



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, June 12, 2023

3:00 PM

Council Chambers

REGULAR MEETING

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

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

Absent 1 - Casey Lewis

Present 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

RECOGNITION

Hometown Hero

Sherry Jones with Modern Woodmen Financial presented Volunteer Coordinator Julie Sheffler with the Hometown Hero Award.

PROCLAMATION

[23-5415](#)

Parks and Recreation Month

Mayor Evans presented the Parks and Recreation Month Proclamation to staff and the MPFDC Board.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 3:11 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 3:12 p.m. Mayor Evans recessed the executive session at 3:29 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. 3-20CV2061-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

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

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

WORK SESSION

Discussion Regarding an Economic Development Incentive Policy

Management Analyst Kristen Petree presented the proposed Economic Development Incentive Policy and discussed the purpose, overview of structure, a high-level overview of the criteria for application, available incentive types, target initiatives, and how Mansfield will stand out. Executive Director of Economic Development Jason Moore spoke and along with Kristen, answered Council questions.

Discussion Regarding the Fiscal Year 2024 Budget

Deputy City Manager Troy Lestina presented a recap and update from the previous Fiscal Year 2023 Budget presentation. He touched on the streets capital improvement program, important budget dates, personnel requests, capital equipment requests, valuations from appraisal districts, property tax value comparisons, and sales tax. Troy answered Council questions and spoke on future budget work sessions.

Next, Director of Engineering Services Raymond Coffman presented the Roadway Capital Improvement Plan and maintenance as they relate to the budget process. He spoke on active projects, the FY 2024 Roadway Capital Plan, the FY 2024 Roadway Maintenance Plan, and the FY 2025 and 2026 Capital Plans, and answered Council questions. Assistant Director of Public Works - Transportation David Boski spoke on the Roadway Maintenance Plan and answered Council questions.

Discussion Regarding the June 12, 2023 Consent Agenda Items

Director of Regulatory Compliance Nicolette Ricciuti and City Attorney Bradley Anderle spoke on agenda item 23-5391. David Boski spoke on agenda item 23-5413.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 5:26 p.m. Mayor Evans called the executive

session to order in the Council Conference Room at 5:40 p.m. Mayor Evans recessed the executive session at 6:45 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. 3-20CV2061-N-BK

Seek Advice of City Attorney Regarding Legal Issues Pertaining to Economic Development Projects Listed in Section 3.D of the Agenda

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Economic Development Project #22-23

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 6:57 p.m.

INVOCATION

Cory Smithe of North Elevation Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Council Member Newsom 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 Broseh led the Texas Pledge.

RECOGNITION

Mansfield JROTC

Mansfield JROTC Instructor Daniel Kinnel recongized his team for their accomplishments at a recent national competition.

TCMA Council of the Year Award

City Manager Joe Smolinski recognized the City Council for being awarded the Texas City Management Association's Council of the Year Award.

CITIZEN COMMENTS

Nancy Morris, 1342 N Hyview - Ms. Morris spoke regarding Mansfield Animal Control.

COUNCIL ANNOUNCEMENTS

Mayor Evans invited the community to participate in the City's Juneteenth Celebration.

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

Current/Future Agenda Items

Business Services Department Report

[23-5421](#)

Presentation of the Monthly Financial Report for the Period Ending April 30, 2023

Staff was available for questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

There was no action taken.

CONSENT AGENDA

[23-5386](#)

Resolution - A Resolution of the City of Mansfield, Texas, Selecting Neltex Development Pursuant to Texas Local Government Code Ch. 271, and Authorizing the City Manager, or his Designee, to Negotiate an Exclusive Negotiating Agreement Between the City of Mansfield, Texas, and Neltex Development for New Public Facilities at the Lone Star 360 Development; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, SELECTING NELTEX DEVELOPMENT PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CH. 271, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO NEGOTIATE AN EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE CITY OF MANSFIELD, TEXAS, AND NELTEX DEVELOPMENT FOR NEW PUBLIC FACILITIES AT THE LONE STAR 360 DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-4029-23

[23-5408](#)

Resolution - A Resolution Approving an Agreement for the Sale and Delivery of Treated Water to a Wholesale Customer - Mountain Peak Special Utility District

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN AGREEMENT FOR THE SALE AND DELIVERY OF TREATED WATER TO A WHOLESALE CUSTOMER – MOUNTAIN PEAK SPECIAL UTILITY DISTRICT; 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

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

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

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-4030-23

[23-5413](#)

Resolution - A Resolution Authorizing the Application to the Office of the Secretary of Transportation, U.S. Department of Transportation for Safe Streets and Roads for All Grant

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

A RESOLUTION SUPPORTING THE CITY OF MANSFIELD'S APPLICATION TO THE OFFICE OF THE SECRETARY OF TRANSPORTATION, U.S. DEPARTMENT OF TRANSPORTATION FOR 2023 SAFE STREETS AND ROADS FOR ALL CALL FOR PROJECTS

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

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

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: RE-4031-23

[23-5403](#)

Minutes - Approval of the June 5, 2023 Regular City Council Meeting Minutes

A motion was made by Council Member Bounds to approve the minutes of the June 5, 2023 Regular City Council Meeting as presented. Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[23-5391](#)

Ordinance - An Ordinance of the City of Mansfield, Texas, Amending Title XI "Business Regulations" of the Code of Mansfield, Texas; Creating a New Chapter 117 Establishing Regulations for the Use of Portable On Demand Storage Units; Establishing a Permit for the Placement of Such Units; Providing for the Revocation of Such Permits; Providing for Fees Related to Chapter 117; Providing for the Repeal of All Ordinances in Conflict; Providing a Severability Clause; Providing a Penalty Fine not to Exceed the Sum of Five Hundred (\$500.00) Dollars for Each Offense; Providing for Publication; and Providing an Effective Date

Council Member Broseh removed this item from the consent agenda. Nicolette Ricciuti answered Council questions.

A motion was made by Council Member Broseh to approve the following ordinance with the amendment to Section 117.02 Permit Required, Subsection A as follows: It shall be unlawful for any person to park, place, store, locate or allow the placement of a PODS or similar unit on any residential or mixed-use property, within the city without first submitting an application and obtaining a permit for the placement of said PODS or similar unit from the Regulatory Compliance Department:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XI "BUSINESS REGULATIONS" OF THE CODE OF MANSFIELD, TEXAS, BY CREATING A NEW CHAPTER 117 ESTABLISHING REGULATIONS FOR THE USE OF PORTABLE ON DEMAND STORAGE UNITS; ESTABLISHING A PERMIT FOR THE PLACEMENT OF SUCH UNITS; PROVIDING FOR THE REVOCATION OF SUCH PERMITS; DECLARING A NUISANCE; PROVIDING FOR FEES RELATED TO CHAPTER 117; 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; PROVIDING FOR PUBLICATION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN 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; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2305-23

END OF CONSENT AGENDA

PUBLIC HEARING

[23-5409](#)

Ordinance - A Public Hearing and First and Final Reading of an Ordinance Adopting Revised Roadway Impact Fees

Raymond Coffman presented the item and answered Council questions.

Mayor Evans opened the public hearing at 7:33 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:33 p.m.

A motion was made by Council Member Short to approve the first and final reading of the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER

153 OF THE MANSFIELD CODE OF ORDINANCES BY ADOPTING AMENDMENTS TO ROADWAY IMPACT FEES; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; 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: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2306-23

[23-5412](#)

Ordinance - A Public Hearing and First and Final Reading of an Ordinance for City-Wide Amendments to the Master Thoroughfare Plan

David Boski presented the item and answered Council questions.

Mayor Evans opened the public hearing at 7:50 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:50 p.m.

A motion was made by Council Member Broseh to approve the first and final reading of the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE MASTER THOROUGHFARE PLAN OF THE CITY OF MANSFIELD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; 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: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2307-23

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

[23-5380](#)

Ordinance - Public Hearing Continuation and Second and Final Reading on an Ordinance Approving a Change of Zoning from PD,

Planned Development District to S, South Mansfield Form-Based Development District on Approximately 18.59 Acres in the Milton Gregg Survey, Abstract No. 555, City of Mansfield, Tarrant County, Texas Located at 2441 Heritage Parkway; City of Mansfield, Applicant (ZC#23-011)

Executive Director of Planning and Development Services Jason Alexander presented the item.

Mayor Evans continued the public hearing at 7:52 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 7:52 p.m.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING CHAPTER 155 "ZONING" OF THE CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREINAFTER DESCRIBED PROPERTY TO A S, SOUTH MANSFIELD FORM-BASED DEVELOPMENT DISTRICT; 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: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2308-23

NEW BUSINESS

[23-5422](#)

Discussion and Possible Action Regarding a Potential Increase to the Homestead Exemption

Troy Lestina presented the item.

A motion was made by Council Member Short to approve an ordinance adopting a residential homestead property tax exemption of 14%.

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

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

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Enactment No: OR-2309-23

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 7:57 p.m. Seconded by Council Member Short. The motion CARRIED by the following vote:

Aye: 6 - Larry Broseh; Julie Short; Todd Tonore; Michael Evans; Tamera Bounds and Brent Newsom

Nay: 0

Absent: 1 - Casey Lewis

Abstain: 0

Michael Evans, Mayor

ATTEST:

Susana Marin, City Secretary