



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, December 13, 2021

3:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Evans called the meeting to order at 3:03 p.m.

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

WORK SESSION

Discussion Regarding a Prospective Baseball Complex

Developers with Arizon Building Systems presented their project concept of a baseball complex and answered Council questions. Director of Community Services Matt Young, Assistant City Manager Matt Jones, and Director of Building Services Wade McLaurin answered Council questions.

Discussion Regarding the Pilot Parklet Program

Strategic Initiatives Officer Nicolette Ricciuti summarized the pilot parklet program in downtown Mansfield, gave an update on the current status of the parklets, and presented program options moving forward.

Recreation Center and Library Feasibility Study Update

Matt Young presented an update on the recreation center and library feasibility study and answered Council questions. He discussed the process and schedule of the study, outreach efforts, top priorities, the budget, study recommendations, and operations of the facility.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:39 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:49 p.m. Mayor Evans adjourned the executive session at 7:11 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

Seek Advice of City Attorney Regarding Chapter 111 "Peddlers and Solicitors" of the Mansfield Code of Ordinances

Seek Advice of City Attorney Regarding the Holland Road Construction Contract

Seek Advice of City Attorney Regarding City Owned Public/Private Partnership Agreements

Seek Advice of City Attorney Regarding Legal Constraints for Determining the Cost of City Services

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

Land Acquisition for Future Development

Easement Acquisition for the Hwy. 287 Utility Relocation Improvements

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 #14-06

Economic Development Project #21-09

Economic Development Project #21-28

Economic Development Project #21-38

Economic Development Project #21-40

**IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO
REGULAR BUSINESS SESSION**

Mayor Evans reconvened the meeting into regular business session at 7:17 p.m.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Director of Public Records and Transparency Erin Onyon spoke briefly on the resolution her department has put forth before the Council regarding the approval of electronic storage of original records.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Lewis to authorize the City Manager to negotiate and execute a contract as discussed in executive session in reference to Project Number 21-09. 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

[21-4394](#)

Ordinance - Consideration of an Ordinance of the City of Mansfield, Texas Amending Section 110.31 of Chapter 110, "General Provisions" Regarding Child Care Facilities 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 SECTION 110.31 OF CHAPTER 110, "GENERAL PROVISIONS," REGARDING CHILD CARE FACILITIES AND REGARDING HEALTH AND SAFETY REQUIREMENTS IN CHILDCARE FACILITIES; AMENDING AND CREATING NEW SECTIONS 110.23, 110.33, AND 110.34 REGARDING INSPECTION, PERMIT FEES, AND LIABILITY; RENUMBERING SECTION 110.34 COMMENSURATE WITH THE PRIOR CHANGES; 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-2231-21

[21-4428](#)

Ordinance - Consideration and Approval of an Ordinance to Adopt a Proposed Modification to Title XV "Land Usage" of the Mansfield Code of Ordinances Chapter 158, "Standards, Registration, and Inspection Requirements for Multi-Family Dwelling Complexes"

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS MODIFYING TITLE XV, "LAND USAGE" OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD TO CREATE A NEW CHAPTER 158, "STANDARDS, REGISTRATION, AND INSPECTION REQUIREMENTS FOR MULTI-FAMILY DWELLING COMPLEXES," AND THE SECTIONS THEREIN; 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-2232-21

[21-4409](#)

Resolution - A Resolution Authorizing the City of Mansfield, Texas to Enter into a Chapter 380 Agreement with Normandy Homes, LLC for the Purpose of Promoting Economic Development Within the City of Mansfield, Texas; and Approving Other Matters Related Thereto

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

A RESOLUTION AUTHORIZING THE CITY OF MANSFIELD, TEXAS TO ENTER INTO A CHAPTER 380 AGREEMENT WITH NORMANDY HOMES, LLC FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT WITHIN THE CITY OF MANSFIELD, TEXAS; AND APPROVING OTHER MATTERS RELATED THERETO

(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-3802-21

[21-4436](#)

Resolution - A Resolution Awarding a Contract for the Construction of the Hwy. 287 Utility Relocation Improvements to Blackrock Construction and Authorizing Funding for an Amount Not to Exceed \$2,589,343.40 (Utility Fund)

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

A RESOLUTION AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE HWY. 287 UTILITY RELOCATION IMPROVEMENTS TO BLACKROCK 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 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-3804-21

[21-4440](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving Electronic Storage of Original Records

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, ADOPTING A POLICY FOR THE ELECTRONIC STORAGE OF CITY RECORD DATA

(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-3807-21

[21-4441](#)

Resolution - A Resolution Awarding Contracts for the Construction of Holland Road Phase 2 Improvements (Stonebriar Trail to Garden Path Lane) to Ed Bell Construction Company for Construction, to Brittain and Crawford, LLC for Surveying and to Fugro Consultants, Inc. for Material Testing and Authorizing Funding for an Amount Not to Exceed \$14,357,840.11 (Street Bond Fund, Utility Fund and Drainage Fund)

