



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, December 12, 2022

1:30 PM

Council Chambers

REGULAR MEETING

1:30 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 1:31 p.m.

Absent 1 - Todd Tonore

Present 6 - Larry Brose; Julie Short; Mike Leyman; Casey Lewis; Michael Evans and Tamera Bounds

WORK SESSION

Discussion Regarding Legislative Issues

State Representatives David Cook and Chris Turner listened and provided feedback as the City Council expressed their personal items of interest and the concerns of their constituents for the upcoming Texas legislative session. The items the City Council discussed with the representatives included property taxes, infrastructure, Hotel/Motel Occupancy Tax Funds, Municipal Utility Districts, power outages, access to high speed internet, attacks on power plants, House Bill 2439, the state comptroller, safety of law enforcement officers regarding paper tags, and concrete batch plants.

Discussion Regarding Public Art Funding and Policy

Cultural Arts Consultant Amanda Golden with Designing Local presented a recap of the cultural arts survey results, interviews conducted, focus groups held, and recent community engagement sessions. Executive Director of Community Engagement Theresa Cohagen, City Manager Joe Smolinski, and Cultural Arts Supervisor Rosalie Gilbert all made brief comments.

Discussion Regarding On-Demand Micro Transit

Gypsy Gavia, Principal Transportation Planner at the North Central Texas Council of Governments, gave a presentation on the Tarrant County transit study including the needs of Mansfield, transit implementation options and considerations, estimated implementation schedule, and elements to consider. Director of Public Works Bart VanAmburgh and Gypsy answered Council questions.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:39 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 6:42 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 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

Discussion Regarding City Manager

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 #22-01

Economic Development Project #22-04

Economic Development Project #22-14

Economic Development Project #22-18

Economic Development Project #22-19

Economic Development Project #22-27

6:30 P.M. – RETIREMENT RECEPTION FOR DEPUTY CITY MANAGER SHELLY LANNERS

A reception was held for Deputy City Manager Shelly Lanners to recognize her upcoming retirement.

**7:00 PM OR IMMEDIATELY FOLLOWING RECEPTION - RECONVENE INTO
REGULAR BUSINESS SESSION**

Mayor Evans reconvened the meeting into regular business session at 7:02 p.m.

INVOCATION

Pastor Jerry Richie with Walnut Ridge Baptist Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Lewis 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 Leyman led the Texas Pledge.

RECOGNITION

Recognition of Municipal Court Staff

Chief Financial Officer Troy Lestina recognized Dani Soria, Municipal Court Administrator, for her achievements.

Recognition of Jesse Fernandez Front Line Leadership Award Winner

Joe Smolinski presented the Jesse Fernandez Front Line Leadership Award to Police Officer Roman Jones.

Recognition of Deputy City Manager Shelly Lanners

Joe Smolinski recognized Shelly Lanners as she retires from the City of Mansfield after 22 years of service.

PUBLIC HEARING

[22-4885](#)

Ordinance - Public Hearing and First and Final Reading of an Ordinance to Amend Chapter 155, "Zoning" to revise the definition of an accessory dwelling in Section 155.012; to repeal Section 155.082(E)(7) in its entirety; and to revise regulations related to accessory dwellings in Section 155.099(B)(35); (OA#22-007)

Council Member Lewis made brief comments regarding this item.

Mayor Evans opened the public hearing at 7:28 p.m.

Frank Butcher, 909 Cumberland Trail - Mr. Butcher spoke in opposition to the item.

Don Lautner, 18004 Fox Hollow Drive - Mr. Lautner spoke in opposition to the item.

Wayne Wilshire, 1101 Pinehurst Court - Mr. Wilshire spoke in opposition to the item.

Mayor Evans read aloud an email in opposition to the item submitted by Tim Hogan, 1113 Danbury Drive.

Mayor Evans closed the public hearing at 7:36 p.m.

A motion was made by Council Member Lewis to table this item indefinitely. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[22-4729](#)

Ordinance - Public Hearing Continuation and First and Final Reading on an Ordinance to Amend Section 155.072(B) of the Mansfield Code of Ordinances Regarding Definitions for an Accessory Unit and Section 155.072(J)(5)(c) of the Mansfield Code of Ordinances Regarding the Habitable Area of an Accessory Unit (OA 22-005)

Mayor Evans opened the public hearing at 7:40 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:40 p.m.

