



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, December 13, 2021

7:00 PM

Council Chambers

REGULAR MEETING

7:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 7:40 p.m.

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

INVOCATION

Sylvester (Sly) Stemley with the Fellowship of Christian Athletes 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.

A moment of silence was held for neighboring states impacted by the recent tornadoes.

PROCLAMATION

[21-4435](#)

Methodist Mansfield Medical Center 15th Anniversary

Mayor Evans read and presented a proclamation to Methodist Mansfield Medical Center President Juan Fresquez.

PRESENTATION

Bond Election Steering Committee Presentation

Bond Election Steering Committee Chair Michael Mainer presented the Committee's recommendations regarding which projects should be placed on the proposed May 2022 Bond Election. The recommendations included a multi-generational facility, linear

trails, Southwest Community Park and Skinner Sports Complex, and Miracle Field. Mayor Evans thanked the Committee members for their commitment and presented a leadership coin and certificate to each member.

CITIZEN COMMENTS

Brandon Frizzell, 2301 Eric Lane - Mr. Frizzell spoke regarding the proposed May 2022 Bond Election.

Kathryn Wilemon, 1318 Viridian Park - Ms. Wilemon spoke regarding her service on the Tarrant Appraisal District Board.

COUNCIL ANNOUNCEMENTS

Council Member Leyman spoke regarding nominating Ms. Wilemon to serve on the TAD Board and wished everyone a Merry Christmas and Happy New Year.

Council Member Short had no announcements.

Council Member Lewis personally thanked the members of the Bond Election Steering Committee for their work.

Mayor Pro Tem Tonore seconded Council Member Lewis' comments.

Council Member Bounds also seconded Council Member Lewis' comments and wished everyone a Merry Christmas.

Council Member Broseh encouraged everyone to keep Christ in Christmas and commented on how great of a city Mansfield is.

Mayor Evans seconded all comments regarding the Bond Election Steering Committee and thanked the city, City staff, volunteers, and State Representative and former Mansfield Mayor David Cook for all of the support regarding the Salvation Army Mayoral Red Kettle Challenge.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Joe Smolinski thanked the Bond Election Steering Committee and addressed the comments made by Mr. Frizzell.

PUBLIC HEARING

[21-4433](#)

Ordinance - Public Hearing and Consideration of an Ordinance Prohibiting the Use of and Contact with Groundwater from Beneath Certain Property and Facilitating Certification of a Municipal Setting Designation by the Texas Commission on Environmental Quality

Director of Water Utilities Jeff Price spoke on the item.

Mayor Evans opened the public hearing at 8:42 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:42 p.m.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS PROHIBITING THE USE OF AND CONTACT WITH DESIGNATED GROUNDWATER FROM BENEATH CERTAIN PROPERTY, LOCATED AT 1101 WEST BROAD STREET AND 204 SOUTH 6TH AVENUE, TO FACILITATE CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION OF THE PROPERTY BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 1 - Casey Lewis

Enactment No: OR-2233-21

PUBLIC HEARING AND FIRST READING

[21-4417](#)

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, D-3 Urban Center Zone on Approximately 0.398 Acres Located at 601 and 605 S. Main Street; Joseph Jenkins, owner (ZC#21-021)

Director of Planning Jason Alexander presented the item.

Mayor Evans opened the public hearing at 8:48 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:48 p.m.

A motion was made by Council Member Lewis 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 D, DOWNTOWN DISTRICT, 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

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

[21-4425](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Changed from C-2 Community Business District with Freeway Overlay District to PD, Planned Development District for all uses in C-2 Community Business District Plus Drive Through or To-Go Food Services Without Walk-in Restaurant with Freeway Overlay District on Approximately 0.656 Acres being Lot 2-R-B-1, Block No. 1, of Replat of 2-R-B-1 and 2-R-B-2, Block 1, Mansfield Hospital Add Located at 1780 FM 157 (ZC#21-013)

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 9:10 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 9:11 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 CHAPTER 155 OF THE CODE OF ORDINANCES, "ZONING," 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 ALL USES IN C-2 COMMUNITY BUSINESS DISTRICT PLUS DRIVE THROUGH OR TO GO FOOD SERVICES WITHOUT WALK-IN RESTAURANT WITH FREEWAY OVERLAY DISTRICT, 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 Leyman. 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

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

[21-4381](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the 1894 Post Office Building at 130 N. Main Street;

Jeff Delavega Investments LLC, owner

Jason Alexander presented the item.

