



# CITY OF MANSFIELD

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

## Meeting Minutes - Draft

### City Council

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Monday, September 26, 2022

3:00 PM

Council Chambers

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#### REGULAR MEETING

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

*Mayor Evans called the meeting to order at 3:00 p.m.*

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

#### **WORSESSION**

Discussion Regarding Republic Services

*Environmental Manager Howard Redfearn continued the discussion from a previous work session on trash services, specifically the possibility of trash cart collection. Howard spoke on New Gen's research on the most cost effective services, showed five completed cost scenarios, the survey purpose, survey summary, detailed specific aspects of the survey, and answered Council questions. There was discussion regarding trash carts, the frequency of trash collection, and collection days. Director of Infrastructure and Innovation Bart VanAmburgh made brief comments.*

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

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:48 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:50 p.m. Mayor Evans recessed the executive session at 7:08 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. 3:20-CV-2061-N-BK

Seek Advice of City Attorney Regarding Water Provider Agreement

Seek Advice of City Attorney Regarding HR Manual

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 #21-01

Economic Development Project #21-09

Economic Development Project #21-28

Economic Development Project #21-33

Economic Development Project #22-01

Economic Development Project #22-04

**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 7:17 p.m.*

**INVOCATION**

*Pastor Jeremy Doucet of Freedom Life Church gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Leyman 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 Bounds led the Texas Pledge.*

## **PROCLAMATION**

[22-4859](#)

National Night Out Proclamation

*Mayor Evans read and presented the National Night Out Proclamation to members of the Mansfield Police Department.*

[22-4946](#)

Hunger Action Month Proclamation

*Mayor Evans read and presented the Hunger Action Month Proclamation to Jared Williams, a representative of the Tarrant Area Food Bank.*

## **RECOGNITION**

Recognition of Common Ground

*Mayor Evans recognized Common Ground for their work in the community.*

Recognition of Local Toys For Tots

*Mayor Evans recognized the local Toys for Tots organization, which includes Flo Torres with MISD and Staff Sergeant Daniel Kibiase. Executive Director of Community Engagement Theresa Cohagen and Melissa Iverson with MISD presented promotional information regarding Hometown Holidays.*

## **CITIZEN COMMENTS**

*There were no citizen comments.*

## **COUNCIL ANNOUNCEMENTS**

*Council Member Broseh commented on the Walnut Ridge Baptist Church volunteer event.*

*There were no other citizen comments.*

## **SUB-COMMITTEE REPORTS**

[22-4933](#)

Minutes - Approval of the September 12, 2022 TIRZ #2 Board Meeting Minutes (vote will be only by members of the sub-committee: Short (Chair), Lewis, Evans and Bounds)

**A motion was made by Council Member Short to approve the September 12, 2022 TIRZ #2 Board Meeting Minutes as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 4 - Julie Short; Casey Lewis; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 3 - Larry Broseh; Mike Leyman and Todd Tonore

[22-4943](#)

Minutes - Approval of the September 19, 2022 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee: Tonore (Chair), Lewis, and Bounds)

**A motion was made by Mayor Pro Tem Tonore to approve the minutes of the September 19, 2022 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting Minutes with the recommendations of creating a strategic initiative for the City Manager to research ways to widen the sidewalks and include bike lanes on Main Street and to come back to the Council with concepts for marketing windows on Walnut Street and Smith Street. The sub-committee also would like to make a recommendation to the Tax Increment Reinvestment Zone Board #2 to consider the extension of the expiration date of the TIRZ #2 and reevaluate and update the TIRZ #2 project plan. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 3 - Casey Lewis; Todd Tonore and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Julie Short; Mike Leyman and Michael Evans

## **STAFF COMMENTS**

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

Current/Future Agenda Items

*Bart VanAmbugh spoke on the temporary road closure of S Main Street for construction. Chief Financial Officer Troy Lestina spoke on the FY 23 budget calendar.*

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

**A motion was made by Council Member Lewis to authorize the City Manager to negotiate and purchase the land discussed with Economic Development Project #21-33 for future economic development as discussed in executive session. 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

