



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

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Monday, February 8, 2021

4:00 PM

Council Chambers

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#### REGULAR MEETING

#### **4:00 P.M. - CALL MEETING TO ORDER**

*Mayor Evans called the meeting to order at 4:01 p.m.*

*Mayor Evans advised the public they could participate during the meeting by registering through the link provided on the posted agenda or by phone. He also advised the public could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin.*

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

#### **RECESS INTO EXECUTIVE SESSION**

*In accordance with the Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:04 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:06 p.m. Mayor Evans adjourned executive session at 7:37 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 Legal Duties, Responsibilities, and Authority of Elected Officials

Seek Advice of City Attorney on Matters Relating to HIPPA Protected Information

Seek Advice of City Attorney Regarding Legal Issues Relating to Governmental Procurement

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

Possible Land Sale of MEDC Owned Property in the Mansfield International Business Park

#### **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**

Economic Development Project 21-02

**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 into regular business session at 7:42 p.m.*

**INVOCATION**

*Rush Creek Church Pastor Scott Oldenburg 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 Short led the Texas Pledge.*

**PRESENTATION**

Recognition of Outgoing Mayor Pro Tem

*Former Mayor David Cook recognized outgoing Mayor Pro Tem Short for her leadership and service.*

**CITIZEN COMMENTS**

*Carmin MacMillan - 751 N Main Street - Ms. MacMillan spoke regarding the Feed the Need Food Drive benefiting the Mansfield Mission Center and thanked the Council and the community for their efforts in raising over 75,000 items of food and \$10,000 in donations.*

**COUNCIL ANNOUNCEMENTS**

*Mayor Pro Tem Leyman had no announcements.*

*Council Member Short noted the Mayor and herself spent time at Mary Lou's Coffee Shop on Saturday, February 6, 2021 to collect donations of food for the food drive.*

*Council Member Lewis stated he appreciates the Historic Mansfield Business Associated for putting on the Food Drive and would like it to be an annual event.*

*Council Member Tonore agreed with his fellow Council Members and thanked the citizens for their donations.*

*Council Member Bounds stated it was game on next year and recognized everyone's hard work on the Food Drive.*

*Council Member Broseh had no announcements.*

*Mayor Evans had no announcements.*

## **STAFF COMMENTS**

### **City Manager Report or Authorized Representative**

Current/Future Agenda Items

Internship Program Update - Nicolette Allen

*Assistant to the City Manager Nicolette Allen gave a brief update on the internship program and noted the City is in the process of hiring four new interns. Nicolette introduced current intern Briana "Bri" Date, who spoke regarding her internship experience with the City. City Manager Joe Smolinski recognized Bri for her great work.*

Neighborhood Leadership Roundtable Update - Bernadette McCranie

*Assistant to the City Manager Bernadette McCranie gave an update regarding the Neighborhood Leadership Roundtable and answered Council questions.*

### **Police Department Report**

[21-3943](#)

Presentation of the Mansfield Police Department Annual Contact Report for 2020

*Police Chief Tracy Aaron presented the annual contract report and answered Council questions. Mayor Evans recognized and thanked Chief Aaron for his service to the city.*

## **TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**A motion was made by Council Member Short to authorize the City Manager to make application for the grant discussed in executive session. 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

**A motion was made by Council Member Tonore to approve the MEDC to negotiate LOI's as discussed in executive session. Seconded by Mayor Pro Tem Leyman. The motion CARRIED by the following vote:**

**Aye:** 5 - Larry Broseh;Julie Short;Mike Leyman;Todd Tonore and Michael Evans

**Nay:** 2 - Casey Lewis and Tamera Bounds

**Abstain:** 0

### **CONSENT AGENDA**

#### **[21-3946](#)**

Resolution - A Resolution by the City Council of the City of Mansfield, Texas Authorizing the City Manager to enter into an Interlocal Agreement with the City of Midlothian for the Purpose of Cooperative Purchase of Goods, Products and/or Services

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF MIDLOTHIAN FOR THE PURPOSE OF COOPERATIVE PURCHASE OF GOODS, PRODUCTS AND/OR SERVICES**

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3723-21

#### **[21-3939](#)**

Minutes - Approval of the January 25, 2021 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the January 25, 2021 Regular City Council Meeting as presented. 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

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

[21-3938](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funding from The Criminal Justice Department (CJD) of the Governor's Office of the State of Texas to Upgrade the In-Car Video Equipment of the Following Police Divisions: Patrol, Traffic, Commercial Vehicle Enforcement, and Community Resource

