



CITY OF MANSFIELD

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

Meeting Minutes - Final

City Council

Monday, November 8, 2021

4:00 PM

Council Chambers

REGULAR MEETING

4:00 P.M. - CALL MEETING TO ORDER

Mayor Evans called the meeting to order at 4:00 p.m.

RECESS INTO EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:02 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:06 p.m. Mayor Evans adjourned the executive session at 6:44 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

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 #15-02

Economic Development Project #21-31

Economic Development Project #21-33

Economic Development Project #21-35

Economic Development Project #21-37

6:30 P.M. – My Mansfield Muni-Versity Class 2 Reception with City Council

City Council and staff recognized the second My Mansfield Muni-Versity Class for completing the program.

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

Mayor Evans reconvened the meeting into regular business session at 7:03 p.m.

INVOCATION

Associate Pastor Brad Levens of Creekwood Church gave the first Invocation. Pastor Sam Russo of Life Church gave the second 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 Bounds led the Texas Pledge.

PRESENTATION

Presentation of the Tarrant County 2020 Coronavirus Pandemic Historical Book to the Mansfield Public Library by Tarrant County Clerk Mary Louise Nicholson

Tarrant County Clerk Mary Louise Nicholson presented the 2020 Coronavirus Pandemic Historical Book to Library Director Yolanda Botello and the Mansfield Public Library.

Veterans Day Parade Trophy Presentation

SPC Kimmel of Mansfield High School presented Veterans Day Parade trophies to various organizations.

RECOGNITION

Recognition of Emerging Leaders Class 1

Community and Organization Development Officer Nicolette Allen presented the members of the first Emerging Leader Class with a congratulatory gift and certificate.

Recognition of My Mansfield Muni-Versity Class 2

Director of Communications and Outreach Bernadette McCranie and Mayor Evans presented the members of the second My Mansfield Muni-Versity Class with a congratulatory gift and certificate.

CITIZEN COMMENTS

Tim Milligan, 1035 Cypress Point - Mr. Milligan spoke regarding the Veterans Day Parade.

Larry Wilshire, 1809 Middleton Drive - Mr. Wilshire spoke regarding his candidacy for Justice of the Peace.

Amy Brothers, 8417 FM 2738 - Ms. Brothers spoke regarding downtown Mansfield.

COUNCIL ANNOUNCEMENTS

Council Member Leyman spoke regarding the Veterans Day Parade, the Remember the Fallen traveling memorial, and commended the staff that made the events possible.

Council Member Short spoke regarding the Veterans Day Parade and the community pulling together.

Council Member Lewis had no announcements.

Mayor Pro Tem Tonore had no announcements.

Council Member Bounds spoke regarding the Veterans Day Parade.

Council Member Broseh had no announcements.

Mayor Evans thanked City staff and the city and spoke regarding the sacrifice veterans have made.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

There were no staff comments.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action was taken.

CONSENT AGENDA

21-4382

Ordinance - Consideration of an Ordinance to Amend the Mansfield, Texas Code of Ordinances: Chapter 156: Park Land Dedication and Development Fee

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

AN ORDINANCE AMENDING CHAPTER 156, "PARK LAND DEDICATION AND DEVELOPMENT FEE" OF TITLE XV "LAND USAGE" OF THE CODE OF MANSFIELD, TEXAS IN ITS ENTIRETY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY 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: 7 - Larry Broseh; Julie Short; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

Nay: 0

Abstain: 0

Enactment No: OR-2227-21

21-4380

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and Mouser Electronics, Inc. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

A motion was made by Council Member Broseh 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 MOUSER ELECTRONICS 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 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

Enactment No: RE-3798-21

[21-4384](#)

Resolution - A Resolution Authorizing a Contract Modification to the Bud Ervin Water Treatment Plant (BEWTP) Control System Replacement Project with Plummer Associates Inc. for Control System Upgrades of 15 Lift Stations for an Amount not to Exceed \$88,445.00 (Utility Fund)

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

A RESOLUTION AUTHORIZING A CONTRACT MODIFICATION TO THE BUD ERVIN WATER TREATMENT PLANT CONTROL SYSTEM REPLACEMENT PROJECT WITH PLUMMER ASSOCIATES INC. FOR CONTROL SYSTEM UPGRADES OF 15 LIFT STATIONS FOR AN AMOUNT NOT TO EXCEED \$85,820.00

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

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

Enactment No: RE-3799-21

[21-4385](#)

Resolution - A Resolution to Consider Awarding the Contract for the New Public Safety Burn Tower Foundation and Skills Pad Project to Tegrity Contractors, Inc. in the amount of \$3,546,666.00