A motion was made by Council Member Lewis to table this item indefinitely. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[22-5105](#)

Ordinance - Public Hearing on an Ordinance of the City Council of the City of Mansfield, Texas, Designating a Certain Area as a Tax Abatement Reinvestment Zone For Commercial-Industrial Tax Abatement Within the City of Mansfield, Texas; Establishing the Boundaries Thereof and Other Matters Related Thereto; Providing a Severability Clause; and Providing for an Immediate Effective Date

Executive Director of Economic Development Jason Moore presented the item.

Mayor Evans opened the public hearing at 7:43 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:43 p.m.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, DESIGNATING A CERTAIN AREA AS A TAX ABATEMENT REINVESTMENT ZONE FOR COMMERCIAL- INDUSTRIAL TAX ABATEMENT WITHIN THE CITY OF MANSFIELD, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: OR-2284-22

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

There were no Council announcements.

SUB-COMMITTEE REPORTS

[22-5099](#)

Minutes - Approval of the November 22, 2022 Housing Market Growth Strategy Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee: Lewis (Chair), Short, and Bounds)

A motion was made by Council Member Lewis to approve the minutes of the November 22, 2022 Housing Market Growth Strategy Sub-Committee Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 3 - Julie Short; Casey Lewis and Tamera Bounds

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Non-Voting: 3 - Larry Broseh; Mike Leyman and Michael Evans

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Mansfield Youth Council Education Opportunities - Kristen Petree and Ellie Rodriguez

Management Analyst Kristen Petree presented education opportunities for the proposed Mansfield Youth Council.

TML Region 8 Meeting Update - Joe Smolinski

Joe Smolinski gave a brief update on the upcoming TML Region 8 meeting.

Hometown Holidays Recap - Theresa Cohagen

Special Events Supervisor Angie Henley and MISD Center for Performing Arts Director of the Center Flo Torres spoke on the Hometown Holidays event.

Dash into Downtown Recap - Rachel Bagley

MEDC Director of Marketing and Innovation Rachel Bagley provided a recap of the Dash into Downtown event.

Santa's Scout the Route Update - Fire Chief Mike Ross

Fire Chief Mike Ross provided an update on Santa's Scout the Route.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

A motion was made by Council Member Short to authorize the term sheet for Economic Development Project #22-18. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

A motion was made by Council Member Lewis to authorize the City Manager to execute the term sheet for Economic Development Project #22-04 as discussed

in executive session. Seconded by Council Member Bounds. The motion
CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

CONSENT AGENDA

22-5076

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Adopting a Policy For the Establishment of a Relocation Assistance Program Related to Implementation of the City's Minimum Housing Standards, Substandard Building Ordinance and Other Programs, and Related to Amortization; and Providing an Effective Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, ADOPTING A POLICY FOR THE ESTABLISHMENT OF A RELOCATION ASSISTANCE PROGRAM RELATED TO IMPLEMENTATION OF THE CITY'S MINIMUM HOUSING STANDARDS, SUBSTANDARD BUILDING ORDINANCE AND OTHER PROGRAMS, AND RELATED TO AMORTIZATION; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3948-22

22-5078

Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the Fire Chief to Act as the City's Representative in all Matters Relating to the Mutual Aid Agreement with the Tarrant County Emergency Services District No. 1

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE FIRE CHIEF TO ACT AS THE CITY'S REPRESENTATIVE IN ALL MATTERS RELATING TO THE MUTUAL AID AGREEMENT WITH THE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3949-22

[22-5080](#)

Resolution - A Resolution Awarding a Contract for the Construction of the Shadow Oaks Neighborhood Drainage Improvements to Tex-Pro Construction LLC and Authorizing Funding for an Amount Not to Exceed \$208,080.40 (Drainage Utility Fund)

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

A RESOLUTION AWARDED A CONTRACT FOR THE CONSTRUCTION OF THE SHADOW OAKS NEIGHBORHOOD DRAINAGE IMPROVEMENTS TO TEX-PRO CONSTRUCTION, LLC AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$208.080.40

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3950-22

[22-5081](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$58,500 and Approval of Contract with Westra Consultants, LLC, to Conduct the Miscellaneous Drainage Analysis of Three Areas (Drainage Utility Fund)

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$58,500 AND APPROVAL OF CONTRACTS WITH WESTRA CONSULTANTS, LLC TO COMPLETE THE MISCELLANEOUS DRAINAGE ANALYSIS (DRAINAGE UTILITY FUND)

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3951-22

[22-5089](#)

