



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, June 27, 2022

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.

Absent 1 - Casey Lewis

Present 6 - Larry Broseh; Julie Short; Mike Leyman; 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 3:02 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:04 p.m. Mayor Evans recessed the executive session at 5:26 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 the Application of Vacant Building Ordinance

Seek Advice of City Attorney Regarding Agreement with Johnson County Special Utility District

Seek Advice of City Attorney Regarding the Subdivision Ordinance

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

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 #16-05

Economic Development Project #21-09

Economic Development Project #22-19

5:30 P.M. WORK SESSION

FY23 Budget Update

City Manager Joe Smolinski and Chief Financial Officer Troy Lestina presented an update on the Fiscal Year 2023 budget including personnel requests, capital equipment requests, property taxes, a potential property tax homestead increase, and facility needs. Joe and Troy also answered Council questions.

Discussion Regarding South Mansfield Form-based Development District

Joe Smolinski and Director of Planning Jason Alexander detailed the proposed South Mansfield Form-based Development District and answered Council questions. Joe spoke on Benchmark City Trend Data, population, density, sales tax, home value, resource allocation, tax rate, land uses, Urban3 fiscal analysis, and a Mansfield laborshed study. Jason explained revisions which were made based off of guidance from City Council and comments from the community.

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 7:11 p.m.

INVOCATION

Michelle Gooch of the Flourish Women's Ministry gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Bounds led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

Mayor Pro Tem Tonore led the Texas Pledge.

PROCLAMATION

[22-4745](#)

Parks and Recreation Month Proclamation

Mayor Evans read and presented the proclamation to members of the City's Parks and Recreation Department.

[22-4746](#)

H.I.M Center of Mansfield Proclamation

Mayor Evans read and presented the proclamation to members of the H.I.M. Center of Mansfield.

CITIZEN COMMENTS

Leonard Hornsby, 1006 Hedgewood Drive - On behalf of Bethlehem Baptist Church, Mr. Hornsby recognized Mayor Evans for his dedication to the Church and to the City.

Susan Luttrell, 1092 Mitchell Road - Ms. Luttrell spoke on historic displays put together that were displayed at the Juneteenth event and her pride in the City Council.

Shelia Favor, 503 Titleist Drive - Ms. Favor spoke on agenda item 22-4742, regarding campaign booths at city events.

Brandon Frizzell, 2301 Eric Lane - Mr. Frizzell spoke on the Juneteenth event.

Nigel Lewis, 1703 Fairfax Drive - Mr. Lewis spoke on social media and the community.

Darrell Sneed, 861 Tate Street - Mr. Sneed spoke on agenda item 22-4742.

Della Sapp, 1550 N. Main Street, Lot #130 - Ms. Sapp spoke on the Juneteenth event.

Mayor Evans recognized the following non-speakers who submitted a comment card:

*Charmanie Evans, 2215 Ragland Road
Angela Faselar*

COUNCIL ANNOUNCEMENTS

Council Member Leyman complimented Harvesting International Mansfield on their accomplishments and thanked Ms. Luttrell for her comments.

Council Member Short had no announcements.

Council Member Lewis was absent.

Mayor Pro Tem Tonore had no announcements.

Council Member Bounds had no announcements.

Council Member Broseh stated his resonance with Mr. Sneed's comments and that Mansfield must be the leader in being united.

Mayor Evans recognized the American Legion Post #624 Annual Legion Riders Texas State Rally event, provided encouragement to those serving on City Council and spoke on the importance of connecting with each other.

SUB-COMMITTEE REPORTS

There were no sub-committee reports.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mansfield Rocks Event Update - Theresa Cohagen

Communication Manager Dustin Dangli provided an update on the Mansfield Rocks event and invited the Council to attend.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Mayor Pro Tem Tonore to authorize the City Manager to negotiate, finalize, and execute an economic agreement regarding project 16-05. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

NEW BUSINESS

[22-4742](#)

Discussion - Discussion and Possible Action Regarding Policy Direction from Council to Address Political Activities at City Events

Joe Smolinski and Director of Community Engagement Theresa Cohagen explained the events that occurred during the Juneteenth celebration and also touched on vendors at city events and soliciting politicians. There was Council discussion regarding a policy prohibiting political campaigning at city events, and City Attorney Drew Larkin advised the Council on a possible policy.