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

A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO TEGRITY CONTRACTORS, INC. OF ALLEN, TEXAS IN THE AMOUNT OF \$3,546,666.00 FOR THE PUBLIC SAFETY BURN TOWER FOUNDATION AND SKILLS PAD PROJECT

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

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

Enactment No: RE-3800-21

[21-4386](#)

Request For Special Event Permit: Mansfield Turkey Trot

A motion was made by Council Member Broseh to approve the request for the special event permit. 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

[21-4377](#)

Minutes - Approval of the October 25, 2021 Regular City Council Meeting Minutes

A motion was made by Council Member Broseh to approve the minutes of the October 25, 2021 Regular City Council Meeting as presented. 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

[21-4378](#)

Minutes - Approval of the Minutes of the October 26, 2021 Joint Work Session Meeting Between the City Council, Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, and Planning and Zoning Commission Minutes

A motion was made by Council Member Broseh to approve the minutes of the October 26, 2021 Joint Work Session. Seconded by Council Member Short as presented. 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 AND FIRST READING

[21-4383](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving on a Zoning Change from PR Pre-Development District to PD, Planned Development District for Light Industrial Use on Approximately 146.48 Acre Tract of Land Situated in the William Styles Survey, Abstract No. 791; JQ Wheeler Survey, Abstract 903; and SM Kemp Survey, Abstract 492 Located in the City of Mansfield, Johnson County., TX, Generally Bounded by S 7th Ave on the East, Jessica Dr. on the East Hank St on the North and the Northern Boundary of M3 Ranch to the South. Blake Wilson, Stonelake Capital Partners (developer) on Behalf

of Mansfield ISD, Ira T. Kimbrough and Andree E. Kimbrough Real Estate LLC (owner) (ZC#21-009)

Applicant Coleman Brown, Partner with Stonelake Capital Partners, gave a presentation. Applicant Phillip Kimbrough gave a presentation. Director of Planning Jason Alexander gave a presentation and answered Council questions.

Mayor Evans opened the public hearing at 9:08 p.m.

Jason DeGrande, 1400 N State Highway 360 - Mr. DeGrande spoke in support of the item.

Bill Jones, 2124 Jessica Drive - Mr. Jones spoke in opposition of the item.

Danny Ray, 11317 County Road 525 - Mr. Ray spoke in support of the item.

Joe Hall, 1050 McCampbell Road - Mr. Hall spoke in support of the item.

Derek Craig Speck, 4400 Ashbury Lane - Mr. Speck spoke in support of the item.

Houston Mitchell, 605 St. Eric - Mr. Mitchell spoke in support of the item.

Shauna Friend, 13 Willowstone Court - Ms. Friend spoke in opposition of the item.

Karen Marcucci, 829 Pecos Court - Ms. Marcucci spoke in opposition of the item.

Kim McCaslin, 100 N Mitchell Road - Ms. McCaslin spoke in opposition of the item.

Mayor Evans recognized the following non-speakers:

Dee Davey, 1011 Westminster - Support

Shane Farrar, 2080 Cannon Drive - Support

Malinda Laundermill, 7197 W Highway 67, Walnut Springs - Support

Truitt Kimbrough, 1314 County Road 2011, Walnut Springs - Support

Tammy Miller, 1348 Breckenridge Road - Support

Brian Wilson, 1203 Killian Drive - Support

Keia Wilson, 1203 Killian Drive - Support

Larry Yeats, 510 N Park Ridge - Support

Mark Sullivan, 1101 Pebble Beach Drive - Support

Angela Callaway, 8128 Plum Creek Trail - Support

Gavin Callaway, 8128 Plum Creek Trail - Support

Trent Tucker, 1012 High Lake Trail - Support

Charles Roeder, 413 Canadian Trail - Support

Bethann Botha, 8133 Shron Jean Drive - Support

Kelly DePriest, 1123 Hidden Creek Street - Support

Ronda Akins, 1303 Brittany Lane - Support

Richrd Scott Owens, 212 Cedar Street - Support

Jeff Alsabrook, 1509 Monte Carlo Drive - Support

Aidon Owens, 212 Cedar Street - Support

Michael DeVito - 1304 Waterwood Drive - Support

Steve Mitchell, 7542 Sharon Lee Drive - Support

VanDella Meriffee, 5431 Childress Drive, Grand Prairie - Oppose

Mayor Evans continued the public hearing through second reading at 9:40 p.m.

A motion was made by Council Member Broseh to recess into executive session. Seconded by Council Member Lewis. The motion CARRIED unanimously.

