

# CITY OF MANSFIELD

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

# **Meeting Minutes - Final**

# **City Council**

Monday, January 27, 2025 3:00 PM Council Chambers

#### **REGULAR MEETING**

#### 3:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 3:00 p.m.

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

#### **WORK SESSION**

Review and Discussion of the January 27, 2025 Posted Agenda Items

Fire Chief Mike Ross and EMS Chief Kevin Sandifer answered Council questions regarding agenda item 25-6391.

#### RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:04 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:06 p.m. Mayor Evans recessed the executive session at 6:13 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 Pending Litigation - Case No. 2024-005630-2

Seek Advice of City Attorney Regarding Special Event Permit

Seek Advice of City Attorney Regarding Appraisal District Board Nominations

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

City Manager 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 #15-02

Economic Development Project #21-33

Economic Development Project #25-02

Economic Development Project #25-03

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

Mayor Evans reconvened the meeting into regular business session at 6:22 p.m.

#### **INVOCATION**

Pastor Matt Hayes of North Elevation Church gave the Invocation.

## **PLEDGE OF ALLEGIANCE**

Council Member Newsom 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 Short led the Texas Pledge.

#### **PRESENTATION**

**Tourism Friendly Texas Certified Community** 

Madeline Phillips, Office of the Governor, Economic Development and Tourism, presented the City with a Tourism Friendly Community Program Certification.

Music Friendly Texas Certified Community

Gini Mascorro, Texas Music Office, presented the City with the award of being a Music Friendly Texas Certified Community.

On behalf of State Representative David Cook, Daryle Perez recognized and read proclamations for both awards.

#### **CITIZEN COMMENTS**

Demetria Bivens, 802 Sterling Trace Drive - Ms. Bivens complimented the city on the State of the City event and spoke on the support and advocacy needed for local and small businesses.

Eric Rozak, 21 Devon Court - Mr. Rozak complimented the city of the State of the City event and spoke on the housing costs in Mansfield, multi-family, support needed for small and local businesses, and the downtown design being at 30% complete.

# **COUNCIL ANNOUNCEMENTS**

Mayor Evans remembered Harold Bell who served on the Mansfield Park Facilities Development Corporation, and Barry Howard, who was a former Council Member. He recognized State Representative David Cook in his fight to become Speaker of the Texas House, and welcomed the Leadership Mansfield class to the meeting.

#### **STAFF COMMENTS**

# City Manager Report or Authorized Representative

Current/Future Agenda Items

#### **Communications and Outreach Report**

<u>24-6367</u> Departmental Quarterly Reports

Director of Communications and Outreach Bernadette McCranie presented various communications updates.

# TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Broseh to approve the settlement agreement for Cause No. 2024-005630-2 in the County Court of Law Number 2 of Tarrant County as discussed in executive session. 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

## **CONSENT AGENDA**

24-6365

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Approving a Professional Services Contract Between the City of Mansfield, Texas and Parkhill, Inc. in an Amount Not to Exceed \$250,000 for Landscape Architecture Services at the Hardy Allmon Soccer Complex; Finding That the Meeting at Which This Resolution is Passed is Open to the public as Required by Law; And Declaring an Effective Date (MPFDC Fund)

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 A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF MANSFIELD, TEXAS AND PARKHILL, INC. IN AN AMOUNT NOT TO EXCEED \$250,000 FOR LANDSCAPE ARCHITECTURE SERVICES AT THE HARDY ALLMON SOCCER COMPLEX; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (MPFDC 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:** 7 - Larry Broseh;Todd Tonore;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0
Abstain: 0

Enactment No: RE-4302-25

25-6385

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving the Purchase of a 2026 Western Star 47x Dump Truck from Lonestar Truck Group through the Interlocal Purchasing System TIPS in an amount not to exceed \$155,758; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (Utility Fund)

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 PURCHASE OF A 2026 WESTERN STAR 47X DUMP TRUCK FROM LONESTAR TRUCK GROUP THROUGH THE INTERLOCAL PURCHASING SYSTEM TIPS IN AN AMOUNT NOT TO EXCEED \$155,758; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (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:** 7 - Larry Broseh;Todd Tonore;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0
Abstain: 0

Enactment No: RE-4303-25

25-6387

Resolution - A Resolution of the City of Mansfield, Texas Calling for a General Election to be held on May 3, 2025; Calling for a Special Election to fill a Vacancy to be Held on May 3, 2025; 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 Short to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD ("CITY"), TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 3, 2025; CALLING FOR A SPECIAL ELECTION TO FILL A VACANCY TO BE HELD ON MAY 3, 2025; APPROVING JOINT ELECTION AGREEMENTS WITH TARRANT, JOHNSON AND ELLIS COUNTIES TO FURNISH ELECTION SERVICES AND EQUIPMENT; 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: 7 - Larry Broseh;Todd Tonore;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0
Abstain: 0

Enactment No: RE-4304-25

**25-6389** 

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Awarding a Construction Contract to Humphrey & Morton Construction Company, Inc. in an Amount Not to Exceed \$2,576,156.60 for Construction of Phase 3B of the Walnut Creek Linear Park Trail; Finding That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law; And Declaring an Effective Date (GO Bonds)

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, AWARDING A CONSTRUCTION CONTRACT TO HUMPHREY & MORTON CONSTRUCTION COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$2,576,156.60

FOR CONSTRUCTION OF PHASE 3B OF THE WALNUT CREEK LINEAR PARK TRAIL; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (GO BONDS)

(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; Todd Tonore; Michael Evans; Tamera Bounds; Brent Newsom; Juan Fresquez and Julie Short

