



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

---

Monday, July 12, 2021

2:30 PM

Council Chambers

---

#### REGULAR MEETING

#### 2:30 P.M. - CALL MEETING TO ORDER

*Mayor Evans called the meeting to order at 2:30 p.m.*

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 2:31 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 2:32 p.m. Mayor Evans adjourned the executive session at 2:38 p.m. and reconvened into the regular business session at 2:39 p.m.*

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

#### WORKSESSION

##### Discussion Regarding Capital Improvement and Equipment Replacement

*City Manager Joe Smolinski made opening statements and noted that the purpose of this discussion is to receive clear direction from the Council on their priorities for the upcoming budget and potentially for a May 2022 bond election. He provided a brief overview of FY 2022 initial budget requests and equipment and capital requests for FY 2023-2026. There was discussion on the prioritization of projects for potential propositions to be placed on the May 2022 bond election. It was determined there was a need for a separate worksession to discuss City Hall. Staff will begin assembling a schedule and process for evaluating propositions, what goes on them, and how they'll be funded. There was also discussion regarding the need to form a citizens bond committee to allow citizen input in the proposition review and prioritization process.*

##### Discussion Regarding Park Land Dedication and Development Fee Ordinance

*Director of Community Services Matt Young presented an update regarding the park land dedication and development fee ordinance and discussed the background/history of the ordinance and park planning quadrant boundaries. Matt Young and City Attorney Allen Taylor answered Council questions. Assistant City Manager Matt Jones and Director of Transportation and Public Works Bart VanAmburgh made brief comments. There was discussion regarding land value calculation and fee changes, benchmark cities, neighborhood park amenities, current park development costs, non-residential developments, credit for private recreation facilities, and credit for conveyance of floodplain/floodway. Matt Young discussed the next steps for the updated ordinance adoption.*

**RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:52 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:03 p.m. Mayor Evans adjourned the executive session at 8:04 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 Regarding Design Services Contract with Brown, Reynolds, Watford Architects

Seek Advice of City Attorney Regarding Legal Requirements for Maintenance of Confidential Information

Seek Advice of City Attorney Regarding City Council Authority to Address a Complaint Regarding Conduct of Elected Officials

**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**

City Manager Quarterly Review

**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 #15-02

Economic Development Project #17-22

Economic Development Project #21-09

Economic Development Project #21-10

Economic Development Project #21-23

Economic Development Project #21-24

**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 8:10 p.m.*

**INVOCATION**

*Angela Martin of North Elevation Church 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 Short led the Texas Pledge.*

**CITIZEN COMMENTS**

*Amy Brothers, 8417 FM 2738, Burleson - Ms. Brothers spoke on behalf of the Historic Mansfield Business Association and invited the Council to attend and support their next event, which will be filling the pantry of the Mansfield Mission Center. The event, titled "Christmas in July", will be held Saturday, July 17, 2021 from 12:00 p.m. to 3:00 p.m.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Leyman had no announcements.*

*Council Member Short had no announcements.*

*Council Member Lewis had no announcements.*

*Mayor Pro Tem Tonore had no announcements.*

*Council Member Bounds had no announcements.*

*Council Member Broseh had no announcements.*

*Mayor Evans announced that he, along with other Council Members, had the*

*opportunity to attend the Police Department's promotional ceremony held July 1, 2021. He stated that Officers Frank Toumbs, Andy Laura, and Cody Hale were promoted to Sergeant; Sergeant William Yale was promoted to Lieutenant; and Lieutenant Travis Waybourn was promoted to Captain. Mayor Evans thanked City staff who coordinated and organized this year's Mansfield Rocks Weekend, and stated they did an outstanding job. He also thanked Joe Jenkins of Joe Jenkins Farmer's Insurance, Justin Gilmore at Level 5, the entire team at The LOT, Chad Huffhines, Benji from Our Place Restaurant and all of the contestants who participated in the cook-off competition at the Meats, Mugs, and Music event that took place at The LOT this past Saturday. Mayor Evans stated it was especially good to see that The LOT is being utilized every weekend. He congratulated the Bethlehem Baptist Church for celebrating 151 years of ministry in the Mansfield area. Finally, Mayor Evans stated he will be seeking a full term on the City Council this coming May.*

### **SUB-COMMITTEE REPORTS**

#### [21-4165](#)

Minutes - Approval of the July 7, 2021 Revitalization of Historic Downtown Mansfield Meeting Minutes (vote will be only by members of the sub-committee: Lewis, Tonore, and Bounds)

*Mayor Pro Tem Tonore made brief comments and stated there will be exciting news announced at the next Council meeting regarding the revitalization of the downtown area.*

**A motion was made by Council Member Lewis to approve the minutes of the July 7, 2021 Revitalization of Historic Downtown Mansfield Sub-Committee Meeting as presented. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 3 - Casey Lewis; Todd Tonore and Tamera Bounds

**Nay:** 0

**Abstain:** 0

**Non-Voting:** 4 - Larry Broseh; Julie Short; Mike Leyman and Michael Evans

### **STAFF COMMENTS**

#### **City Manager Report or Authorized Representative**

Current/Future Agenda Items

TCEQ Recognition of Mansfield Public Water Supply - Jeff Price

*Joe Smolinski made brief comments and commended Director of Water Utilities Jeff Price and his team on achieving a continued recognition of a "Superior" public water supply by the Texas Commission on Environmental Quality. Jeff Price made brief comments, spoke of his highly qualified team and all who contributed to receiving such a designation.*

### **TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

**A motion was made by Council Member Lewis to authorize staff to negotiate terms for Economic Development Project #21-24. Seconded by Mayor Pro Tem 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