In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 9:40 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 9:43 p.m. and adjourned the executive session at 9:47 p.m. Mayor Evans reconvened into regular business session at 9:49 p.m.

A motion was made by Council Member Lewis to deny 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 LIGHT INDUSTRIAL USE, 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 Mayor Pro Tem Tonore. 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

PUBLIC HEARING

[21-4387](#)

Public Hearing and Consideration of a Request for a Specific Use Permit for a Gasoline Service Station on Approximately 1.483 Acres Known as Lot 1, Block 2, Newport Addition, Located at 2919 N. Main St.; Cody Brooks of Bannister Engineering, LLC (engineer), Jack Romigh of Knight Group Architects (Architect), and Mark Feuling of Turnkey Construction and Development Group (Developer) on Behalf of Akram H. Chowdhury (Owner) (SUP#20-006)

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 10:01 p.m.

Applicant Jack Romigh, 212 Verna Trail N, Fort Worth - Mr. Romigh spoke on the request and answered Council questions.

Mayor Evans closed the public hearing at 10:06 p.m.

City Attorney Allen Taylor answered Council questions.

A motion was made by Council Member Broseh to approve the request for a specific use permit subject to the principal anchor being a vendor recognized at the State or National level as a major retailer and if that is not the case the Council has the option of requesting staff to place the item on the next Council agenda to reconsider the specific use permit. 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

PUBLIC HEARING AND FIRST READING

21-4381

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District Classification for the 1894 Post Office Building at 130 N. Main Street; Jeff Delavega Investments LLC, owner

Jason Alexander presented the item and answered Council questions.

Mayor Evans opened the public hearing at 10:14 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 10:14 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 COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A HISTORIC LANDMARK OVERLAY DISTRICT CLASSIFICATION FOR THE 1894 POST OFFICE BUILDING LOCATED AT 130 N. MAIN 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 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-2234-21

PUBLIC HEARING CONTINUATION AND SECOND AND FINAL READING

21-4364

Ordinance - Public Hearing and Second and Final Reading on an Ordinance Approving a Zoning Change from C-2 Community Business District to PD, Planned Development District for 2F, Two Family Residential District Plus Triplex for a Duplex and Triplex, Attached Single-Family Development on Approximately 6.56 Acre Tract of Land Situated in the Henry McGehee Survey, Abstract Number 998, Located in the City of Mansfield, Tarrant Co., TX, Being all of Lots 6,7,8, And 9, Matlock Center Addition and Being Part of a Called 12.974 Acre Tract in Substitute Trustee's Deed to Kingdom Work Foundation, Recorded in

Instrument D214023663 Located in the City of Mansfield, Tarrant Co., TX, Generally Located at 1701 Country Club Drive and 1107-1110 Alexis Court; Brian Cotter of Cotter Associates, planner on Behalf of Louis Scoma of Kingdom Work Foundation, owner (ZC#21-015)

Assistant Director of Planning Arty Wheaton-Rodriguez presented the item and answered Council questions. Applicant Michael Dike answered Council questions.

Mayor Evans continued the public hearing at 10:24 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 10:24 p.m.

A motion was made by Council Member Lewis to approve 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 2F, TWO FAMILY RESIDENTIAL DISTRICT PLUS TRIPLEX (ATTACHED SINGLE-FAMILY), 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 Short. The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 1 - Todd Tonore

Enactment No: OR-2228-21

NEW BUSINESS

[21-4369](#)

Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 27, 2021 to December 13, 2021

A motion was made by Council Member Leyman to suspend the Procedural Rules of Council and reschedule the regular scheduled City Council meeting of December 27, 2021 to December 13, 2021. 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

[21-4389](#)

Discussion and Possible Action Regarding the Cancellation of the November 22, 2021 Regular City Council Meeting and Rescheduling of the Public Hearing Continuation and Second Reading Agenda Items to the December 13, 2021 Regular City Council Meeting

A motion was made by Council Member Leyman to cancel the November 22, 2021 Regular City Council meeting and reschedule the Public Hearing Continuation and Second Reading agenda items to the December 13, 2021 Regular City Council meeting. Seconded by Council Member Broseh. 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

[21-4390](#)

Discussion and Possible Action Regarding the Ballot for Voting of Candidates to Serve on the Board of Directors for the Tarrant Appraisal District, Johnson County Appraisal District and Ellis County Appraisal District for the Calendar Years 2022 and 2023

Chief Financial Officer Troy Lestina presented the item and answered Council questions. Allen Taylor answered Council questions. No action was taken.

ADJOURN

A motion was made by Council Member Short to adjourn the meeting at 10:33 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