

[22-4555](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Lease Agreement with Ellis County for the ExpressVote Ballot Marking Device to be Used in the May 7, 2022 General Election

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ELLIS COUNTY FOR THE EXPRESSVOTE MARKING DEVICE TO BE USED IN THE MAY 7, 2022, GENERAL AND SPECIAL ELECTIONS

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3835-22

[22-4559](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing the City Manager to Execute Global Opioid Settlement Documents Relating to the Teva Pharmaceutical Companies and the Endo Pharmaceutical Companies

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GLOBAL OPIOID SETTLEMENT DOCUMENTS RELATING TO THE TEVA PHARMACEUTICAL COMPANIES AND THE ENDO PHARMACEUTICAL COMPANIES

(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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3836-22

[22-4556](#)

Minutes - Approval of the February 10, 2022 Special City Council Meeting Minutes

A motion was made by Council Member Bounds to approve the minutes of the February 10, 2022 Special City Council Meeting as presented. Seconded by Council Member Broseh. 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

[22-4557](#)

Minutes - Approval of the February 14, 2022 Regular City Council Meeting Minutes

A motion was made by Council Member Bounds to approve the minutes of the February 14, 2022 Regular City Council Meeting as presented. Seconded by Council Member Broseh. 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

END OF CONSENT AGENDA

PUBLIC HEARING

22-4551

Public Hearing and Consideration of a Request for a Specific Use Permit for Auto Parts or Accessory Sales (Indoor) on Approximately 3.995 Acres out of the Temple O. Harris Survey, Abstract No. 645 and the Samuel West Survey, Abstract No. 1648, Tarrant County, TX, located at 2090 FM 157; Mark Sullivan of Ritter & Associates Real Estate (Real Estate Agent) on behalf of Clay Waterman of Southwest Auto Accessories (Business Owner) and Gary Howard of MSI Real Estate, Ltd. (Property Owner) (SUP#21-008)

Director of Planning Jason Alexander presented the item and answered Council questions. Applicant Clay Waterman, 2019 Melisa Diane Street, answered Council questions. Representative of applicant, Mark Sullivan, 1101 Pebble Beach Drive, made brief comments.

Mayor Evans opened the public hearing at 7:27 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:27 p.m.

A motion was made by Council Member Leyman to approve the request for a specific use permit to include staff's conditions. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamara Bounds

Nay: 1 - Casey Lewis

Abstain: 0

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

22-4510

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change from SF-7.5/12 to D, Downtown District, SD-1, Broad Street Corridor Zone and D-3, Urban Center Zone on Approximately 3.571 Acres Located at 708 E. Broad Street; Bannister Engineering, Engineer/Surveyor; DD Benson Development LLC, Owner (ZC#22-001)

Jason Alexander presented the item.

Mayor Evans continued the public hearing at 7:29 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:30 p.m.

A motion was made by Council Member Short 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 D, DOWNTOWN DISTRICT, SD-1, BROAD STREET CORRIDOR ZONE AND D-3, URBAN CENTER ZONE, 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 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: OR-2244-22

NEW BUSINESS

[22-4543](#)

Ordinance - First and Final Reading on an Ordinance Providing a Certain Historic Resource within the City Ad Valorem Tax Relief as Allowed by Chapter 38, "Tax Relief for Historic Structures", of the Mansfield Code of Ordinances for the 1894 Post Office Building Located at 130 N. Main Street; Jeff Delavega Investments, LLC, owner (HLC#22-002)

Jason Alexander presented the item. Planner Il Art Wright answered Council questions. Applicant Jeff Delavega answered Council questions.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, PROVIDING A CERTAIN HISTORIC RESOURCE WITHIN THE CITY AD VALOREM TAX RELIEF AS ALLOWED BY CHAPTER 38, "TAX RELIEF FOR HISTORIC STRUCTURES", OF THE MANSFIELD CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; 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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: OR-2245-22

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 7:35 p.m. Seconded by Council Member Short. 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

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary