



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, June 5, 2023

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; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

#### WORK SESSION

##### Discussion Regarding Trash Service Options

*Tim Henderson, John Gustafson, and Shawn Harris with Frontier Waste Solutions gave a presentation and spoke on the company's story, management experience, capital investment, the city's transition from its current trash provider, operational technology, customer service technology, and public education and outreach efforts. They also spoke on the scope of work and services to be performed, post collection disposal sites, and residential services, and answered Council questions.*

##### Discussion Regarding Provisions of Proposed Portable on Demand Storage Ordinance

*Director of Regulatory Compliance Nicolette Ricciuti presented Chapter 117, the proposed addition to the City of Mansfield Code of Ordinances regarding portable on demand storage units. Nicolette spoke on the permit guidelines, placement of the units, violations, and Council considerations. Assistant City Manager Vanessa Ramirez and Nicolette answered Council questions.*

##### Discussion Regarding the Fiscal Year 2024 Budget

*Deputy City Manager Troy Lestina presented a high level overview of the proposed Fiscal Year 2024 budget, which included information on the noteworthy calendar dates regarding budget presentations and deadlines, personnel requests, capital equipment requests, and other items included in the draft budget. Troy also spoke on valuations from appraisal districts, property tax value comparisons, sales tax, and items to be discussed during future work sessions. Troy answered Council questions, and then Nicolette Ricciuti gave a 2022 Regulatory Compliance recap and provided updates on the department. She spoke on the Animal Care and Control program and productivity, the Health Inspection program and productivity, the Rental Inspection program and productivity, and the Code Compliance program and productivity, and answered Council questions.*

##### Discussion Regarding the June 5, 2023 Consent Agenda Items

*Director of Engineering Services Raymond Coffman spoke on agenda item 23-5392.*

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 5:14 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:28 p.m. Mayor Evans recessed the executive session at 7:18 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. 352-342443-23

Seek Advice of City Attorney Regarding Prescriptive Easement Rights

Seek Advice of City Attorney Regarding the Condemnation Process

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**

Board Appointments

### **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 #22-23

Economic Development Project #23-06

### **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

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

**INVOCATION**

*Council Member Broseh gave the Invocation.*

**PLEDGE OF ALLEGIANCE**

*Mayor Pro Tem Tonore 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 Newsom led the Texas Pledge.*

**RECOGNITION**

President's Volunteer Service Award to Mansfield Residents

*Mayor Evans and the City Council recognized Eva Gungor, the Keeler Family, and Evan Krum for receiving the President's Volunteer Service Award for the volunteer work they completed in 2022.*

**CITIZEN COMMENTS**

*Lisa Richardson, 5601 Hanna Court, Fort Worth, Texas - On behalf of Harvesting in Mansfield, Ms. Richardson spoke regarding agenda item 23-5395.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Newsom spoke regarding the Mansfield Education Foundation Golf Tournament he participated in.*

*Council Member Lewis spoke on his future absence at the June 12, 2023 City Council meeting and any special meeting called in June.*

*There were no other Council announcements.*

**STAFF COMMENTS**

**City Manager Report or Authorized Representative**

Current/Future Agenda Items

*There were no staff comments.*

**TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

*There was no action taken.*

## **CONSENT AGENDA**

### **23-5390**

Ordinance - An Ordinance Amending Title XI of the Mansfield Code of Ordinances, Entitled "Business Regulations" by Amending Section 116.03, Entitled "Maintenance" of Subchapter "Donation Box Permits"; Updating the Section Numbering for Sections 116.04, 116.05 and 116.06; Amending Section 116.04, Entitled "Revocation of Permit"; Providing for the Repeal of all Ordinances in Conflict; Providing a Severability Clause; Providing of Fine Not to Exceed the Sum of Five Hundred (\$500.00) Dollars for Each Offense; and Providing an Effective Date

