



CITY OF MANSFIELD

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

Meeting Minutes

City Council

Monday, March 23, 2020

5:00 PM

Council Chambers

REGULAR MEETING

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

Mayor Cook called the meeting to order at 5:05 p.m.

Mayor Cook advised the public that they 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 - David Cook; Larry Broseh; Brent Newsom; 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 5:08 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:08 p.m. Mayor Cook recessed executive session at 5:28 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 Relating to Emergency Policy, Procedures, and Protocols for City Personnel and Facilities During the Coronavirus Emergency

Seek Advice of City Attorney Regarding Governor's Proclamation Allowing New Election Schedule

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

Economic Development Project #19-02

Economic Development Project #20-02

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

Mayor Cook reconvened into regular business session at 7:13 p.m.

INVOCATION

Mayor Pro Tem Short 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"

Council Member Lewis led the Texas Pledge.

Mayor Cook advised the public that they could address the Council by submitting an online speaker card through the city's website or by direct email to City Secretary Susana Marin. He asked that comments be submitted as quickly as possible. He noted the setup of the Council Chambers due to social distancing. He encouraged the community to stay home and to only go out for essential business. He commended the community as a whole for helping others and asked them to follow the guidelines/orders in place. He stated the Council and city staff will do everything they can keep residents safe.

PRESENTATION

Presentation of the Comprehensive Annual Financial Report

City Manager Clayton Chandler made brief comments. Deputy City Manager Peter Phillis presented the Council with the Comprehensive Annual Financial Report and answered Council questions.

CITIZEN COMMENTS

Mayor Cook advised

The following citizen comments were received through the Public Meeting Online Speaker Card:

Brandon Loreda - 140 Thousand Oaks - Mr. Loreda asked the Council to consider shutting down the town due to COVID-19.

Catherine LaBrenz - 4201 Lone Oak Drive - Ms. LaBrenz stated she supported a shelter in place order due to the number of increasing cases and lack of compliance with previously issued guidelines.

Michael Orr - 200 Juniper Street - Mr. Orr expressed his thanks to all first responders, health care workers and government officials of the city during this health crisis.

COUNCIL ANNOUNCEMENTS

Council Member Leyman had no announcements.

Mayor Pro Tem Short had no announcements.

Council Member Lewis encouraged everyone to stay home if they could.

Council Member Moore encouraged everyone to be safe.

Council Member Broseh had no announcements.

Mayor Cook had no announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

Business Services Department Report

[20-3501](#)

Presentation of Monthly Financial Report for the Period Ending January 31, 2020

There were no questions regarding the monthly financial.

SUB-COMMITTEE REPORTS

[20-3475](#)

Minutes - Approval of the February 20, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting Minutes (vote will be only by the members of the sub-committee)

Council Member Newsom as Chairman of the Sub-Committee gave a brief update on the discussion held during the sub-committee meeting.

A motion was made by Council Member Newsom to approve the minutes of the February 20, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting as presented. Seconded by Council Member Lewis.

The motion **CARRIED** by the following vote:

Aye: 3 - David Cook; Brent Newsom and Casey Lewis

Nay: 0

Abstain: 0

Non-Voting: 4 - Larry Broseh; Terry Moore; Julie Short and Mike Leyman

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

CONSENT AGENDA

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[20-3498](#)

Resolution - A Resolution Authorizing a Change Order for the Miscellaneous Concrete Rebuilds Project with Reliable Paving, Inc. to Add Reconstruction of 400 Feet of Yarmouth Lane and Authorizing Additional Funding for an Amount Not to Exceed \$122,500.00 (Street Bond Fund)

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

A RESOLUTION AUTHORIZING A CHANGE ORDER TO RECONSTRUCT 400 FEET OF YARMOUTH LANE AND PROVIDING ADDITIONAL FUNDS FOR THE MISCELLANEOUS CONCRETE REBUILDS PROJECT WITH RELIABLE PAVING, INC.

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3637-20

[20-3499](#)

Resolution - A Resolution Authorizing the City Manager and the Police Department to Make Application, Receive, and Expend Grant Funding from the Criminal Justice Division (CJD) of the Governor's office of the State of Texas to Upgrade the In-Car Video Equipment of the Following Police Divisions: Patrol, Traffic, Support Services, Commercial Vehicle Enforcement, and Community Resource

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

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE POLICE DEPARTMENT TO MAKE APPLICATION, RECEIVE, AND EXPEND GRANT FUNDING FROM THE CRIMINAL JUSTICE DIVISION (CJD) OF THE GOVERNOR'S OFFICE OF TEXAS TO UPGRADE THE IN-CAR VIDEO EQUIPMENT OF POLICE DEPARTMENT UNITS. THE AMOUNT OF THE AWARD WILL NOT EXCEED \$100,000 AND DOES NOT REQUIRE A MATCH

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3638-20

[20-3505](#)

Resolution - A Resolution Approving and Authorizing the City Manager to Execute the Third Amendment to the 380 and Development Agreement Between the City, the Board of Directors of the Tax Increment Financing Reinvestment Zone Number Two, and Main Street Mansfield Lofts LLC and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING THE 3RD AMENDMENT TO THE 380 AND DEVELOPMENT AGREEMENT FOR PUBLIC IMPROVEMENTS TO PROPERTY WITHIN REINVESTMENT ZONE NUMBER TWO BETWEEN THE CITY, THE BOARD OF DIRECTORS OF THE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO AND MAIN STREET LOFTS LP AND PROVIDING AN EFFECTIVE DATE