## **CONSENT AGENDA**

### **22-4930**

Ordinance - An Ordinance Amending Chapter 91, "Fire Protection and Prevention," and Section 150.014, "International Fire Code Adopted" of the Code of Mansfield, Texas to Provide for References to the 2018 Edition of the International Fire Code; Providing a Cumulative Clause; Providing a Severability Clause; Providing a Penalty Clause; Providing a Savings Clause; Providing for Publication; and Providing an Effective Date

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

**AN ORDINANCE AMENDING CHAPTER 91, "FIRE PROTECTION AND PREVENTION," AND SECTION 150.014, "INTERNATIONAL FIRE CODE ADOPTED" OF THE CODE OF MANSFIELD, TEXAS, TO PROVIDE FOR REFERENCES TO THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; 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:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2271-22

### **22-4907**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving A Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2022 Rate Review Mechanism Filing

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING**

**EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL**

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3908-22

[22-4936](#)

Resolution - A Resolution Authorizing a Change Order to the Contract with Klutz Construction for the 2019 Aerial Sewer Repairs Project and Authorizing Additional Funding for an Amount Not to Exceed \$66,369.01 (Utility Fund)

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

**A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH KLUTZ CONSTRUCTION FOR THE 2019 AERIAL SEWER REPAIRS PROJECT AND AUTHORIZING ADDITIONAL FUNDING FOR AN AMOUNT NOT TO EXCEED \$66,369.01**

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3909-22

[22-4937](#)

Resolution - A Resolution Ratifying the Expenditure of Funds in the Amount of Fifty Thousand and Two-Hundred Ninety-Two Dollars and Thirty-Three Cents (\$50,292.33), for Hazardous Waste Disposal Services (Drainage Utility Fund)

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

**A RESOLUTION RATIFYING THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$50,292.33, FOR HAZARDOUS WASTE DISPOSAL SERVICES (DRAINAGE UTILITY FUND)**

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3910-22

[22-4938](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$77,250 and Approval of Contract with Teague, Nall, and Perkins Engineering, to Complete the Chapel Hill Drainage Analysis (Drainage Utility Fund)

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

**A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$77,250 AND APPROVAL OF CONTRACTS WITH TEAGUE, NALL, AND PERKINS ENGINEERING TO COMPLETE THE CHAPEL HILL DRAINAGE ANALYSIS (DRAINAGE UTILITY FUND)**

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

**Nay:** 0

**Abstain:** 0

Enactment No: RE-3911-22

[22-4941](#)

Resolution - A Resolution Approving 2022/2023 Hotel/Motel Occupancy Tax Fund Agreements

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS APPROVING THE 2022/2023 HOTEL/MOTEL OCCUPANCY TAX FUND AGREEMENTS**

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

Nay: 0

Abstain: 0

Enactment No: RE-3912-22

[22-4942](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting the City of Mansfield Employee Handbook

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS  
ADOPTING THE CITY OF MANSFIELD EMPLOYEE HANDBOOK**

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

Nay: 0

Abstain: 0

Enactment No: RE-3913-22

[22-4935](#)

Minutes - Approval of the September 12, 2022 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the September 12, 2022 Regular City Council Meeting as presented. 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

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

[22-4931](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Authorizing a Contract Between the City of Mansfield, Texas and Neighborhood Management Inc. for the Management and Improvement Services Agreement of the South Pointe Public Improvement District

*Council Member Lewis removed this item from the consent agenda. Troy Lestina spoke on the item and answered questions.*

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

**A RESOLUTION APPROVING, RATIFYING, AND CONFIRMING, THAT THE CITY**

MANAGER OR HIS DESIGNEE OF THE CITY OF MANSFIELD, TEXAS IS AUTHORIZED TO ENTER INTO A CONTRACT BY AND BETWEEN NEIGHBORHOOD MANAGEMENT INC. AND THE CITY OF MANSFIELD FOR A MANAGEMENT AND IMPROVEMENT SERVICES AGREEMENT FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT ("PID"); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(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-3914-22

