



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, May 10, 2021

3:30 PM

Council Chambers

REGULAR MEETING

3:30 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 3:33 p.m.

Mayor Evans 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; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

WORK SESSION

Update on Initial Budget Requests

Director of Finance Troy Lestina provided a brief update regarding the FY 2022 projected budget.

Update on Preliminary Tax Rolls

Troy Lestina presented the preliminary tax valuations and compared them to last year's numbers. He answered Council questions and will provide the Council with more information.

Update on July Debt Issuance

Troy Lestina gave a recap of the capital projects discussion which occurred at the April 26, 2021 City Council meeting and discussed the issuance of \$9.5 million in debt and the timeline that would need to be followed. Director of Transportation and Public Works Bart VanAmburgh, City Manager Joe Smolinski, and Police Chief Tracy Aaron answered Council questions. There was discussion regarding which projects to move forward with in regard to the debt issuance. Council directed staff to move forward with the same projects as previously discussed.

Update on November Bond Election

Troy Lestina presented the deadlines and schedule of events for a November bond election. There was discussion regarding which projects to put on the ballot and if November is too soon for a bond election. Joe Smolinski, Bart VanAmburgh, and Director of Community Services Matt Young answered Council questions. City Attorney Allen Taylor answered staff questions. Council gave their consensus to push back the

bond election to May of 2022.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:58 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:11 p.m. Mayor Evans adjourned the executive session at 6:53 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. DC-20-16161

Seek Advice of City Attorney Related to Pending Litigation - Cause No. DC-C202100171

Seek Advice of City Attorney Regarding Zoning Authority of Local Governments

Seek Advice of City Attorney Regarding Preliminary Legislative Legal Update and Possible Impacts

Seek Advice of City Attorney Regarding A Municipality's Authority on Issues Relating to Local Elections

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 #21-16

6:00 P.M. – CLASS 1 SPRING INTERNS CEREMONY WITH CITY COUNCIL

City Council and City staff recognized the Class 1 Spring Interns for completing their internships.

7:00 PM - RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Evans reconvened into regular business session at 7:08 p.m.

INVOCATION

Walnut Ridge Baptist Church Pastor Erik Erby 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 Broseh led the Texas Pledge.

PROCLAMATION**[21-4061](#)****Emergency Medical Services Week**

Mayor Evans read and presented the Emergency Medical Services Week proclamation to Assistant Fire Chief Jeff Smith and City Emergency Medical Services personnel. Chief Smith made brief comments.

[21-4071](#)**National Police Week**

Mayor Evans read and presented the National Police Week proclamation to Police Chief Tracy Aaron and Mansfield Police Officers. Chief Aaron made brief comments.

RECOGNITION**Recognition of Class 1 Spring Interns**

Internship Coordinator Nicolette Allen recognized City interns Briana Date, Faith Whatley, Gabriel Lewis, Olivia Weatherford, and Taher Abubukar for completing the Spring internship program. Gabriel spoke on his experience as an intern for the City.

CITIZEN COMMENTS

Mallory York, 1210 S Lamar Street, Dallas - Mr. York spoke regarding domestic violence.

Reema Sethi, 6302 Northridge Parkway, Allen - Mr. Sethi spoke regarding the negative experience he's had working with a developer to get a home built in Mansfield.

COUNCIL ANNOUNCEMENTS

Mayor Pro Tem Leyman thanked the community for re-electing him to serve on City Council and posed a question to staff regarding a street construction project in the city.

Council Member Short thanked the city for her re-election, stated she is excited to serve another term on Council, and thanked her family for their support.

Council Member Lewis thanked his family for their support and encouraged the Class 1 Interns to apply for City jobs.

Council Member Tonore congratulated Mayor Pro Tem Leyman and Council Members Short and Lewis on their re-election and stated he is looking forward to continuing to work together.

Council Member Bounds congratulated Mayor Pro Tem Leyman and Council Members Short and Lewis on their re-election and stated she is excited the team will remain in-tact. She also stated that she attended the Historic Downtown Wine Walk this past weekend and remarked that it was a great event.