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

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

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

Enactment No: RE-3639-20

[20-3484](#)

Minutes - Approval of the March 2, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Newsom to approve the minutes of the March 2, 2020 Regular City Council Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

[20-3496](#)

Request for Special Event Permit: Fabulous Faith 5K and Fun Run

A motion was made by Council Member Newsom to approve the request for special event permit. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

PUBLIC HEARING AND FIRST READING

[20-3483](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Historic Landmark Overlay District Classification for the Ralph S. Man Homestead Located at 604 W. Broad Street; Art Wright, City Historic Preservation Officer, on Behalf of the City of Mansfield, Property Owner (ZC#20-002)

Susana Marin read the caption into the record. Deputy City Manager Joe Smolinski made brief comments. Mayor Cook opened the public hearing at 7:34 p.m. With no one wishing to speak, Mayor Cook continued the public hearing through second reading at 7:34 p.m.

A motion was made by Council Member Lewis to approve the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE RALPH S. MAN HOMESTEAD LOCATED AT 604 W. BROAD STREET; 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." Seconded by Council Member Newsom. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

NEW BUSINESS**20-3472**

Ordinance - First Reading of an Ordinance Approving an Agricultural Lease with Mathis Farm, LLC; Authorizing the City Manager to Execute the Same and All Other Documents Necessary to Complete the Transaction; and Providing an Effective Date

Susana Marin read the caption into the record. Deputy City Manager Shelly Lanners answered Council questions.

A motion was made by Council Member Newsom to approve the first reading of "AN ORDINANCE APPROVING AN AGRICULTURAL LEASE WITH MATHIS FARM, LLC; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME AND ALL OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Leyman.

The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

20-3500

Ordinance - Ordinance Approving the Conveyance of an Easement and Right of Way to Oncor Electric Delivery Company Llc for the Construction Maintenance and Operation of Electric Supply and Communications Facilities

Susana Marin read the caption into the record.

A motion was made by Mayor Pro Tem Short to approve the first reading of "AN ORDINANCE APPROVING THE CONVEYANCE AN EASEMENT AND RIGHT OF WAY TO ONCOR ELECTRIC DELIVERY COMPANY LLC FOR THE CONSTRUCTION MAINTENANCE AND OPERATION OF ELECTRIC SUPPLY AND COMMUNICATIONS FACILITIES." Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

20-3502

Discuss and Consider Emergency Policy, Procedures and Protocol for City Personnel and Facilities During the Coronavirus Emergency

Mayor Cook gave a brief update on the calender of events up until the present time. He mentioned there is already an order in place by Governor Greg Abbott and by Tarrant County Judge Glenn Whitley. Mayor Cook stated the city's order can be more restrictive but could not be less restrictive. He advised there are constant meetings with Tarrant County regarding the issue at hand.

Mr. Chandler gave a brief update and explained what city staff has been doing to

analyze what essential services are. He praised Tarrant County Judge for organizing teleconferences to keep all Tarrant County cities up to date. Mayor Cook advised that the city not issue another declaration until such time as the Tarrant County Judge issues his amended order which is expected to be within the next 24 hours. He stated an amended declaration would be issued to be consistent with Tarrant County's declaration.

Police Chief Tracy Aaron made brief comments and answered Council questions regarding playground equipment. He asked that in the declaration the Police Department be given the ability to issue citations versus arresting people. He stated the city is looking for voluntary citizen compliance.

20-3504

Resolution - Discussion and Possible Action to Adopt a Resolution of the City of Mansfield, Texas Postponing the General and Special Elections Called for May 2, 2020 Until November 3, 2020

Mr. Chandler made brief comments and gave an update on Governor Abbott's proclamation allowing municipalities to postpone their May 2020 elections to November 3, 2020. He stated there are currently other cities joining together to ask Governor Abbott to amend the proclamation and allow for said elections to be held on July 14, 2020. Mr. Chandler and Susana Marin answered Council questions.

A motion was made by Council Member Lewis to approve the following resolution and postpone the May General and Special Elections until the first available date as allowed by Governor Abbott or no later than November 3, 2020:

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS POSTPONING THE GENERAL AND SPECIAL ELECTIONS CALLED FOR MAY 2, 2020, UNTIL NOVEMBER 3, 2020, ESTABLISHING PROCEDURES FOR THE POSTPONED ELECTION; 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; Brent Newsom; Terry Moore; Julie Short and Casey Lewis

Nay: 1 - Mike Leyman

Abstain: 0

Enactment No: RE-3640-20

20-3506

Resolution - A Resolution Ratifying the Mayor's Declaration of Public Health Emergency and Amended Declaration of Public Health Emergency

Mayor Cook recommended that the Council take no action on this agenda item and allow time for Tarrant County to act upon an amendment to their current Public Health Emergency Declaration.

No action taken by the Council.

ADJOURN

Mayor Cook advised the public portion of the meeting was completed and the Council would be recessing back into executive session. Mayor Cook adjourned the public portion of the meeting at 8:20 p.m.

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 8:28 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 8:21 p.m. Mayor Cook adjourned executive session at 9:17 p.m.

A motion was made by Council Member Broseh to adjourn the meeting at 8:20 p.m. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - David Cook; Larry Broseh; Brent Newsom; Terry Moore; Julie Short; Mike Leyman and Casey Lewis

Nay: 0

Abstain: 0

ATTEST: David L. Cook, Mayor

Susana Marin, City Secretary