[22-4945](#)

Resolution - A Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligations; Approving the Preparation of a Preliminary Official Statement and a Notice of Sale; and Providing for the Effective Date Thereof

*Council Member Leyman removed this item from the consent agenda. Troy Lestina spoke on this item and answered Council questions.*

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND A NOTICE OF SALE; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND EXPRESSING INTENT TO REIMBURSE EXPENDITURES TO BE INCURRED

(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-3915-22

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING**

[22-4932](#)

Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2022/2023 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

*Troy Lestina presented the item and answered Council questions.*

*Mayor Evans opened the public hearing at 8:15 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:15 p.m.*

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING THE FISCAL YEAR 2022/2023 SERVICES AND ASSESSMENT PLAN FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT ("PID"); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**(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-3916-22

## **PUBLIC HEARING AND FIRST READING**

[22-4908](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the Mansfield Cemetery, c. 1868, and the Mansfield Community Cemetery, (c. 1874), Located at 750 W. Kimball Street; Mansfield Cemetery Association, Owner and Mansfield Community Cemetery Association, Owner (HLC#22-007 and HLC#22-010)

*Historic Preservation Officer Art Wright presented the item and answered Council questions.*

*Mayor Evans opened the public hearing at 8:25 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second hearing at 8:25 p.m.*

**A motion was made by Council Member Bounds 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, TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE MANSFIELD CEMETERY AND MANSFIELD COMMUNITY CEMETERY; 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 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

[22-4939](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD, Planned Development District for a mixed lot single-family residential development on 32.352 acres out of the James McDonald Survey, Abstract No. 997, Tarrant County, TX, located at 1970 N Main. Kinney Family Living Trust, owner, Pulte Group, Developer (ZC#22-007)

*Assistant Director of Planning Arty Wheaton-Rodriguez presented the item and answered Council questions. Logan Pruitt, representative of the applicant, answered questions. City Attorney Allen Taylor advised the Council and answered questions. Director of Planning Jason Alexander and Bart VanAmburgh spoke.*

*Mayor Evans opened the public hearing at 9:02 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 9:02 p.m.*

**A motion was made by Council Member Lewis to approve the first reading of the following ordinance with the conditions that the southern boundary have the 8' board-on-board fence, subject to the accessory dwelling unit language to reflect the future City Code of Ordinances, and to restrict the three-story units from the Type C lots:**

**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 PD, PLANNED DEVELOPMENT DISTRICT FOR A MIXED LOT SINGLE-FAMILY RESIDENTIAL, 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 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

[22-4940](#)

Ordinance - Public Hearing and First Reading on an Ordinance

Approving a Zoning Change from C-2, Community Business District to D, Downtown District, D-3, Urban Center Zone on Approximately 1.690 Acres out of the W.C. Price Survey, Abstract No. 1240, Tarrant County, TX, Located at 700 E. Broad St.; City of Mansfield, Owner/Applicant (ZC#22-013)

*Jason Alexander presented the item.*

*Mayor Evans opened the public hearing at 9:06 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 9:07 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 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**

**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

## **NEW BUSINESS**

### **22-4948**

Ordinance - An Ordinance of the City of Mansfield, Texas, Authorizing the Conveyance of Approximately 46 Acres of City Owned Real Property; Authorizing the City Manager to Execute all Documents Necessary to Complete the Transaction; and Providing an Effective Date

**A motion was made by Council Member Short to table this item to the next City Council meeting. 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

### **22-4947**

Resolution - A Resolution of the City of Mansfield, Texas, Approving a Chapter 380 Agreement Between the City of Mansfield and Historic Mansfield Performance Park, Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A CHAPTER 380 AGREEMENT BETWEEN THE CITY OF MANSFIELD AND HISTORIC MANSFIELD PERFORMANCE PARK; 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 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: RE-3917-22

[22-4914](#)

New Business - Consider Approval of a Historic Facade Preservation Funding Request to be Funded Through the Downtown Revitalization Grant Program

*Historic Downtown Coordinator Nicolette Ricciuti presented the item and answered Council questions.*

