



CITY OF MANSFIELD

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

Meeting Minutes - Draft

City Council

Monday, July 22, 2019

5:00 PM

Council Chambers

REGULAR MEETING

5:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 5:03 p.m.

Absent 1 - Brent Newsom

Present 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:04 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:08 p.m. Mayor Cook adjourned 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 Tax Exemption for Historic Property

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

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

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 Cook reconvened into regular business session at 7:14 p.m.

INVOCATION

Walnut Ridge Baptist Church Missions Director Jerry Ritchie gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Moore 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 Short led the Texas Pledge.

CITIZEN COMMENTS

Jerry Ritchie - 1412 Wheeler Drive - Mr. Ritchie spoke in support of agenda item 19-3206.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Mayor Pro Tem Short had no announcements.

Council Member Lewis had no announcements.

Council Member Moore extended congratulations to Darryl Haynes for his recent marriage. He acknowledged the 10th anniversary of the passing of retired Mansfield Independent School District Superintendent Vernon Newsom.

Council Member Newsom was absent.

Council Member Broseh had no announcements.

Mayor Cook echoed Council Member Moore's comments regarding Vernon Newsom.

SUB-COMMITTEE REPORTS

There were no sub-committee reports given.

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

Current/Future Agenda Items

City Manager Clayton Chandler echoed Council comments regarding Vernon Newsom.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA****[19-3205](#)**

Resolution - A Resolution Awarding a Construction Contract for a Traffic Signal at the Intersection of Heritage Parkway/Commerce Drive to Durable Specialties, Inc.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$365,000.00 (Street Bond Fund)

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

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR A TRAFFIC SIGNAL AT THE INTERSECTION OF HERITAGE PARKWAY/COMMERCE DRIVE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND APPROPRIATING FUNDS FOR AN AMOUNT NOT TO EXCEED \$365,000.00

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3575-19

[19-3209](#)

Resolution - A Resolution Authorizing a Contract Between the City of Mansfield, Texas and Tarrant County and the County's Tax Assessor/Collector for the Collection of the City of Mansfield, Texas Tax Collection Services

A motion was made by Council Member Leyman 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 WENDY BURGESS, TARRANT COUNTY TAX ASSESSOR-COLLECTOR, TARRANT COUNTY AND THE CITY OF MANSFIELD FOR THE PROVISION OF TAX COLLECTION SERVICES FOR THE CITY OF MANSFIELD

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3576-19

[19-3210](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas authorizing a contract between the City of Mansfield, Texas and Tarrant County and the County's Assessor/Collector for the Collection of the South Pointe Public Improvement District Assessment/Collection Services

A motion was made by Council Member Leyman 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 WENDY BURGESS, TARRANT COUNTY TAX ASSESSOR-COLLECTOR, TARRANT COUNTY AND THE CITY OF MANSFIELD FOR THE SOUTH POINTE PUBLIC IMPROVEMENT DISTRICT COLLECTION SERVICES OF THE CITY OF MANSFIELD

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3577-19

[19-3212](#)

Resolution - A Resolution Approving a Preservation Agreement Between the City of Mansfield and Manuel and Elva Hernandez, Owners of 301 W. Broad St.

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PRESERVATION AGREEMENT WITH MANUEL AND ELVA HERNANDEZ, OWNERS OF THE GAULDEN-BASKIN HOUSE AT 301 W. BROAD STREET FOR A HISTORIC MANSFIELD PRESERVATION GRANT NOT TO EXCEED \$10,000; AUTHORIZING THE CITY MANAGER 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 Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3578-19

[19-3214](#)

Resolution - A Resolution Authorizing a Professional Services Agreement Between the City of Mansfield and Halff Associates Inc., for Development Strategies for Historic Downtown Mansfield, for \$125,000

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

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH HALFF ASSOCIATES, INC. FOR DEVELOPMENT STRATEGIES RELATED TO THE TAX INCREMENT FINANCE ZONE DISTRICT NO. TWO, PARKING, LAND USE ANALYSIS AND CITY OWNED PROPERTY ANALYSIS AND OTHER RELATED DOCUMENTS FOR THE HISTORIC DOWNTOWN MANSFIELD AREA FOR AN AMOUNT NOT TO EXCEED \$125,000 AND PROVIDING AN EFFECTIVE DATE

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3579-19

[19-3204](#)

Minutes - Approval of the July 8, 2019 Regular City Council Meeting Minutes

A motion was made by Council Member Leyman to approve the minutes of the

July 8, 2019 Regular City Council Meeting as presented. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

[19-3206](#)

Request for Special Event Permit: Walnut Ridge Baptist Church - Compassion International

A motion was made by Council Member Leyman to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

[19-3207](#)

Request for Special Event Permit: Music Alley

A motion was made by Council Member Leyman to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

[19-3208](#)

Request for Special Event Permit: MISD Back to School Celebration

A motion was made by Council Member Leyman to approve the request for special event permit. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

19-3198

Resolution - A Resolution Adopting the Updated Stormwater Management Program and Authorizing the City Manager to Sign the Notice of Intent and Complete Other Forms for the Texas Commission on Environmental Quality

Director of Public Works Bart VanAmburgh made brief comments and answered Council questions. City Attorney Allen Taylor answered Council questions.