*Council Member Bounds removed this item from the consent agenda. Chief Aaron answered Council questions.*

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

**A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE JUSTICE ASSISTANCE GRANT (JAG) OF THE GOVERNOR'S OFFICE OF TEXAS TO UPGRADE THE IN-CAR VIDEO EQUIPMENT OF POLICE DEPARTMENT UNITS. THE AMOUNT OF THE AWARD WILL NOT EXCEED \$176,610 AND DOES NOT REQUIRE A MATCH**

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

**Seconded by Mayor Pro Tem 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-3724-21

### **END OF CONSENT AGENDA**

### **NEW BUSINESS**

[21-3941](#)

Ordinance - Approval of an Ordinance of the City Council of the City of Mansfield, Texas Authorizing the Issuance and Sale of City of Mansfield, Texas, Waterworks and Sewer System Revenue Bonds, Series 2021; Providing for the Security for and Payment of Said Bonds; Prescribing the Form of Said Bonds; Approving Execution and Delivery of a Deposit Agreement; Approving the Official Statement; Approving an Engagement Letter and Enacting Other Provisions Relating Thereto

*Director of Finance Troy Lestina introduced Hilltop Securities representatives Nick Bulaich and Boyd London, the City's financial advisors, as well as Bracewell representative Robert Collins, the City's bond attorney. Nick gave a presentation on*

*the bond sale overview/plan of finance, bid tab, and the final refunding results. Troy, Nick, and the Director of Utilities Jeff Price answered Council questions. Council Member Short, Mayor Pro Tem Leyman, and City Manager Joe Smolinski recognized Troy's efforts. Joe also recognized City staff.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2021, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$7,425,000; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; APPROVING EXECUTION AND DELIVERY OF A DEPOSIT AGREEMENT; APPROVING THE OFFICIAL STATEMENT; APPROVING AN ENGAGEMENT LETTER; AND ENACTING OTHER PROVISIONS RELATING THERETO**

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

**Seconded by Council Member Lewis. 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-2200-21

[21-3942](#)

Ordinance - Approval of an Ordinance of the City of Mansfield, Texas Amending Chapter 38, "Taxation and Finance" of the Code of Ordinances of Mansfield, Texas by Amending Provisions Related to Payment and Collection of the Hotel Occupancy Tax Levied by the City Pursuant to the Texas Tax Code; Providing That This Ordinance Shall be Cumulative of all Ordinances; Providing a Severability Clause; Providing a Penalty for Violation; and Providing an Effective Date

*Troy Lestina clarified the amendments to Chapter 38, "Taxation and Finance" of the City's Code of Ordinances, which included changing the taxes to be paid to the City from a quarterly basis to a monthly basis, updating the use of funds, and updating internet providers.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 38, "TAXATION AND FINANCE" OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS BY AMENDING PROVISIONS RELATED TO PAYMENT AND COLLECTION OF THE HOTEL OCCUPANCY TAX LEVIED BY THE CITY PURSUANT TO THE TEXAS TAX CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; 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-2201-21

[21-3945](#)

Ordinance - Approval of an Ordinance Requesting to Abandon Two Permanent Drainage Easements Relating to the Somerset Phase Three Addition to Bloomfield Homes, L.P.

*Director of Public Works Bart VanAmburgh gave a brief presentation.*

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

**AN ORDINANCE VACATING AND ABANDONING A 0.741 ACRE VARIABLE WIDTH DRAINAGE EASEMENT AND A 1.630 ACRE VARIABLE WIDTH DRAINAGE EASEMENT IN THE CRESANTO VELA SURVEY, ABSTRACT NO 851, CITY OF MANSFIELD, JOHNSON COUNTY, TEXAS, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID DRAINAGE EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE**

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2202-21

[21-3944](#)

Discussion - A Discussion by the City Council of the City of Mansfield, Texas to Determine Nominating a Candidate to Serve as a Board Member for Ellis County Appraisal District for Calendar Year 2021

*Troy Lestina provided background information, recommended the Council not nominate a candidate to serve as Board Member at this time, and answered Council questions.*

**ADJOURN**

A motion was made by Council Member Bounds to adjourn the meeting at 9:07 p.m. Seconded by Mayor Pro Tem 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

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ATTEST: Michael Evans, Mayor

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Susana Marin, City Secretary