## **CONSENT AGENDA**

### **[21-4156](#)**

Resolution - A Resolution to Consider a Proposed Amendment to the Consultant Agreement with Pacheco Koch in the amount of \$56,100 for Additional Services Related to Design Development, Construction Documents and Construction Administration Services for the McClendon Park Improvements Project

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

**A RESOLUTION TO CONSIDER A PROPOSED AMENDMENT TO THE CONSULTANT AGREEMENT WITH PACHECO KOCH IN THE AMOUNT OF \$56,100 FOR ADDITIONAL SERVICES RELATED TO DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE MCCLENDON PARK IMPROVEMENTS PROJECT**

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

**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

Enactment No: RE-3763-21

### **[21-4157](#)**

Resolution - A Resolution to Consider Executing a Consultant Agreement with Dunaway Associates, L.P. in the amount of \$179,925 for Design Development, Construction Documents and Construction Administration Services for Gertie Barrett Park

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

**A RESOLUTION TO CONSIDER EXECUTING A CONSULTANT AGREEMENT WITH DUNAWAY ASSOCIATES, L.P. IN THE AMOUNT OF \$179,925 FOR DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENTS AND CONSTRUCTION ADMINISTRATION SERVICES FOR GERTIE BARRETT PARK**

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

**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

Enactment No: RE-3764-21

[21-4158](#)

Resolution - A Resolution Determining the Construction Manager-At-Risk Delivery Method as Providing the Best Value for Construction of the McClendon Park Improvements

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

**A RESOLUTION DETERMINING THE CONSTRUCTION MANAGER-AT-RISK DELIVERY METHOD AS PROVIDING THE BEST VALUE FOR CONSTRUCTION OF THE MCCLENDON PARK IMPROVEMENTS**

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

**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

Enactment No: RE-3765-21

[21-4159](#)

Resolution - A Resolution Determining the Construction Manager-At-Risk Delivery Method as Providing the Best Value for Construction of Gertie Barrett Park

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

**A RESOLUTION DETERMINING THE CONSTRUCTION MANAGER-AT-RISK DELIVERY METHOD AS PROVIDING THE BEST VALUE FOR CONSTRUCTION OF GERTIE BARRETT PARK**

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

**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

Enactment No: RE-3766-21

[21-4169](#)

Resolution - A Resolution Authorizing the City to Enter Into an Advance Funding Agreement with the Texas Department of Transportation for Local Government Contributions to the Lone Star Road Bridges at US Highway 287 Project for Decorative Iron Safety Railings and Authorizing Funding in the Amount of \$150,000.00 (Street Bond Fund)

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

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR LOCAL GOVERNMENT CONTRIBUTIONS TO THE LONE STAR ROAD BRIDGES AT US HIGHWAY 287 PROJECT FOR DECORATIVE IRON SAFETY RAILINGS AND AUTHORIZING FUNDING IN THE AMOUNT OF \$150,000.00 (STREET BOND FUND)**

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

**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

Enactment No: RE-3767-21

[21-4163](#)

Minutes - Approval of the June 28, 2021 Regular City Council Meeting Minutes

**A motion was made by Council Member Short to approve the minutes of the June 28, 2021 Regular City Council Meeting as presented. 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

**END OF CONSENT AGENDA**

**PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING**

[21-4140](#)

Ordinance - Public Hearing Continuation and Second and Final Reading of an Ordinance Approving on a Zoning Change from SF-7.5/16 and SF-12/22 Single-Family Residential Districts to PD Planned

Development District for Single-Family Residential Uses on Approximately 47.72 Acres out of the Arthur Gibson Survey, Abstract No. 302; Johnson County, Texas, Generally Located Approximately 1,650 Feet East of FM 917 and Approximately 2,700 Feet North of Bedford Road by Ben Luedtke on Behalf of M3 Ranch Development, Inc., Developer and M3 Ranch Land Investment, Owner (ZC#21-005)

*Director of Planning Jason Alexander presented the item.*

*Mayor Evans continued the public hearing through second reading at 8:32 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:32 p.m.*

*Applicant Ben Luedtke, 2100 Knox Street, Dallas, answered Council questions.*

**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 OF THE CODE OF ORDINANCES, "ZONING," 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 Mayor Pro Tem Tonore.**

**A motion to amend the main motion was made by Council Member Lewis to include the requirement that on the 50 foot lots, only 21 of those lots can be as low as 1,800 square feet; everything else must be 2,000 square feet or greater. The motion to amend the main motion carried unanimously.**

**The amended main 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-2211-21

## **NEW BUSINESS**

### **[21-4160](#)**

Ordinance - An Ordinance Authorizing the Issuance and Sale of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021, in an Aggregate Principal Amount not to exceed \$9,500,000; Awarding the Sale Thereof; Levying a Tax in Payment Thereof; Prescribing the Form of Said Certificates; Authorizing the Execution and Delivery of a



Paying Agent/Registrar Agreement and a Bond Counsel Engagement Letter; Approving the Official Statement; and Enacting Other Provisions Relating Thereto

*Assistant Director of Finance Bryan Rebel introduced Rob Collins, Bracewell LLP, the City's bond counsel, as well as Nick Bulaich, Hilltop Securities, the City's financial advisor. Mr. Bulaich presented the results of the competitive bid process for the sale of the City's certificates of obligation, provided an update on the rating agency's reviews for the City's bond ratings, and answered Council questions. Mayor Pro Tem Tonore and Joe Smolinski made brief comments.*

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MANSFIELD, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$9,100,000.00; AWARDDING THE SALE THEREOF; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID CERTIFICATES; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND COUNSEL ENGAGEMENT LETTER; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO**

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

**Nay:** 0

**Abstain:** 0

Enactment No: OR-2212-21

**ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 8:48 p.m. Seconded by Council Member Short. 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