Council Member Broseh recognized Pastor Erik Erby from Walnut Ridge Baptist Church for organizing the outpouring of support into the community last weekend and congratulated his colleagues on their re-election.

Mayor Evans also gave his congratulations to his re-elected colleagues and to the community. He also stated National Nurses Day was held last week and the outstanding work our nurses do on a daily basis is greatly appreciated, and also gave recognition to our teachers.

SUB-COMMITTEE REPORTS

21-4065

Minutes - Approval of the May 4, 2021 Public Memorials Sub-Committee Meeting Minutes (vote will be only by members of the sub-committee) (Leyman, Broseh, Tonore)

As Chairman of the Sub-Committee, Mayor Pro Tem Leyman reported the possibility of a November bond election was presented to the Veterans Memorial Tribute Foundation and the Sub-Committee received support from the Foundation.

A motion was made by Mayor Pro Tem Leyman to approve the minutes of the May 4, 2021 Public Memorials Sub-Committee Meeting as presented. Seconded by Council Member Broseh. The motion CARRIED by the following vote:

Aye: 3 - Larry Broseh; Mike Leyman and Michael Evans

Nay: 0

Abstain: 0

Non-Voting: 4 - Julie Short; Casey Lewis; Todd Tonore and Tamera Bounds

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

Assistant Chief Smith gave an update regarding the City's COVID-19 vaccination clinic

and answered questions.

Neighborhood Leadership Roundtable Quarterly Update

Assistant to the City Manager Bernadette McCranie gave a brief update regarding the Neighborhood Leadership Roundtable. Bernadette noted that Director of Utilities Jeff Price and the water utilities team presented to the HOAs ways to help conserve water and the resources that are available to them as we head into the heat of the summer. On a different note, Bernadette stated that applications for My Mansfield Muni-Versity Class 2 will be available on May 12, 2021.

Business Services Department Report

[21-4068](#)

Presentation of the Monthly Financial Report for the Period Ending March 31, 2021

Troy Lestina stated he was available for questions.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken.

CONSENT AGENDA

[21-4047](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving an Economic Development Agreement Between the Mansfield Economic Development Corporation, and TMI Real Estate Ventures, LLC.; Authorizing the MEDC President To Execute Said Agreement; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AND TMI REAL ESTATE VENTURES, LLC; AUTHORIZING THE MEDC PRESIDENT TO EXECUTE SAID AGREEMENT; 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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3746-21

[21-4062](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving an

Economic Development Agreement Between the Mansfield Economic Development Corporation, and American Carton Company, Inc.; Authorizing the MEDC President To Execute Said Agreement; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE MANSFIELD ECONOMIC DEVELOPMENT CORPORATION AND AMERICAN CARTON COMPANY, INC.; AUTHORIZING THE MEDC PRESIDENT TO EXECUTE SAID AGREEMENT; 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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3747-21

[21-4066](#)

Resolution - A Resolution Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Approving the Preparation of a Preliminary Official Statement and a Notice of Sale; And Expressing Intent to Reimburse Expenditures to be Incurred

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND A NOTICE OF SALE; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND EXPRESSING INTENT TO REIMBURSE EXPENDITURES TO BE INCURRED

(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; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3748-21

[21-4067](#)

Resolution - A Resolution Awarding a Construction Contract for the Rebuild of Concord Drive to XIT Paving and Construction, Inc.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$370,000.00 (Street Bond Fund)

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

A RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR THE REBUILD OF CONCORD DRIVE TO XIT PAVING AND CONSTRUCTION, INC.; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS; AND AUTHORIZING FUNDING FOR AN AMOUNT NOT TO EXCEED \$370,000.00 (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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3749-21

[21-4082](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Inter-Local Agreement by and Between the City of Mansfield and the City of Burleson for Jail Services and Authorizing its Execution through its Duly Appointed and Authorized City Managers; and Providing an Effective Date

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

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN INTER-LOCAL AGREEMENT WITH THE CITY OF BURLESON TO PROVIDE THEM JAIL SERVICES

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

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

Enactment No: RE-3750-21

[21-4063](#)

