



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, January 10, 2022

4:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Evans called the meeting to order at 4:00 p.m.

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

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:01 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:04 p.m. Mayor Evans adjourned the executive session at 7:22 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

Personnel Matters Pursuant to Section 551.074

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 #21-09

Economic Development Project #21-28

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 7:29 p.m.

INVOCATION

Monte Thompson, Student Body President at Lake Ridge High School, gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Lewis 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.

PROCLAMATION

[21-4454](#)

Orion Jean "Spreading Kindness"

This item was postponed until the January 24, 2022 City Council Meeting.

PRESENTATIONS

Presentation of the Salvation Army Red Kettle Mayoral Challenge Trophy

Lt. Konstantin Maslenikov and Lt. Anna Maslenikov from the Salvation Army of Arlington and Mansfield presented the Salvation Army Red Kettle Mayoral Challenge Trophy to Mayor Michael Evans and the City of Mansfield. Mayor Evans thanked all who rang the bell and helped to raise money on December 11, 2021, thanked Texas

House Representative and former Mayor David Cook for his assistance in raising funds, and thanked City staff for their work. David Cook thanked the community and City Secretary Susana Marin for her work.

Presentation and Recognition of NationalWay Association

David Cook presented a \$25,000.00 donation to the Salvation Army from NationalWay Association as part of the Mayoral Challenge. Cory Hoffman with NationalWay Association spoke on the donation. NationalWay Association also presented a \$25,000.00 donation to the Mansfield Mission Center. Carmin MacMillan spoke regarding the Mansfield Mission Center.

Presentation from the Veterans Memorial and Tribute Foundation

David Cook spoke in support of placing the Veterans Memorial as a proposition on the proposed 2022 bond election ballot. Members of the Mansfield Veterans Memorial and Tribute Foundation spoke in favor of including the Veterans Memorial as a proposition on the proposed 2022 bond election ballot.

CITIZEN COMMENTS

Wendy Burgess - Ms. Burgess spoke in support of including the Veterans Memorial on the proposed 2022 bond election ballot.

Mayor Evans recognized the following non-speakers who submitted emails in support of placing the Veterans Memorial on the proposed 2022 bond election ballot:

*Tim Milligan
Brent Newsom
William Perdue
Anne Weydeck
Brian Newsom
Gerrald Soto
Rich Stoglin
Nadyne Newsom
Kha Vo
Brian and Jeanetta Racy
Garrett Hawkins
Michael Tindall
Matt Hayes
Tuesday Smith
Linda Halverson
Michael Held
Bill Long
Shelene Anderson
Rick Weintraub
Faith Lee
Leonard Williams
David Horn
Patrick Opoku
Deena Walker
Ed Manning
Art Hull
Daniel Mercer*

Joe Conley
Juan De La Cruz
Michael Siersema
Bill Ray
Ron Brown
Ann Rupe
Earl Armistead
Rich Costello
Reagan Newsom
Ken Etley
Will Meek
Jonathan Schweter
Fil Sanchez
Kevin Flynn
Kiel Sobey
Alan Robart
Armand Auger
Carol Cooper
Melvin Cooper
Dr. Martin Anerino
Richard Pettit
Charles Rucker
Charles Colston
Kathy Tucker
Brenda Hazzard
Madison Newsom
Jeffery Hall
Rosalind Harris
George Horner
William Hill

COUNCIL ANNOUNCEMENTS

Council Member Leyman thanked former Council Member Wendy Burgess for her role in the Police and Fire Memorial outside of City Hall, thanked the Mansfield Veterans Memorial and Tribute Foundation for their presentation, and spoke on the proposed Veterans Memorial.

Council Member Short had no announcements.

Council Member Lewis had no announcements.

Mayor Pro Tem Tonore had no announcements.

Council Member Bounds had no announcements.

Council Member Broseh had no announcements.

Mayor Evans had no announcements.

SUB-COMMITTEE REPORTS

[21-4448](#)

Minutes - Approval of the December 9, 2021 Public Memorials
Sub-Committee Meeting Minutes (vote will be only by members of the

sub-committee: Leyman (Chair), Evans, and Broseh)

A motion was made by Council Member Leyman to approve the minutes of the December 9, 2021 Public Memorials Sub-Committee Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh; Mike Leyman and Michael Evans

Nay: 0

Abstain: 0

Non-Voting: 4 - Julie Short; Casey Lewis; Todd Tonore and Tamera Bounds

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

2022 Health Inspections Program Fees Update - Nicolette Ricciuti

Strategic Initiatives Officer Nicolette Ricciuti presented an update regarding the revised health inspection program fees.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Short to approve authorizing the City Manager to negotiate and execute an agreement for Project #21-09 as 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

CONSENT AGENDA

[21-4457](#)

Ordinance - An Ordinance of the City of Mansfield, Texas Amending Sections of Chapter 94 "Food Establishments and Food Handlers" of the City of Mansfield, Texas Code of Ordinances