**A motion was made by Council Member Lewis to approve the funding request. 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

[22-4949](#)

Discussion Regarding the Appointment of a Member of the City Council as a Voting Delegate During the 2022 TML Annual Conference Business Meeting

*Mayor Evans spoke on this item and requested Council Member Bounds represent the City Council.*

**A motion was made by Mayor Pro Tem Tonore to approve Council Member Bounds as a voting delegate during the 2022 TML Annual Conference Business Meeting. 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

[22-4915](#)

Board Appointments: Mansfield Park Facilities Development Corporation

*Council Member Leyman stated that he would not be voting in favor of some applicants because he is opposed to the term limits, so his vote is a reflection of that and has nothing to do with the candidates involved.*

**A motion was made by Council Member Lewis to reappoint Chris Osburn to serve a two-year term, appoint Raul Najera as a full time director to serve a two-year term, appoint Jessica Ng-Hinojosa to a two-year term, and appoint James Tiller as an Alternate to fill an unexpired one-year term to the MPFDC beginning September 29, 2022. 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

[22-4916](#)

Board Appointments: Mansfield Economic Development Corporation

**A motion was made by Council Member Lewis to reappoint William Vivoni and David Godin to a two-year term and appoint Richard Knight to serve a two-year term to the MEDC starting September 29, 2022. Seconded by Council Member Short. 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

[22-4917](#)

Board Appointments: Planning and Zoning Commission

**A motion was made by Council Member Short to reappoint Michael Mainer and David Goodwin to a two-year term and appoint Jennifer Thompson and Brandon Shaw to serve a two-year term. 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

*Council Member Leyman intended to vote Nay on this item.*

[22-4918](#)

Board Appointments: Zoning Board of Adjustment

**A motion was made by Council Member Bounds to reappoint Tammy Miller to serve a two-year term, appoint Eric Peterson to serve a two-year term, and appoint James Menefee as an Alternate to serve a two-year term. 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

[22-4919](#)

Board Appointments: Historic Landmark Commission

**A motion was made by Council Member Broseh to reappoint David Littlefield, Bob Klenzendorf, Thomas Leach, and Mark Walker to serve a two-year term. 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

[22-4920](#)

Board Appointments: Historic Preservation Advisory Board

**A motion was made by Council Member Short to reappoint Cynthia Gardner and Annette Hamill to serve a two-year term, appoint Linda Leddy to a two-year term, and appoint Jandel Crutchfield to a one-year term. 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

[22-4921](#)

Board Appointments: Library Advisory Board

**A motion was made by Council Member Bounds to reappoint Emily Duran and Maggie Martin to serve a two-year term and appoint Jandel Crutchfield to a two-year term. 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

[22-4922](#)

Board Appointments: Keep Mansfield Beautiful Commission

**A motion was made by Mayor Pro Tem Tonore to reappoint Dee Chambliss and Kristine DeWolf to serve a two-year term and appoint Jeffrey Wilborn to serve a two-year term. 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

[22-4923](#)

Board Appointments: Mansfield Commission for the Arts

**A motion was made by Council Member Lewis to reappoint Eric Peterson and Debbie Godfrey to serve a two-year term and appoint Jessica Sanchez, Marron Gebremeskel, and Crystal Brown-Tatum to serve a two-year term. 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

[22-4924](#)

Board Appointments: Construction Code Board of Adjustment and Appeals

**A motion was made by Council Member Broseh to reappoint Robert Morris, Eric Peterson, and Rick Rhodes to serve a two-year term. Seconded by Council Member Lewis. 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

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn at 9:25 p.m. Seconded by Council Member Short.**

**After the motion was made and seconded, Council Member Leyman stated to the Mayor that he had just realized he had inadvertently voted in a way he did not intend on one or more of the prior agenda items. He intended to vote nay on the Planning and Zoning Commission Board Appointment agenda item. He said he wanted his position to be made clear on the record. Mayor Evans said we can be sure to include your intent in the minutes. Allen Taylor confirmed that his intent would be part of the official record.**

**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