CONSENT AGENDA

[22-4743](#)

Ordinance - An Ordinance of the City of Mansfield, Texas Appointing the Judge of the Mansfield Municipal Court of Record: Approving the Contract Appointing Judge Cass Robert Callaway as Presiding Judge of the Mansfield Municipal Court of Record; Providing that this Ordinance shall be cumulative of all Ordinances; Providing a Severability Clause; and Providing an Effective Date

A motion was made by Council Member Bounds to approve the first and final reading of the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS APPOINTING THE JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD; APPROVING THE CONTRACT APPOINTING JUDGE CASS ROBERT CALLAWAY AS PRESIDING JUDGE OF THE MANSFIELD MUNICIPAL COURT OF RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; 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; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2261-22

[22-4684](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and BTP Properties LLC, and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, AND BTP PROPERTIES LLC; AUTHORIZING THE MEDC PRESIDENT TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3871-22

[22-4735](#)

Resolution - A Resolution Awarding a Contract for the Construction of the FM 157 & South Parkridge Utility Improvements to Woody Contractors, Inc. and Authorizing Funding for an Amount Not to Exceed \$1,548,279.05 (Utility Fund)

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

A RESOLUTION AWARDED CONTRACTS FOR THE CONSTRUCTION OF FM 157 & SOUTH PARKRIDGE UTILITY IMPROVEMENTS TO WOODY CONTRACTORS, LLC, FOR 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 Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3872-22

[22-4736](#)

Resolution - Authorization of the City Manager to Enter an Interlocal Agreement with the City of Arlington for Construction of a Portion of East Debbie Lane located within the Mansfield City Limits

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER AN INTERLOCAL AGREEMENT WITH THE CITY OF ARLINGTON FOR CONSTRUCTION OF A PORTION OF EAST DEBBIE LANE LOCATED WITHIN THE MANSFIELD CITY LIMITS

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3873-22

[22-4737](#)

Resolution- Award of a Construction Contract for the Reconstruction of the Asphalt Residential Streets of Crown Drive, Chasemore Court and Danbury Drive to Reynolds Asphalt and Construction Company, Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$350,000.00 (Street Bond Fund)

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

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE RECONSTRUCTION OF THE ASPHALT RESIDENTIAL STREETS OF CROWN DRIVE, CHASEMORE DRIVE, CHASEMORE COURT AND DANBURY DRIVE TO REYNOLDS ASPHALT AND CONSTRUCTION COMPANY; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$350,000.00

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3874-22

[22-4744](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing the Mayor to Execute an Agreement with Tracie Kenan Perkins to Provide Legal Services Relating to the Prosecution of Mansfield Municipal Court Cases

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH TRACIE KENAN PERKINS TO PROVIDE LEGAL SERVICES RELATING TO PROSECUTION OF MANSFIELD MUNICIPAL COURT CASES

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3875-22

[22-4747](#)

Resolution - A Resolution Approving a First Amendment to Agreement for the Sale and Delivery of Treated Water to a Wholesale Customer - Johnson County Special Utility District

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

A RESOLUTION APPROVING A FIRST AMENDMENT TO AGREEMENT FOR THE SALE AND DELIVERY OF TREATED WATER TO A WHOLESALE CUSTOMER – JOHNSON COUNTY SPECIAL UTILITY DISTRICT

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

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-3876-22

[22-4731](#)

Minutes - Approval of the June 13, 2022 Regular City Council Meeting Minutes

A motion was made by Council Member Bounds to approve the minutes of the June 13, 2022 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING

[22-4716](#)

Ordinance - Public Hearing Continuation and Final Reading of an Ordinance Amending Chapter 155 of the Code of Ordinances of the City of Mansfield, "Zoning" by Amending Special Purpose District Regulations and Creating a New Section 155.073 "S, South Mansfield Form-based Development District" (OA#22-003)

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 8:53 p.m.