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 94 "FOOD ESTABLISHMENTS AND FOOD HANDLERS"; 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 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-2236-22

[21-4458](#)

Ordinance - An Ordinance of the City Of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City Of Mansfield, Texas, Code Of Ordinances

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 111, "PEDDLERS AND SOLICITORS" BY REVISING THE HOURS ALLOWED FOR SOLICITATION OR CANVASSING ACTIVITY AT A RESIDENCE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL CITY NEWSPAPER; AND ESTABLISHING 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-2237-22

[21-4451](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Approving and Authorizing Execution of a Participation Agreement and Trust Instrument for Participation in a Public Funds Investment Pool, Designating the Board of Trustees of the Pool as an Agency, and Instrumentality to Supervise the Pool, Approving Investment Policies of the Pool, Appointing Authorized Representatives and Designating Investment Officers

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS

APPROVING AND AUTHORIZING THE EXECUTION OF A PARTICIPATION AGREEMENT AND TRUST INSTRUMENT FOR PARTICIPATION IN A PUBLIC FUNDS INVESTMENT POOL, DESIGNATING THE BOARD OF TRUSTEES OF THE POOL AS AN AGENCY AND INSTRUMENTALITY TO SUPERVISE THE POOL, APPROVING INVESTMENT POLICIES OF THE POOL, APPOINTING AUTHORIZED REPRESENTATIVES AND DESIGNATING INVESTMENT OFFICERS

(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-3812-22

[21-4455](#)

Resolution - A Resolution Approving a Construction Agreement with Reynolds Asphalt and Construction Company for Roadway Improvements on Portions of Britton Road, Lone Star Road and South 2nd Avenue; Authorizing the City Manager to Execute Contract Documents; and Authorizing Funding in an amount not to exceed \$950,000.00 (Mansfield Economic Development Corporation)

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

A RESOLUTION APPROVING A CONSTRUCTION AGREEMENT WITH REYNOLDS ASPHALT AND CONSTRUCTION COMPANY FOR ROADWAY IMPROVEMENTS ON PORTIONS OF BRITTON ROAD, LONE STAR ROAD AND SOUTH 2ND AVENUE; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$950,000.00

(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-3813-22

[21-4449](#)

Minutes - Approval of the December 13, 2021 3:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the December 13, 2021 3:00 p.m. City Council Meeting Minutes 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

[21-4450](#)

Minutes - Approval of the December 13, 2021 7:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the December 13, 2021 7:00 p.m. City Council Meeting Minutes 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

END OF CONSENT AGENDA

PUBLIC HEARING

[21-4453](#)

Public Hearing and Consideration of a Request for a Specific Use Permit for an Eating Place with Drive-Through Service on Approximately 1.921 Acres out of the James Grimsley Survey, Abstract No. 578, Tarrant County, TX, Including all of Lot 4, Block 2, Weatherford Addition, Located at 1570 E. Debbie Ln.; Priya Acharya of Wier & Associates, Inc. (Engineer) and Getra Sanders of Chick-fil-A, Inc. (Developer) on Behalf of Edgar Guevara of BDR Realty LLC and Morreta A. & James A. Weatherford of Deblock, Ltd. (Owners) (SUP#21-007)

Director of Planning Jason Alexander presented the request and answered Council questions. Assistant Director of Public Works - Transportation David Boski answered Council questions.

Mayor Evans opened the public hearing at 8:34 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:34 p.m.

A motion was made by Council Member Lewis to approve the request for a specific use permit. 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 AND FIRST READING[21-4452](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from C-2, Community Business District, and 2F, Two-Family Residential District, to PD, Planned Development District, for Warehouse/Distribution Uses on Approximately 19.99 Acres out of the F.B. Waddell Survey, Abstract No. 1658, Tarrant County, TX, Located on the South Side of Mouser Way, Approximately 2,000 Feet East of FM 157 and Approximately 1,550 Feet West of U.S. 287; Gary Riner of FRS Design Group, Inc. (Architect) and Bill Baird of Baird, Hampton & Brown, Inc. (Engineer) on Behalf of Pete Shopp of Mouser Electronics, Inc. (Owner/Developer) (ZC#21-017)

Jason Alexander presented the item. Bill Baird, engineer, and Gary Riner, architect, answered Council questions. Applicant Pete Shopp discussed the request and answered Council questions.

Mayor Evans opened the public hearing at 8:47 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 8:48 p.m.

A motion was made by Council Member Broseh to approve the first reading of the following ordinance with the directions that staff have provided:

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 WAREHOUSE AND DISTRIBUTION USES, 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 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

Enactment No: OR-2241-22

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL 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)

Jason Alexander presented the item.

Mayor Evans continued the public hearing at 8:52 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:52 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, 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-2238-22

[21-4425](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Zoning Change 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. David Boski answered Council questions.

Mayor Evans continued the public hearing at 9:03 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 9:04 p.m.

A motion was made by Council Member Short to approve 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

(Ordinance 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: OR-2239-22

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 9:04 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