Mayor Evans opened the public hearing at 9:14 p. With no one wishing to speak, Mayor Evans closed the public hearing at 9:14 p.m.

A motion was made by Council Member Bounds 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 GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE 1894 POST OFFICE BUILDING LOCATED AT 130 N. MAIN STREET; 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 Broseh. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2234-21

NEW BUSINESS

[21-4391](#)

Ordinance - Consideration of an Ordinance of the City of Mansfield, Texas Repealing Chapter 94 "Food Establishments and Food Handlers" and Replacing that Chapter with New Chapter 94 "Food Establishment Regulations"

Strategic Initiatives Officer Nicolette Ricciuti presented the item and answered Council questions. Joe Smolinski made brief comments.

A motion was made by Council Member Broseh to approve the following ordinance with the caveat that staff come back to Council with a fee structure:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS REPEALING CHAPTER 94 "FOOD ESTABLISHMENTS AND FOOD HANDLERS" AND REPLACING THAT CHAPTER WITH NEW CHAPTER 94 "FOOD ESTABLISHMENT REGULATIONS"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 1 - Todd Tonore

Enactment No: OR-2235-21

[21-4426](#)

Review and Consideration of a Detailed Site Plan for an Eating Place Without Drive-Through Service on 1.47 Acres known as Lot 3, Block 2, Jacob Back Addition and a Portion of Lot 1R, Block 1, Mansfield ISD Athletic Complex, Located at 1101 N. Holland Rd. and 3700 E. Broad St.; Christian J. Connors of Graham Associates, Inc. (Engineer) and Aron Fogiel of H.B. Restaurants, Inc. (Developer) on Behalf of Chad DuBose of Holland Crossing, L.P. and Jeff Brogden of Mansfield ISD (Owners) (DS#21-009)

Jason Alexander presented the item. Applicant Aron Fogiel presented and answered Council questions.

A motion was made by Council Member Short to approve the item to include staff recommendations. Seconded by Council Member Leyman. 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

[21-4431](#)

Resolution - A Resolution by the City Council of the City of Mansfield, Texas Affirming the Casting of Votes for Candidates to Serve on the Board of Directors for the Tarrant Appraisal District for the Calendar Years 2022 and 2023

Chief Financial Officer Troy Lestina presented the item and answered Council questions.

A motion was made by Council Member Leyman to approve the following resolution and allocate all 50 votes to Kathryn Wilemon:

A RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2022-2023 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF TARRANT COUNTY, TEXAS

(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-3809-21

[21-4432](#)

Resolution - A Resolution by the City Council of the City of Mansfield, Texas Affirming the Casting of Votes for Candidates to Serve on the Board of Directors for the Johnson County Appraisal District for the Calendar Years 2022 and 2023

Troy Lestina presented the item and answered Council questions.

A motion was made by Mayor Pro Tem Tonore to approve the following resolution with 39 votes being allocated to Don Beeson and 39 votes being allocated to Byron Black:

A RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2022-2023 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF JOHNSON COUNTY, TEXAS

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

Seconded by Council Member Leyman. 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-3810-21

[21-4439](#)

Resolution - A Resolution by the City Council of the City of Mansfield, Texas Affirming the Casting of Votes for Candidates to Serve on the Board of Directors for the Ellis County Appraisal District for the Calendar Years 2022 and 2023

Troy Lestina presented the item and answered Council questions.

A motion was made by Council Member Bounds to approve the following resolution with all 5 votes being allocated to John Knight:

A RESOLUTION BY THE CITY OF MANSFIELD, TEXAS, AFFIRMING THE CASTING OF VOTES IN THE 2022-2023 ELECTION OF THE BOARD OF DIRECTORS FOR THE CENTRAL APPRAISAL DISTRICT OF ELLIS COUNTY, TEXAS

(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-3811-21

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 10:05 p.m. Seconded by Mayor Pro Tem Tonore. 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