Resolution - Authorization of Additional Funding in the Amount of \$51,965.79 Related to the Developer Participation Contract Between the City of Mansfield and Realty Capital Management, LLC for Roadway Improvements Related to the Watson Branch Development (Street Bond Fund)

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING ADDITIONAL FUNDING IN THE AMOUNT OF \$51,965.79 RELATED TO THE DEVELOPER PARTICIPATION CONTRACT BETWEEN THE CITY OF MANSFIELD AND REALTY CAPITAL MANAGEMENT, LLC FOR ROADWAY IMPROVEMENTS RELATED TO THE WATSON BRANCH DEVELOPMENT (STREET BOND FUND)

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3952-22

[22-5092](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to JNA Painting & Contracting Company, Inc. of Dickinson, Texas in the Amount of \$51,700 for Athletic Field Fence Painting at the Michael L. Skinner Sports Complex

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

A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO JNA PAINTING & CONTRACTING COMPANY, INC. OF DICKINSON, TEXAS IN THE AMOUNT OF \$51,700 FOR ATHLETIC FIELD FENCE PAINTING AT THE MICHAEL L. SKINNER SPORTS COMPLEX

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3953-22

[22-5093](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to Triple-C Fence of Haslet, Texas in the Amount of \$110,000 for Fencing Realignment and Improvements at the Michael L. Skinner Sports Complex

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

A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO TRIPLE-C FENCE OF HASLET, TEXAS IN THE AMOUNT OF \$110,000 FOR FENCING REALIGNMENT AND IMPROVEMENTS AT THE MICHAEL L. SKINNER SPORTS COMPLEX

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3954-22

[22-5104](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the City Manager or His Designee to Execute a Professional Services Agreement with Freese and Nichols, Inc. for the Preparation of a Future Land Use Plan for the City of Mansfield for an Amount not to Exceed Two Hundred Seventy-Four Thousand Eight Hundred and 00/100 (\$274,800.00)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A

**PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC.
FOR THE PREPARATION OF A FUTURE LAND USE PLAN**

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3955-22

[22-5097](#)

Minutes - Approval of the November 14, 2022 3:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the November 14, 2022 3:00 p.m. Regular City Council Meeting. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

[22-5098](#)

Minutes - Approval of the November 14, 2022 7:00 p.m. Regular City Council Meeting Minutes

A motion was made by Council Member Short to approve the minutes of the November 14, 2022 7:00 p.m. Regular City Council Meeting. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[22-5079](#)

Ordinance - Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023, in an Aggregate Principal Amount not to exceed \$5,150,000; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Authorizing the

Execution and Delivery of a Bond Purchase Agreement, Paying Agent/Registrar Agreement and a Bond Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Relating Thereto

Council Member Short removed this item from the consent agenda. Troy Lestina and the city's bond counsel Nick Bulaich spoke and answered questions.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2023, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,925,000.00; AWARDED THE SALE THEREOF; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; APPROVING EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND COUNSEL ENGAGEMENT LETTER; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: OR-2283-22

[22-5096](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$325,000.00 and Approval of Contracts, Including Design Services with Parkhill, to Prepare Cannon Dr. South for Public Bidding and Construction (TIRZ #1)

Council Member Lewis removed this item from the consent agenda. Assistant Director of Public Works - City Engineer Raymond Coffman presented and answered Council questions. Council Member Broseh spoke on TIRZ #1 Board action regarding this item.

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED \$325,000.00 AND APPROVAL OF CONTRACTS, INCLUDING DESIGN SERVICES WITH PARKHILL, TO PREPARE CANNON DR. SOUTH FOR PUBLIC BIDDING AND CONSTRUCTION

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

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

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

Enactment No: RE-3956-22

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

22-5042

Ordinance - Public Hearing and Continued First Reading on an Ordinance Approving a Zoning Change from C-2, Community Business District to PD, Planned Development District with Limited I-1, Light Industrial Uses on Approximately 9.94 Acres out of the William Lynn Survey, Abstract Number 984, Tarrant County, Texas, located at 2351, 2361, 2371, 2381 and 2391 N. US 287; City of Mansfield, Applicant

Director of Planning Jason Alexander requested this item be withdrawn.

Mayor Evans opened the public hearing at 8:26 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 8:26 p.m.

There was no action taken.

ADJOURN

A motion was made by Council Member Lewis to adjourn the meeting at 8:27 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Todd Tonore

Abstain: 0

ATTEST: Michael Evans, Mayor

Keera Seiger, Assistant City Secretary