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

A RESOLUTION AWARDED CONTRACTS FOR THE CONSTRUCTION OF HOLLAND ROAD PHASE 2 IMPROVEMENTS (STONEBRIAR TRAIL TO GARDEN PATH LANE) TO ED BELL CONSTRUCTION COMPANY FOR CONSTRUCTION, TO BRITTAİN AND CRAWFORD, LLC FOR SURVEYING, AND TO FUGRO CONSULTANTS, INC. FOR MATERIAL TESTING; 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 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-3808-21

[21-4427](#)

Minutes - Approval of the November 8, 2021 Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the minutes of the November 8, 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

[21-4392](#)

Ordinance - Consideration of an Ordinance of the City of Mansfield, Texas Modifying Section 92.10 "Fee Schedule Adopted by Reference" of the City of Mansfield, Texas, Code of Ordinances; Updating Reference to Inspecting

Entity

Council Member Bounds removed this item from the consent agenda. Nicolette Ricciuti answered Council questions. City Manager Joe Smolinski and City Attorney Drew Larkin spoke regarding the item.

A motion was made by Council Member Bounds to approve the following ordinance as presented, subject to amending the multi-family rental registration fee per unit from \$35 to \$15:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS PROVIDING A PROCESS TO ADOPT A CODE COMPLIANCE DEPARTMENT FEE SCHEDULE, AND ADOPTING AN INITIAL SCHEDULE FOR INSPECTION AND SAFETY FEES; 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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: OR-2229-21

[21-4393](#)

Ordinance - Consideration of an Ordinance of the City of Mansfield, Texas Amending Sections of Chapter 92, "Health and Sanitation," Regarding Public Swimming Pools and Spas of the City of Mansfield, Texas, Code of Ordinances

Council Member Leyman removed this item from the consent agenda. Nicolette Ricciuti answered Council questions.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING SECTIONS OF CHAPTER 92, "HEALTH AND SANITATION," REGARDING PUBLIC SWIMMING POOLS AND SPAS TO CORRECTLY NAME AND IDENTIFY CURRENT REGULATORY AUTHORITY; 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-2230-21

[21-4434](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving a Chapter 380 Agreement Between the City of Mansfield and Mouser Electronics, Inc.; Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date

Council Member Lewis removed this item from the consent agenda. Director of Economic Development Richard Nevins answered Council questions. Drew Larkin spoke on the item.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A CHAPTER 380 AGREEMENT BETWEEN THE CITY OF MANSFIELD AND MOUSER ELECTRONICS, INC.; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

(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-3803-21

[21-4437](#)

Resolution - A Resolution to Consider Awarding an Annual Contract to Earthworks, Inc. in the Amount of \$235,905 for Grounds Maintenance of Developed and Undeveloped Park Sites, City Properties and Municipal Sites

Council Member Leyman removed this item from the consent agenda. Matt Young answered Council questions.

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

A RESOLUTION TO CONSIDER AWARDING AN ANNUAL CONTRACT TO EARTHWORKS, INC. IN THE AMOUNT OF \$235,905 FOR GROUNDS MAINTENANCE OF DEVELOPED AND UNDEVELOPED PARK SITES, CITY PROPERTIES AND MUNICIPAL SITES

(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-3805-21

[21-4438](#)

Resolution - A Resolution to Consider Executing a Consultant Agreement with Parkhill | Schrickel Rollins in the Amount of \$76,500 for Master Planning Services Related to Katherine Rose Memorial Park

Council Member Leyman removed this item from the consent agenda. Matt Young answered Council questions.

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

A RESOLUTION TO CONSIDER EXECUTING A CONSULTANT AGREEMENT WITH PARKHILL | SCHRICKEL ROLLINS IN THE AMOUNT OF \$76,500 FOR MASTER PLANNING SERVICES RELATED TO KATHERINE ROSE MEMORIAL PARK

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

Nay: 0

Abstain: 0

Enactment No: RE-3806-21

END OF CONSENT AGENDA

RECESS INTO EXECUTIVE SESSION

Mayor Evans recessed the meeting at 7:40 p.m. Mayor Evans reconvened the meeting at 10:06 p.m. In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 10:06 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 10:12 p.m. Mayor Evans adjourned the executive session at 10:57 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

Seek Advice of City Attorney Regarding Chapter 111 "Peddlers and Solicitors" of the Mansfield Code of Ordinances

Seek Advice of City Attorney Regarding the Holland Road Construction Contract

Seek Advice of City Attorney Regarding City Owned Public/Private Partnership Agreements

Seek Advice of City Attorney Regarding Legal Constraints for Determining the Cost of City Services

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

Land Acquisition for Future Development

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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 #14-06

Economic Development Project #21-09

Economic Development Project #21-28

Economic Development Project #21-38

Economic Development Project #21-40

IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened the meeting into regular business session at 11:00 p.m.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Short to authorize the City Manager to continue negotiations on Project #21-38. 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

ADJOURN

A motion was made by Council Member Short to adjourn the meeting at 11:01 p.m. 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

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary