



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

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Monday, June 28, 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 4:00 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 Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:02 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:07 p.m. Mayor Evans adjourned the executive session at 7:05 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 Store Master Funding VIII, LLC Ground Lease Agreement

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

Right-of-Way Acquisition for the Day Miar Road Project

Land Acquisition for Future Development

#### **Personnel Matters Pursuant to Section 551.074**

Evaluation of City Secretary

Evaluation of City Attorney

**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 #21-21

Economic Development Project #21-22

**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 7:15 p.m.*

**INVOCATION**

*Bethlehem Baptist Church Reverend Leonard Hornsby 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**

Presentation to Council from Representative David L. Cook

*State Representative David L. Cook presented Mayor Evans and each Council Member with a resolution on behalf of the State of Texas, congratulating them on their election or re-election to the Mansfield City Council. Representative Cook and City Manager Joe Smolinski made brief comments.*

**PROCLAMATION**

[21-4148](#) Proclamation - Park and Recreation Month

*Mayor Evans read and presented the Park and Recreation Month proclamation to Director of Community Services Matt Young and Mansfield Parks and Recreation staff.*

**CITIZEN COMMENTS**

*There were no citizen comments.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Leyman had no announcements.*

*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 announced that the local blood supply has reached its lowest level in 30 years and encouraged those who are eligible and willing to donate blood. Mayor Evans thanked Director of Community Engagement Theresa Cohagen and Director of Communications and Outreach Bernadette McCranie, as well as their staff, for making sure Mansfield citizens are well aware of the upcoming 4th of July celebration and the hard work they have put into the event.*

**STAFF COMMENTS****City Manager Report or Authorized Representative**

Current/Future Agenda Items

*Bernadette McCranie provided a brief update regarding the Mansfield Rocks Weekend.*

Vaccination Clinic Update - Kevin Sandifer

*Joe Smolinski, Fire Chief Mike Ross, and Council presented EMS Chief Kevin Sandifer with the Jesse Fernandez Front-Line Leadership Award for the outstanding service he's provided to the Mansfield community and City staff throughout the last year. Kevin made brief comments and gave a brief update regarding the City's COVID-19 vaccination clinic.*

FY 2021 GFOA Distinguished Budget Award - Troy Lestina

*Director of Finance Troy Lestina stated the City has received the FY 2021 GFOA Distinguished Budget Award and made brief comments.*

### **Business Services Department Report**

21-4145      Presentation of the Monthly Financial Report for the Period Ending May 31, 2021

*Troy Lestina was available for questions.*

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

**A motion was made by Council Member Lewis to authorize staff to continue negotiations for the right-of-way acquisition as discussed in executive session. 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

**A motion was made by Council Member Short to authorize the City Manager or his designee to amend the ground lease agreement with Store Master Funding VIII, LLC, according to discussions in executive session. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 1 - Mike Leyman

**Abstain:** 0

### **CONSENT AGENDA**

21-4144      Resolution - A Resolution Approving an Amendment to the Contract for Design Services with Wier and Associates, Inc. for Day Miar Road (East Broad Street to Seeton Road) for an Amount Not to Exceed \$36,500.00 (Street Bond Fund)

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

**A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT FOR DESIGN SERVICES WITH WIER AND ASSOCIATES, INC. FOR DAY MIAR RD. (EAST BROAD ST. TO SEETON RD.) FOR AN AMOUNT NOT TO EXCEED \$36,500.00**

**(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-3761-21

**21-4146**

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive and Expend Grant Funding from the Texas Department of Motor Vehicle Crime Prevention Authority to Continue a Multi-Agency Task Force

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

**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE TEXAS DEPARTMENT OF MOTOR VEHICLES MOTOR VEHICLE CRIME PREVENTION AUTHORITY TO CONTINUE A MULTI-AGENCY TASK FORCE**

(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-3762-21

**21-4143**

Minutes - Approval of the June 14, 2021 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the June 14, 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

**END OF CONSENT AGENDA**

**PUBLIC HEARING AND FIRST READING**

21-4140

Ordinance - Public Hearing and First Reading on an Ordinance Approving on a Zoning Change from SF-7.5/16 and SF-12/22 Single-Family Residential Districts to PD Planned Development District for Single-Family Residential Uses on Approximately 47.72 Acres out of the Arthur Gibson Survey, Abstract No. 302; Johnson County, Texas, Generally Located Approximately 1,650 Feet East of FM 917 and Approximately 2,700 Feet North of Bedford Road by Ben Luedtke on Behalf of M3 Ranch Development, Inc., Developer and M3 Ranch Land Investment, Owner (ZC#21-005)

*Director of Planning Jason Alexander presented the item and answered Council questions. Planner II/Gas Well Coordinator Art Wright clarified an issue regarding the drill site located on the property. Applicant Ben Luedtke, 3001 Knox Street, Dallas, gave a presentation and answered questions. Mayor Evans opened the public hearing at 8:33 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 8:34 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 SINGLE-FAMILY RESIDENTIAL 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 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 Tamara Bounds

**Nay:** 0

**Abstain:** 0

**NEW BUSINESS**21-4142

Ordinance - Consideration of an Ordinance Requesting the Abandonment of a Portion of House Road Right-of-Way Relating to the Watson Branch Phase One Addition to R.C.M. Watson Branch Partners, LP and Mouser Electronics, Inc., and Reserving a Public Utility Easement

*City Engineer Raymond Coffman presented the item and answered Council questions.*

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

**AN ORDINANCE VACATING AND ABANDONING A PORTION OF RIGHT-OF-WAY**

ALONG HOUSE ROAD, AND RESERVING A PUBLIC UTILITY EASEMENT FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE QUITCLAIM DEEDS RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID RIGHT-OF-WAY; AND PROVIDING FOR 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:** 7 - Larry Broseh;Julie Short;Mike Leyman;Casey Lewis;Todd Tonore;Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2210-21

#### 21-4147

Discussion and Possible Action Regarding Supplemental Information in the Council Candidate Application Packet

*Mayor Evans presented the item. Council Member Bounds made a suggestion to revise the last sentence of the Election Candidate Qualifications document. Council Member Short suggested question number one on the Election Candidate Qualifications also ask the potential candidate to include the dates they have lived at the residential address(es) they list on the form. City Attorney Allen Taylor, Mayor Evans, and Susana Marin answered questions.*

**A motion was made by Council Member Broseh to approve the addition of the supplemental information to the City Council Candidate Packet with the changes as suggested by Council Member Bounds and Council Member Short. 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

#### 21-4149

Discussion and Possible Action Regarding Sustainability Goals for the City of Mansfield, Texas

*Council Member Lewis presented the item and stated he would like to begin discussions regarding the creation of a formal policy for building sustainability and other various sustainability goals for the city. Joe Smolinski spoke on sustainability efforts the city is currently making and noted staff will take an in-depth look into implementing sustainability practices to ensure the City is being fiscally and environmentally responsible.*

#### 21-4150

Discussion and Possible Action Regarding the Creation of a Cost Recovery Policy for Various City Services

*Council Member Lewis presented the item and stated he would like to start discussions and get feedback from Council regarding a cost recovery policy for City*

services, events, and facilities. Joe Smolinski commented on finding a balance in recovering costs and providing services at no cost as Mansfield residents pay taxes and therefore pay for City services. Joe stated staff could present an option to Council as part of each department's budget approval that would allow the cost of services to be recovered or be revenue-neutral. There was further Council discussion regarding a potential cost recovery policy.

**ADJOURN**

**A motion was made by Council Member Leyman to adjourn the meeting at 9:13 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

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Michael Evans, Mayor

ATTEST:

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Susana Marin, City Secretary