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

A RESOLUTION ADOPTING THE UPDATED STORMWATER MANAGEMENT PROGRAM AND AUTHORIZING THE CITY MANAGER TO SIGN THE NOTICE OF INTENT AND OTHER FORMS FOR THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

(Resolution in its entirety located in the City Secretary's Office)

Seconded by Council Member Leyman. The motion CARRIED by the following vote:

Aye: 5 - Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 1 - David Cook

Absent: 1 - Brent Newsom

Abstain: 0

Enactment No: RE-3580-19

PUBLIC HEARING CONTINUATION AND SECOND READING

19-3193

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential, Multi-Family Residential, Senior Living, and C-2 Community Business Uses on Approximately 76.734 Acres out of the S. S. Callender Survey, Abstract No. 359, Tarrant County, TX, Generally Located on the East Sides of FM 157 and House Road, the North Side of Mouser Way, and West of Towne Crossing and Cedar Point; Tim Coltart of Realty Capital Management, LLC on Behalf of Glenn Day, et al and Sowell Property Partners - Mansfield, LP (ZC#19-005)

Realty Capital Management representative Spencer Long made brief comments and asked the Council to table this agenda item to the August 12, 2019 meeting.

A motion was made by Mayor Cook to table this agenda item to the next regular scheduled meeting. Seconded by Mayor Pro Tem Short. The motion CARRIED by the following vote:

Aye: 5 - David Cook; Larry Broseh; Julie Short; Mike Leyman and Casey Lewis

Nay: 1 - Terry Moore

Absent: 1 - Brent Newsom

Abstain: 0

[19-3195](#)

Ordinance - Public Hearing and First Reading of an Ordinance Adopting Amended Land Use Assumptions, Capital Improvement Plans for Water and Sewer, and Revised Water and Sewer Impact Fees

Bart VanAmburgh made brief comments and answered Council questions. Mayor Cook continued the public hearing through second reading at 7:29 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 7:29 p.m.

A motion was made by Council Member Leyman to approve the second reading of "AN ORDINANCE ADOPTING UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS FOR WATER AND SEWER, AND REVISED WATER AND SEWER IMPACT FEES FOR THE CITY OF MANSFIELD, TEXAS, AS SET FORTH HEREIN; AMENDING CHAPTER 51 OF TITLE V OF THE CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, AS AMENDED, TO REVISE THE IMPACT FEES THEREIN; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 6 - David Cook; Larry Broseh; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

NEW BUSINESS

[19-3211](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas, Revising Chapter 90 "Animal Control", of the Code of Ordinances (OR-1787-10) of the City of Mansfield, Texas Providing that this Ordinance Shall be Cumulative of all Ordinances; Providing a Severability Clause; Providing for a Penalty; and Providing for an Effective Date

Police Chief Tracy Aaron made brief comments.

A motion was made by Council Member Lewis to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 90 "ANIMAL CONTROL" OF THE CITY OF MANSFIELD, TEXAS CODE OF ORDINANCES BY PROVIDING NEW DEFINITIONS FOR FOWL, POTBELLIED PIG, AND TETHER; EXTENDING TIME FOR AN OWNER TO APPEAL A DANGEROUS DOG DETERMINATION; AMENDING REGULATIONS FOR IMPOUNDED ANIMALS; AMENDING THE FEE SCHEDULE; PROVIDING REGULATIONS FOR TETHERING OF ANIMALS; CLARIFYING LICENSING REQUIREMENTS AND ADMINISTRATIVE OVERSIGHT AND ENFORCEMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE;

**PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE;
PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE."**

**Seconded by Council Member Moore. The motion CARRIED by the following
vote:**

Aye: 6 - David Cook; Larry Brose; Terry Moore; Julie Short; Mike Leyman and Casey
Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

ADJOURN

**A motion was made by Council Member Brose to adjourn the meeting at 7:40
p.m. Seconded by Council Member Lewis. The motion CARRIED by the
following vote:**

Aye: 6 - David Cook; Larry Brose; Terry Moore; Julie Short; Mike Leyman and Casey
Lewis

Nay: 0

Absent: 1 - Brent Newsom

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary