



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, November 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 5:00 p.m.

Mayor Cook 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; Brent Newsom; Terry Moore; Julie Short; Mike Leyman; Casey Lewis and David Cook

WORK SESSION

Discussion Regarding the Park Chapter of the City's Code of Ordinances

Director of Parks and Recreation Matt Young reviewed the proposed changes to each existing section, noted the addition of sections in the Park's chapter in the City's Code of Ordinances, and answered Council questions.

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the meeting into executive session at 5:24 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:32 p.m. Mayor Cook adjourned executive session at 7:00 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 Zoning Case ZC#05-021

Seek Advice of City Attorney Regarding Legal Process for Implementing Charter Revision Changes

Seek Advice of City Attorney Regarding Public Art Policy

Seek Advice of City Attorney Regarding Project 15-20

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 20-07

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

Mayor Cook reconvened into regular business session at 7:14 p.m.

INVOCATION

Harvest Point Church Pastor Daniel Ramos 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 Moore led the Texas Pledge.

ACKNOWLEDGEMENT OF SERVICE

Councilman Terry Moore

Mayor David Cook congratulated and thanked Council Member Moore for his service to the City of Mansfield and presented him with a plaque in recognition of his service. Council Member Moore made brief comments. On behalf of City staff, City Manager Joe Smolinski presented a gift to Council Member Moore to thank him for his service to the City.

OATH OF OFFICE

Councilman-Elect Todd Tonore

Mayor Cook made brief comments and administered the Oath of Office to Council Member-Elect Todd Tonore.

Councilman Larry Broseh

Mayor Cook made brief comments and administered the Oath of Office to Council Member Broseh.

Present 7 - Larry Broseh; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis; David Cook and Todd Tonore

PRESENTATION

Texas Police Chief's Association Best Practices Recognition Program

Grand Prairie Chief of Police Daniel Scesney, who is also an assessor for the Texas Police Chief's Association Best Practices Recognition Program, presented the award for obtaining recognized status to Mansfield Chief of Police Tracy Aaron and the City of Mansfield.

CITIZEN COMMENTS

There were no citizen comments.

COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Short welcomed Council Member Tonore to City Council and wished everyone a Happy Thanksgiving.

Council Member Leyman noted the Texas Police Chief's Association Best Practices Recognition award is difficult to receive and Chief Aaron and the entire Police Department has done an outstanding job. He also welcomed Council Member Tonore to City Council.

Council Member Newsom welcomed Council Member Tonore to City Council and congratulated Mr. Moore on his service to the City. He also read an email from Mansfield resident VanDella Menifee, which acknowledged and thanked Joe Smolinski for his support with the Americans Helping Veterans Organization Annual Fundraiser event.

Council Member Tonore stated he is thankful for everyone's support and is looking forward to working with everyone.

Council Member Broseh congratulated Council Member Tonore and welcomed him to City Council.

Council Member Lewis congratulated Council Member Tonore, wished everyone a Happy Thanksgiving, and noted that for the runoff election, early voting started November 23, 2020 and will last through December 4, 2020, and Election Day is December 8, 2020.

Mayor Cook announced the Mayoral Salvation Army Challenge is coming up and challenged the two candidates for the Mayor's seat, Michael Evans and Brent Newsom, to help him win. He also thanked Mr. Moore and Council Member Tonore for their service to the City, and welcomed Council Member Tonore to City Council.

SUB-COMMITTEE REPORTS

Revitalization of Historic Downtown Mansfield Sub-Committee Meeting of November 9, 2020
Report (Brent Newsom, Chair; David Cook; Casey Lewis)

20-3881

Minutes - Approval of the November 9, 2020 Revitalization of Historic Downtown Sub-Committee Meeting Minutes

A motion was made by Council Member Newsom to approve the minutes of the November 9, 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 - Brent Newsom; Casey Lewis and David Cook

Nay: 0

Abstain: 0

Non-Voting: 4 - Larry Broseh; Julie Short; Mike Leyman and Todd Tonore

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Joe Smolinski stated the City is able to fulfill a goal of the Council this year to give City employees a Christmas bonus and thanked the Council on behalf of all City staff.

Matt Young provided an update regarding Hometown Holidays.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken by the Council.

CONSENT AGENDA

20-3883

Resolution - Authorization of Funding in an Amount Not to Exceed \$58,700 and Approval of a Contract For Design and Survey Services with Westra Consultants, to Prepare Shadow Oaks Drainage Improvements for Public Bidding and Construction (Drainage Utility Fund).

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

A RESOLUTION AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED

\$58,700 AND APPROVAL OF A CONTRACT FOR DESIGN SERVICES WITH CONSULTANT AND SURVEYING SERVICES WITH BRITTAIN WESTRA CONSULTANTS TO PREPARE SHADOW OAKS DRAINAGE IMPROVEMENTS FOR PUBLIC BIDDING AND CONSTRUCTION (DRAINAGE UTILITY FUND)

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3712-20

20-3885

Resolution - A Resolution Amending Resolution No. RE-3710-20 which Called for a Runoff Election to be Held on December 8, 2020; by Amending the Polling Location for Johnson County; and by Adding Weekend Voting Hours for Ellis and Johnson County; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AMENDING RESOLUTION NO. RE-3710-20 WHICH CALLED FOR A RUNOFF ELECTION TO BE HELD ON DECEMBER 8, 2020; BY AMENDING THE POLLING LOCATION FOR JOHNSON COUNTY; AND BY ADDING WEEKEND VOTING HOURS FOR ELLIS COUNTY AND JOHNSON COUNTY; AND PROVIDING AN EFFECTIVE DATE

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3713-20

20-3886

Resolution - A Resolution of the City of Mansfield, Texas, Approving the Method for Making Written Requests for Public Information

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING THE METHOD FOR MAKING WRITTEN REQUESTS FOR PUBLIC INFORMATION

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

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

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

Nay: 0

Abstain: 0

Enactment No: RE-3714-20

[20-3874](#)

Request For Special Event Permit: Toys for Tots 2020

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

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

Nay: 0

Abstain: 0

[20-3880](#)

Minutes - Approval of the November 9, 2020 Regular City Council Meeting Minutes

A motion was made by Council Member Tonore to approve the minutes of the November 9, 2020 Regular City Council Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

[20-3882](#)

Minutes - Approval of the November 13, 2020 Special City Council Meeting Minutes

A motion was made by Council Member Tonore to approve the minutes of the November 13, 2020 Special City Council Meeting as presented. Seconded by Council Member Leyman. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

[20-3857](#)

Resolution - A Resolution to Consider Awarding a Construction Contract to L.J. Design & Construction, LLC of Fort Worth, Texas in the Amount of

\$1,042,147.63 for Construction of Phase 3A of the Walnut Creek Linear Park Trail

Council Member Lewis removed this item from the consent agenda. Matt Young answered Council questions.

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

RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO L.J. DESIGN & CONSTRUCTION, LLC OF FORT WORTH, TEXAS IN THE AMOUNT OF \$1,042,147.63 FOR CONSTRUCTION OF PHASE 3A OF THE WALNUT CREEK LINEAR PARK TRAIL

(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: 7 - Larry Broseh; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis; David Cook and Todd Tonore

Nay: 0

Abstain: 0

Enactment No: RE-3711-20

END OF CONSENT AGENDA

OLD BUSINESS

[20-3767](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Single-Family Residential Attached Townhome Uses on Approximately 12.638 Acres out of the M. Rockerfellow Survey, Abstract No. 1267, Tarrant County, TX, Located at 1675 N. Main St.; Brian Cotter of Cotter Associates, LLC on Behalf of Adlai Pennington of MKP Associates, Inc. (Developer) and Randy Hague of Valdar Properties #4, LLC (Owner) (ZC#20-009)

Director of Planning and Development Matt Jones made a brief presentation and answered Council questions. Cotter Associates, LLC representative Brian Cotter answered Council questions.

A motion was made by Council Member Lewis to approve the following ordinance with the stipulation that the porches on Block 6 and Block 7 are covered porches, that the rear fences on Block 7 facing the pond are ornamental fences, that the language in Note 24 is included in both the HOA documents and the deed restrictions:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE

HEREINAFTER DESCRIBED PROPERTIES TO A PD, PLANNED DEVELOPMENT DISTRICT FOR SINGLE-FAMILY RESIDENTIAL ATTACHED TOWNHOME USES, 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; Brent Newsom; Julie Short; Mike Leyman; Casey Lewis; David Cook and Todd Tonore

Nay: 0

Abstain: 0

Enactment No: OR-2196-20

ADJOURN

A motion was made by Council Member Newsom to adjourn the meeting at 8:12 p.m. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

ATTEST:

David L. Cook, Mayor

Susana Marin, City Secretary