Nay: 0
Abstain: 0

Enactment No: RE-4305-25

25-6391

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Supporting the Application for, Receipt of, and Expenditure of Grant Funding from the First Responder Mental Health Program, FY 2026, Under The Victims of Crime Act (VOCA) Grant Program, Administered by the Office of the Governor of the State of Texas. The Total Amount of the Grant Shall Not Exceed \$151,400.00 and a 20% Matching Contribution, Either in Cash or In-Kind Services, Is Required; Finding that the Meeting at 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 Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, SUPPORTING THE APPLICATION FOR, RECEIPT OF, AND EXPENDITURE OF GRANT FUNDING FROM THE FIRST RESPONDER MENTAL HEALTH PROGRAM, FY 2026, UNDER THE VICTIMS OF CRIME ACT (VOCA) GRANT PROGRAM, ADMINISTERED BY THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS. THE TOTAL AMOUNT OF THE GRANT SHALL NOT EXCEED \$151,400.00 AND A 20% MATCHING CONTRIBUTION, EITHER IN CASH OR IN-KIND SERVICES, IS REQUIRED; 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 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: RE-4306-25

25-6396

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Endorsing the Implementation of a Continuing Pretreatment Program as Required by 40 CFR 403 for the Central Regional Wastewater System; Finding That the Meeting at 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 Short to approve the following resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ENDORSING THE IMPLEMENTATION OF A CONTINUING PRETREATMENT PROGRAM AS REQUIRED BY 40 CFR 403 FOR THE CENTRAL REGIONAL WASTEWATER SYSTEM; 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 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: RE-4307-25

25-6397

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Accepting a Petition for Calling a Public Hearing on the Advisability of the Improvements and Creation of the City of Mansfield Staybolt Public Improvement District Within the Corporate Limits of the City of Mansfield Pursuant to Chapter 372, Texas Local Government Code, and Authorizing the Mailing and Publication of Notice of Public Hearing

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, ACCEPTING A PETITION FOR AND CALLING A PUBLIC HEARING ON THE ADVISABILITY OF THE IMPROVEMENTS AND CREATION OF THE CITY OF MANSFIELD STAYBOLT PUBLIC IMPROVEMENT DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF MANSFIELD PURSUANT TO CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AND AUTHORIZING THE MAILING AND PUBLICATION OF NOTICE OF THE PUBLIC HEARING

(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;Todd Tonore;Michael Evans;Tamera Bounds;Brent Newsom;Juan Fresquez and Julie Short

Nay: 0

Abstain: 0

Enactment No: RE-4308-25

<u>25-6386</u> Minutes - Approval of the January 13, 2025 Regular City Council Meeting

Minutes

A motion was made by Council Member Short to approve the minutes of the January 13, 2025 Regular City Council meeting as presented. 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

#### **END OF CONSENT AGENDA**

### **PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING**

25-6368 Ordinance -

Ordinance - Public Hearing and Second and Final Reading on an Ordinance Approving a Historic Landmark Overlay District Designation for the First Methodist Church Parsonage, 1945, located at 105 North 1st Avenue; Matt Crocker of 105 N. 1st Avenue LLC, owner (HLC#24-010)

Assistant Director of Planning Arty Wheaton-Rodriguez presented the item.

Mayor Evans continued the public hearing at 7:01 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:01 p.m.

A motion was made by Mayor Pro Tem Tonore to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155 ("ZONING") OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE FIRST METHODIST CHURCH PARSONAGE; 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 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: OR-2406-25

25-6369

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from 2F, Two-Family Residential District and SF-7.5/12, Single-Family District to D, Downtown District, D-1, Sub-Urban Zone, situated on Lots 1R and 2R of Block 37 and Lots 1R and 2R of Block 36, Original Town of Mansfield, Tarrant County, TX, generally located near the intersection of S. 4th Avenue and W. Kimball Street, and addressed as 501, 502, 503, and 504 W. Kimball Street.; City of Mansfield, Applicant (ZC#24-015)

Arty Wheaton-Rodriguez presented the item.

Mayor Evans continued the public hearing at 7:03 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:03 p.m.

A motion was made by Council Member Broseh 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, D-1, SUB-URBAN 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 Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh;Todd Tonore;Michael Evans;Tamera Bounds;Brent Newsom and Juan Fresquez

**Nay**: 0

Abstain: 1 - Julie Short

Enactment No: OR-2407-25

#### **NEW BUSINESS**

25-6388

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Third Amendment to the Professional Services Agreement with Perkins and Will for the Multi-Purpose Sports Venue in an amount not to exceed \$364,850; 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, TIRZ #4)

Executive Director of Economic Development Jason Moore presented the item.

A motion was made by Mayor Pro Tem Tonore to approve the following

resolution:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PERKINS AND WILL FOR THE MULTI-PURPOSE SPORTS VENUE IN AN AMOUNT NOT TO EXCEED \$364,850; 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, TIRZ #4)

(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-4309-25

<u>25-6393</u> Request for Special Event Permit: Mansfield Pickle Parade and Palooza

Chief of Staff Faith Morse presented the item.

A motion was made by Council Member Newsom to approve the Special Event Permit. Seconded by Council Member Fresquez. 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

25-6395 Request for Downtown Activation Grant Funding: Mansfield Pickle Parade and Palooza

Faith Morse presented the item and answered Council questions.

A motion was made by Council Member Bounds to approve the Request for Downtown Activation Grand Funding. 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

#### **ADJOURN**

A motion was made by Council Member Newsom to adjourn the meeting at 7:10 p.m. 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

	Michael Evans, Mayor
ATTEST:	
	Susana Marin. Citv Secretar