



# CITY OF MANSFIELD

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

## Meeting Minutes

### City Council

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Monday, May 24, 2021

4:00 PM

Council Chambers

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#### REGULAR MEETING AMENDED AGENDA

#### **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 meeting to order in the Council Conference Room at 4:06 p.m. Mayor Evans adjourned the executive session at 7:06 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 Pending Litigation - Cause No. DC-C202100171

Seek Advice of City Attorney Regarding Preliminary Legislative Legal Update and Possible Impacts

Seek Advice of City Attorney Regarding the American Rescue Plan

#### **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 #19-02

Economic Development Project #21-18

**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 into regular business session at 7:18 p.m.*

**INVOCATION**

*Texas Health Mansfield Chaplain Desmond Hayes 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"

*Council Member Lewis led the Texas Pledge.*

**RECOGNITION**

Recognition of Harvesting in Mansfield Center

*Director of Communications and Outreach Bernadette McCranie gave a brief background and history of Harvesting in Mansfield Center. Council presented the owners with plaques of recognition for 2019 and 2020. The owners made brief comments. The Mansfield Citizen Police Academy Alumni Association presented Harvesting in Mansfield Center with a donation of \$10,000.00.*

**OATH OF OFFICE**

Mike Leyman

*Mayor Evans administered the oath of office to Mike Leyman.*

Casey Lewis

*Mayor Evans administered the oath of office to Casey Lewis.*

Julie Short

*Mayor Evans administered the oath of office to Julie Short.*

### **ELECTION OF MAYOR PRO TEM**

*Susana Marin provided the Council with ballots to elect a new Mayor Pro Tem. Mayor Evans announced the new Mayor Pro Tem elected was Todd Tonore.*

### **CITIZEN COMMENTS**

*William Bunce, 1501 Brighton Dr. - Mr. Bunce spoke regarding COVID-19 vaccines.*

### **COUNCIL ANNOUNCEMENTS**

*Council Member Leyman had no announcements.*

*Council Member Short had no announcements.*

*Council Member Lewis thanked the community for electing him to serve another term on Council and stated it was telling that all seven members of the City Council have all been on a ballot and elected within the last seven months and this is the team the community has picked to lead the city.*

*Mayor Pro Tem Tonore announced that he is honored to serve as Mayor Pro Tem.*

*Council Member Bounds had no announcements.*

*Council Member Broseh had no announcements.*

*Mayor Evans thanked the third graders at Alice Ponder Elementary School, along with Ms. Fisher, for giving him the opportunity to speak to them and answer questions. He also thanked Destiny Okonkwo, the student body president at Lake Ridge High School, for inviting him to be a part of their civic engagement discussion.*

### **SUB-COMMITTEE REPORTS**

[21-4088](#)

Minutes - Approval of the May 10, 2021 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee) (Lewis, Tonore, and Bounds)

**A motion was made by Mayor Pro Tem Tonore to approve the minutes of the May 10, 2021 Revitalization of Historic Downtown Mansfield Sub-Committee**

meeting as presented. 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

[21-4089](#)

Minutes - Approval of the May 12, 2021 Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee) (Short, Evans, and Lewis)

*Council Member Short stated the mandatory pre-application training will be held on June 8, 2021 at 10:00 a.m. located in the Council Chambers and those who wish to submit an application to receive HOT funds need to attend.*

**A motion was made by Council Member Short to approve the minutes of the Hotel/Motel Occupancy Tax Funds Policy and Allocation Sub-Committee meeting as presented. Seconded by Council Member Lewis. The motion CARRIED by the following vote:**

**Aye:** 3 - Julie Short; Casey Lewis and Michael Evans

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Mike Leyman; Todd Tonore and Tamera Bounds

[21-4090](#)

Minutes - Approval of the May 17, 2021 Public Memorials Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee) (Leyman, Broseh, and Tonore)

**A motion was made by Council Member Leyman to approve the minutes of the May 17, 2021 Public Memorials Sub-Committee meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:**

**Aye:** 3 - Larry Broseh; Mike Leyman and Michael Evans

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Julie Short; Casey Lewis; Todd Tonore and Tamera Bounds

[21-4101](#)

Minutes - Approval of the May 21, 2021 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee) (Lewis, Tonore, and Bounds) (Addendum to Agenda)

*Mayor Pro Tem Tonore stated he is excited about many developments regarding the downtown area and he thinks the public will be very pleased with the progress being made.*

**A motion was made by Mayor Pro Tem Tonore to approve the minutes of the May 21, 2021 Revitalization of Historic Downtown Mansfield Sub-Committee**

meeting as presented. Seconded by Council Member Bounds. The motion  
CARRIED by the following vote:

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

**Nay:** 0

**Abstain:** 0

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

## **STAFF COMMENTS**

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

Current/Future Agenda Items

Introduction of New Employees

*Assistant City Manager Matt Jones introduced the new Director of Planning, Jason Alexander, as well as the new Assistant Director of Planning, Arty Wheaton-Rodriguez. Jason and Arty made brief comments and Jason gave a brief presentation regarding downtown zoning districts.*

Annual Realtors' Breakfast Update - Bernadette McCranie

*Bernadette McCranie gave a brief update regarding the annual realtors' breakfast.*

Mansfield Volunteer Program Appreciation Event Update - Bernadette McCranie

*Bernadette McCranie gave a brief update regarding the Mansfield Volunteer Program Appreciation Event.*

Community Services Project Update - Matt Young

*Director of Community Services Matt Young provided an update regarding various community services capital projects and answered Council questions. There was discussion regarding McClendon Park West and East and the location of a new splash pad.*