Minutes - Approval of the April 26, 2021 Regular City Council Meeting Minutes

A motion was made by Council Member Lewis to approve the minutes of the April 26, 2021 Regular City Council Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

[21-4064](#)

Minutes - Approval of the April 29, 2021 Joint City Council and Mansfield Independent School District Board Meeting Minutes

A motion was made by Council Member Lewis to approve the minutes of the April 29, 2021 Joint City Council and Mansfield Independent School District Board Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

END OF CONSENT AGENDA

OLD BUSINESS

[21-4045](#)

Consideration of a Request for a Specific Use Permit for Apartments on Approximately 12.869 Acres out of the E. McAnear Survey, Abstract No. 1005, Tarrant County, TX, Located at the Southeast Corner of Regency Pkwy. and Nahvi Rd.; Ryan Conway of JLB Partners (Developer) on Behalf of Mike Sellers of First Baptist Church, Michael P. Collini, and John C. Arnold of Fifteen Oaks Mansfield, L.P. (owners) (SUP#21-001)

Assistant City Manager Matt Jones spoke regarding Council's directive at the previous meeting to meet with the developer regarding the possibility of a Public Improvement District. Matt noted staff and the developer have decided upon entering into a maintenance agreement instead of a PID and answered Council questions.

A motion was made by Council Member Lewis to approve the Specific Use Permit with the condition that the developer enter into a maintenance agreement with the City for the lifetime of the project.

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

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

Nay: 1 - Larry Broseh

Abstain: 0

PUBLIC HEARING AND FIRST READING

[21-4056](#)

Ordinance - Public Hearing and First Reading on an Ordinance Amending Section 155.099(B)(9)(b) of the Code of Ordinances, "Zoning," Related to the Setback for a Swimming Pool from a Rear Property Line (OA#21-003)

Matt Jones noted this item was staff initiated, explained the reason for this amendment, and answered Council questions.

Mayor Evans opened the public hearing at 8:20 p.m. With no one wishing to speak, Mayor Evans continued the public hearing through second reading at 8:20 p.m.

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

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 155.099(B)(9)(b) OF SAID ORDINANCE REGARDING THE SETBACK OF A SWIMMING POOL FROM A REAR PROPERTY LINE; 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 Bounds. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: OR-2208-21

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

21-4046

Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 4 Acres out of The Ray Grevious Survey, Abstract No. 1307, Tarrant County, TX, Located at 2349 N. Holland Rd.; Jeff Linder of Bannister Engineering (Engineer) on Behalf of Mouaz Allababidi of Allababidi Foundation, LLC (Owner) (ZC#21-003)

Matt Jones gave a brief presentation, noted the revisions the owner has made since the last meeting, and answered Council questions.

Mayor Evans continued the public hearing at 8:25 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:26 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 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 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 Lewis. The motion CARRIED by the following vote:

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

Nay: 1 - Mike Leyman

Abstain: 0

Enactment No: OR-2207-21

NEW BUSINESS

21-4069

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Canvassing the Returns of the General Election Held in the City of Mansfield, Texas on May 1, 2021, for the Purpose of Electing a Council Member, Place 3; Council Member, Place 4; and a Council Member, Place 5

Susana Marin presented the final election report.

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, CANVASSING THE RETURNS OF THE GENERAL ELECTION HELD IN THE CITY OF MANSFIELD, TEXAS ON MAY 1, 2021, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER, PLACE 3; A COUNCIL MEMBER, PLACE 4; AND A COUNCIL MEMBER, PLACE 5

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

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

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: RE-3751-21

[21-4070](#)

Discussion and Possible Action Regarding the Burial of Overhead Electric Utilities

Matt Jones gave a brief presentation and answered Council questions.

A motion was made by Council Member Broseh to approve the burial of overhead electric utilities. Seconded by Council Member Bounds. The motion CARRIED by the following vote:

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

Nay: 1 - Casey Lewis

Abstain: 0

ADJOURN

A motion was made by Council Member Short to adjourn the meeting at 8:35 p.m. Seconded by Council Member Lewis. The motion CARRIED by the following vote:

Aye: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

ATTEST: Michael Evans, Mayor

Susana Marin, City Secretary