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XI OF THE MANSFIELD, TEXAS CODE OF ORDINANCES, ENTITLED "BUSINESS REGULATIONS" BY AMENDING SECTION 116.03, ENTITLED "MAINTENANCE" OF SUBCHAPTER "DONATION BOX PERMITS"; UPDATING THE SECTION NUMBERING FOR SECTIONS 116.04, 116.05 AND 116.06; AMENDING SECTION 116.04, ENTITLED "REVOCATION OF PERMIT" OF SUBCHAPTER "DONATION BOX PERMITS" OF CHAPTER 116, ENTITLED "DONATION BOX PERMITS AND ENFORCEMENT"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

**(Ordinance 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; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2304-23

### **23-5387**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving a Consulting Services Contract Between the City of Mansfield, TX and Plante & Moran, PLLC, in an Amount Not to Exceed \$73,980.00; Authorizing the City Manager or His Designee to Execute Any Documents Necessary to Implement This Resolution; Finding That the Meeting at which This Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date (General Fund)

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A CONSULTING SERVICES CONTRACT BETWEEN THE CITY OF**

**MANSFIELD, TX AND PLANTE & MORAN, PLLC, IN AN AMOUNT NOT TO EXCEED \$73,980.00; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE (GENERAL 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:** 7 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4027-23

[23-5392](#)

Resolution - A Resolution Authorizing a Change Order and Providing Additional Funds for the Lone Star 30-Inch Water Line with Blue Star Utilities, LLC for an Amount Not to Exceed \$84,637.11 (Utility Fund)

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

**A RESOLUTION AUTHORIZING A CHANGE ORDER AND PROVIDING ADDITIONAL FUNDS FOR THE LONE STAR 30-INCH WATER LINE WITH BLUE STAR UTILITIES, LLC**

**(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;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 0

**Abstain:** 0

Enactment No: RE-4028-23

[23-5384](#)

Minutes - Approval of the May 22, 2023 Regular City Council Meeting Minutes

**A motion was made by Council Member Newsom to approve the May 22, 2023 Regular City Council Meeting minutes as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh;Julie Short;Casey Lewis;Todd Tonore;Michael Evans;Tamera Bounds and Brent Newsom

**Nay:** 0

**Abstain:** 0

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**END OF CONSENT AGENDA****NEW BUSINESS**[23-5383](#)

Discussion and Possible Action Regarding Chapter 155.092 Landscaping and Screening Standards (L)

*Council Member Broseh explained his reasoning for requesting this item be added to the agenda. Assistant City Manager Matt Jones and Executive Director of Planning and Development Services Jason Alexander answered Council questions. Staff will bring proposed amendments to Chapter 155.092 at the July 10, 2023 City Council Meeting pursuant to the discussion.*

[23-5395](#)

Discussion and Possible Action on a Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Appropriation and Allocation of American Rescue Plan Act Funds and Approving a Memorandum of Understanding with the Tarrant Area Food Bank

*Tarrant Area Food Bank President and Chief Executive Officer Julie Butner and Vice-President, Advocacy Jared Williams gave a brief presentation and answered questions of the Council.*

**A motion was made by Mayor Pro Tem Tonore to approve the resolution. Seconded by Council Member Bounds. The motion failed by the following vote:**

**Aye:** 3 - Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 4 - Larry Broseh; Julie Short; Casey Lewis and Brent Newsom

**Abstain:** 0

**RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 8:35 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 8:38 p.m. Mayor Evans recessed the executive session at 8:59 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. 352-342443-23

Seek Advice of City Attorney Regarding Prescriptive Easement Rights

Seek Advice of City Attorney Regarding the Condemnation Process

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Economic Development Project #22-23

Economic Development Project #23-06

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

*Mayor Evans reconvened the meeting into regular business session at 9:01 p.m.*

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 9:01 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:**

**Aye:** 7 - Larry Broseh; Julie Short; Casey Lewis; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

**Nay:** 0

**Abstain:** 0

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Michael Evans, Mayor

ATTEST:

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Susana Marin, City Secretary