MISD Proposal to Route Asa Low Busses to Clover Hill Driveway Update - Bart VanAmburgh

*Director of Public Works and Transportation Bart VanAmburgh provided an update regarding MISD's proposal to route school busses coming out of Asa Low Elementary School to Clover Hill Driveway and answered questions. MISD representatives answered questions.*

Union Pacific Railroad Construction Project at North Street Update - Bart VanAmburgh

*Bart VanAmburgh provided an update regarding the Union Pacific Railroad construction project and answered questions.*

**Business Services Department Report**[21-4093](#)

Presentation of the Monthly Financial Report for the Period Ending April 30, 2021

*Director of Finance Troy Lestina was available for questions.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**A motion was made by Council Member Lewis to move forward with the development of the TIRZ and the Economic Development Agreement 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 Bounds to direct the City Manager to pursue real estate negotiations on the properties as discussed in executive session. Seconded by Council Member 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

**A motion was made by Council Member Short to revise the Economic Development agreement for Project #19-02 as discussed in executive session and authorize the City Manager and/or his designee to sign said agreement. 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**[21-4092](#)

Resolution - A Resolution Authorizing Funding for an Amount Not to Exceed

\$278,523.60 and Awarding a Contract for the Construction of the FY 2020 Community Development Block Grant Project for Lake Street Paving, Drainage and Utility Improvements (Pond Street to Tarrant Street) to McClendon Construction Company, Inc. (Street Bond Fund, Utility Fund, and the 2020 Community Development Block Grant)

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

**A RESOLUTION AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR LAKE STREET PAVING, DRAINAGE AND UTILITY IMPROVEMENTS (POND STREET TO TARRANT STREET) TO MCCLENDON CONSTRUCTION COMPANY, INC.; 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 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-3752-21

#### [21-4087](#)

Minutes - Approval of the May 10, 2021 Regular City Council Meeting Minutes

**A motion was made by Council Member Broseh to approve the minutes of the May 10, 2021 Regular City Council Meeting as presented. 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

### **END OF CONSENT AGENDA**

### **PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING**

#### [21-4056](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Amending Section 155.099(B)(9)(b) of the Code of Ordinances, "Zoning," Related to the Setback for a Swimming Pool from a Rear Property Line (OA#21-003)

*Jason Alexander gave a brief presentation.*

*Mayor Evans continued the public hearing at 8:57 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:57 p.m.*

**A motion was made by Council Member Lewis to approve the second and final reading of the following ordinance:**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 155.099(B)(9)(b) OF SAID ORDINANCE REGARDING THE SETBACK OF A SWIMMING POOL FROM A REAR PROPERTY LINE; 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:** 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2208-21

## **NEW BUSINESS**

### **21-4054**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Expressing Support For or Opposition to Proposed Bills During the 87th Legislative Session; Authorizing the City Manager to Communicate to Members of the Legislature About Such Bills; and Providing an Effective Date

*There was no action taken on this item.*

### **21-4086**

Resolution - A Resolution of the City of Mansfield, Texas Amending Section 1.08, "Creation of Committees, Boards and Commissions and Election of Mayor Pro Tem" of the Procedural Rules of Council by Which the City Council of Mansfield Conducts its Meetings

*City Attorney Allen Taylor answered Council questions.*

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AMENDING SECTION 1.08, "CREATION OF COMMITTEES, BOARDS AND COMMISSIONS AND ELECTION OF MAYOR PRO TEM", OF THE PROCEDURAL RULES OF COUNCIL BY WHICH THE CITY COUNCIL OF MANSFIELD CONDUCTS ITS MEETINGS**

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

**Seconded by Council Member Lewis. The motion CARRIED by the following**



vote.

Enactment No: RE-3753-21

[21-4091](#)

Consideration of an Ordinance Requesting the Abandonment of a Portion of a Drainage Easement Relating to the South Holland Road Phase Two Improvements to Hott Family Limited Partnership

*Bart VanAmburgh gave a brief presentation.*

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

**AN ORDINANCE VACATING AND ABANDONING A 0.059 ACRE VARIABLE WIDTH DRAINAGE EASEMENT IN THE SAMUEL C. NEILL SURVEY, ABSTRACT NO 1159, TRACT 6A, CITY OF MANSFIELD, TARRANT COUNTY, TEXAS, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE A QUITCLAIM DEED RELEASING PUBLIC OWNERSHIP INTEREST OR CONTROL OF SAID DRAINAGE EASEMENTS; 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-2209-21

[21-4096](#)

Discussion and Possible Action by the City of Mansfield, Texas, Establishing an Economic Development Program for Community Activation Grants and Temporary Retail Vendor Recruitment in the Historic Mansfield Reinvestment Zone Pursuant to Chapter 380 of the Texas Local Government Code to Promote Economic Development and Stimulate Business and Commercial Activity in the City

*Historic Downtown Coordinator Nicolette Allen gave a brief presentation and answered Council questions. Troy Lestina answered Council questions.*

**A motion was made by Council Member Lewis to approve the Economic Development Programs with the changes as discussed for pop-up businesses in that the same pop-up can apply for a grant more than once, giving staff the ability to utilize up to \$5,000.00 of discretionary incentive funding for Community Activation Grants and lowering the minimum time applications must be submitted prior to the event from 45 to 30 days. 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

**ADJOURN**

**A motion was made by Council Member Broseh to adjourn the meeting at 10:02 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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ATTEST: Michael Evans, Mayor

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Susana Marin, City Secretary