Houston Mitchell, 605 St. Eric - Mr. Mitchell spoke in opposition to the item.

Tom Corbin, P.O. Box 237 - Mr. Corbin spoke in support of the item.

Mayor Evans recognized the following citizens who submitted a card, but did not wish to speak:

*Robert Jonas, 140 Club House Road - Support
Jay Chapa, 3344 Hamilton, Fort Worth - Support
Dave Berzina, 6912 Vista Ridge Drive - Support
Bonnie McClory-Finn, 4601 Periwinkle Drive - Oppose
Jolene Bargsley, 1600 Cowtown Drive - Oppose
Michelle Baucom, 2400 Collier Street - Oppose
Myra Miller, 8110 Saddle Oak - Oppose*

Mayor Evans closed the public hearing at 9:04 p.m.

A motion was made by Council Member Short to approve the final reading of the following ordinance with the changes as presented by Jason Alexander:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 155, ZONING: FORM-BASED CODE DISTRICTS, BY CREATING A NEW SECTION 155.073 "S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT" REGULATIONS AND THUS ADOPTED BY REFERENCE, CONTAINING ITS OWN USE CHART; ESTABLISHING A FEE FOR SITE PLAN OR BUILDING PLAN APPLICATIONS REQUIRED IN FORM-BASED DEVELOPMENT DISTRICTS EXCEPT SECTION 155.072, "D, DOWNTOWN 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 Broseh. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamara Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2262-22

PUBLIC HEARING AND FIRST READING

22-4717

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PD, Planned Development District to S, South Mansfield Form-Based Development District with T-3, Urban Edge Transect, T-4, Urban Transition Transect and T-5, Urban Center Transect Zones on Approximately 54.393 Acres out of the C Vela Survey, Abstract No. 851, Johnson County, Texas, Generally Located at the Northeast Corner of South U.S. 287 and Lone Star Road; City of Mansfield, Applicant; Chisholm Flats, LLC, Owner (ZC#22-008)

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 9:19 p.m.

Brandon Frizzell, 2301 Eric Lane - Mr. Frizzell spoke in opposition to the item.

Jack Ryan, 1206 Stonewall Drive - Mr. Ryan spoke in opposition to the item.

Mayor Evans recognized the following citizens who submitted a non-speaker card:

Shelia Favor, 503 Titleist Drive - Oppose

Jolene Bargsley, 1600 Cowtown Drive - Oppose

Tyler Teachman, 3302 Wheatberry Lane - Oppose

Yvian Mai, 1602 S Mitchell Road - Oppose

Robert Jonas, 140 Club House Road - Support

David Berzino, 6912 Vista Road - Support

Mayor Evans closed the public hearing at 9:23 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 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 S, SOUTH MANSFIELD FORM BASED DEVELOPMENT DISTRICT WITH T-3, URBAN EDGE TRANSECT, T-4, URBAN TRANSITION TRANSECT AND T-5 URBAN CENTER TRANSECT ZONES, 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: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

[22-4730](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the Front Gable Bungalow, c. 1925, Located at 205 North Street; The Wilson Revocable Trust, Owner (HLC#22-006)

Planner II Art Wright presented the item.

Mayor Evans opened the public hearing at 9:37 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 9:38 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 ("ZONING") OF THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR 205 NORTH STREET; 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 Broseh. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

NEW BUSINESS

[22-4738](#)

Consideration - Consideration of a Rough Proportionality Appeal for the Exaction Requirement of Fifty Percent of the Construction Cost of Howell Road Related to the Birdsong Addition, Phase II Development

A motion was made by Council Member Short to table this item to the July 11, 2022 City Council Meeting. Seconded by Mayor Pro Tem Tonore. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

ADJOURN

A motion was made by Council Member Short to adjourn the meeting at 9:39 p.m. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Mike Leyman; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary