



# CITY OF MANSFIELD

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

## Meeting Minutes - Final

### City Council

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Monday, March 21, 2022

4:00 PM

Council Chambers

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#### REGULAR MEETING

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

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

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

#### RECESS INTO EXECUTIVE SESSION

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 4:01 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 4:07 p.m. Mayor Evans recessed the executive session at 4:23 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 ZC#04-012

#### **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**

#### 4:30 P.M. - WORK SESSION

Joint Work Session with the Mansfield Chamber of Commerce Board of Directors to Discuss City Vision and Strategic Initiatives

*Mayor Evans opened the work session by welcoming the Mansfield Chamber of Commerce Board of Directors and turned it over to Donald Williams, Chairman of the Board of Directors, who made opening remarks. City Manager Joe Smolinski highlighted various aspects of Mansfield that makes the city a great place to own,*

*operate, and relocate a business, such as Mansfield Independent School District, the parks and recreation system, a highly educated and skilled workforce, being in close proximity to a skilled labor force, being one of the safest cities in the country, a re-imagined economic development strategy, housing diversity, and a recently lowered tax burden for businesses and residents. There was discussion regarding the City's partnership with the Mansfield Chamber of Commerce, economic development, and employees in the city being able to live, work, and play in Mansfield.*

Discussion Regarding Proposed Project within the South Pointe Planned Development District

*This item was postponed to the April 11, 2022 Regular City Council Meeting.*

### **RECESS INTO EXECUTIVE SESSION**

*In accordance with Texas Government Code, Chapter 551, Mayor Evans recessed the meeting into executive session at 5:19 p.m. Mayor Evans called the executive session to order in the Council Conference Room at 5:29 p.m. Mayor Evans adjourned the executive session at 6:58 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 Agreement with DSE Hockey Centers, LP

Seek Advice of City Attorney Regarding Economic Development Project #21-28

### **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 #21-26

Economic Development Project #21-37

Economic Development Project #22-10

Economic Development Project #22-11

**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 into regular business session at 7:08 p.m.*

**INVOCATION**

*Donald Williams, Associate Superintendent of Communications and Marketing for the Mansfield Independent School District, gave the invocation.*

**PLEDGE OF ALLEGIANCE**

*Council Member Leyman 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.*

**PROCLAMATION**

[22-4593](#)

National Library Week

*Mayor Evans read and presented the National Library Week proclamation to Library Director Yolanda Botello and Mansfield Public Library staff.*

**PRESENTATION**

Presentation to Congressman Jake Ellzey

*Mayor Evans presented U.S. Congressman Jake Ellzey with City of Mansfield memorabilia in honor of his public service. Congressman Ellzey made brief comments.*

Presentation of the 2021 Annual Comprehensive Financial Report (ACFR) - BKD, LLP

*BKD, LLP representative Dan Barron presented the 2021 Annual Comprehensive Financial Report (ACFR).*

**CITIZEN COMMENTS**

*The following citizens spoke in support of agenda item #22-4581:*

*Susan Luttrell, 1092 S. Mitchell Rd.  
Therese Goodman, 258 Billingslea Dr.  
Lari Waites, 7609 FM 2738  
Gloria Olcott, 253 Billingslea Dr.  
Ollen Mullis, 1203 Baybrooke Ln. #515  
Rick Weisbarth, 808 Sabine Trail  
Clifton Harrell, 6302 Bittersweet Dr.  
Shelia Kime, 807 Oak Shadows Ct.*

*Michael Jennings, 805 Derbyshire Ln. - Mr. Jennings spoke regarding the lack of handicap parking enforcement in the city.*

*Wayne Wilshire, 1101 Pinehurst Ct. - Mr. Wilshire spoke regarding the lack of restroom facilities at the Mansfield National Golf Course.*

*The following citizens submitted non-speaker cards in support of agenda item #22-4581:*

*Paul Cash, 203 Hillcrest  
Tooter Waits, 7609 FM 2738  
Mark Woods, 10117 C.R. 528  
Andrew Hudson, 1702 Hastings Dr.  
Robert Luttrell, 1092 S. Mitchell Rd.  
Jerry Ritchie, 1412 Wheeler Dr.  
James Cleveland, 242 Sayer Dr.  
Ixel Sarmiento, 234 Billingslea Dr.*

*The following citizens submitted non-speaker cards in opposition of agenda item #22-4581:*

*Rolando C, 310 Sayers Dr.  
Angela Armstead, 318 Sayers Dr.  
Roderick Armstead, 218 Sayers Dr.  
Shelia Favor, 503 Titleist Dr.  
Jolene Bargsley, 1600 Cowntown Dr.*

**COUNCIL ANNOUNCEMENTS**

*Council Member Leyman thanked everyone involved in putting on the Pickle Parade.*

*Council Member Short expressed her appreciation towards the fire and police departments for their work during the Pickle Parade.*

*Council Member Lewis had no comments.*

*Mayor Pro Tem Tonore spoke on the National League of Cities Conference that he attended in Washington D.C.*

*Council Member Bounds echoed comments made regarding the Pickle Parade and*

*thanked the volunteers and staff.*

*Council Member Broseh spoke regarding the National League of Cities Conference and the benefits of attending the sessions.*

*Mayor Evans echoed the comments made regarding the National League of Cities Conference and thanked staff and the volunteers who worked the Pickle Parade.*

## **STAFF COMMENTS**

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

Current/Future Agenda Items

Community Engagement Update - Theresa Cohagen

*Director of Community Engagement Theresa Cohagen made brief comments. Communications Manager Andrew Clark presented the "New Resident Resources" page on the city's website. CVB Marketing and Promotions Manager Tim Roberts presented the "Places" page on the CVB website.*

Environmental Program Events - Howard Redfearn

*Environmental Manager Howard Redfearn spoke on various upcoming environmental program events.*

### **Business Services Department Report**

[22-4591](#) Presentation of the Monthly Financial Report for the Period Ending December 31, 2021

*Chief Financial Officer Troy Lestina was available for questions.*

[22-4592](#) Presentation of the Monthly Financial Report for the Period Ending January 31, 2022

*Troy Lestina was available for questions.*

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

*No action was taken.*

## **CONSENT AGENDA**

[22-4477](#) Resolution - A Resolution to Consider Awarding a Construction Contract to 308 Construction, LLC of Argyle, Texas in the Amount of \$578,216.30 for Construction of Basketball Courts and Additional Parking Spaces at McClendon Park West

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

**A RESOLUTION TO CONSIDER AWARDING A CONSTRUCTION CONTRACT TO 308 CONSTRUCTION, LLC OF ARGYLE, TEXAS IN THE AMOUNT OF \$578,216.30 FOR CONSTRUCTION OF BASKETBALL COURTS AND ADDITIONAL PARKING SPACES AT MCCLENDON PARK WEST**

(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-3843-22

[22-4478](#)

Resolution - A Resolution to Consider Awarding a Guaranteed Maximum Price Contract in the Amount of \$3,600,140.96 to the Construction Manager-At-Risk, The Fain Group Inc., for Construction of Gertie Barrett Park and McClendon Park West Improvements

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

**A RESOLUTION AWARDING A GUARANTEED MAXIMUM PRICE OF \$3,600,140.96 TO THE CONSTRUCTION MANAGER-AT-RISK, THE FAIN GROUP, INC., FOR CONSTRUCTION OF GERTIE BARRETT PARK AND MCCLENDON PARK WEST IMPROVEMENTS**

(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-3844-22

[22-4576](#)

Resolution - A Resolution of the City of Mansfield, Texas Approving the Funding for the Removal and Replacement of Landscape Screening Surrounding Gas Well Located Near 621 Easy Drive

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING THE FUNDING FOR THE REMOVAL AND REPLACEMENT OF LANDSCAPE SCREENING SURROUNDING GAS WELL LOCATED NEAR 621 EASY DRIVE**

(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-3845-22

[22-4577](#)

Resolution - A Resolution of the City of Mansfield, Texas Approving the Funding for the Maintenance of Irrigation and Landscaping Surrounding Gas Well Located Near 621 Easy Drive

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

**A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS APPROVING THE FUNDING FOR THE MAINTENANCE OF IRRIGATION AND LANDSCAPING SURROUNDING GAS WELL LOCATED NEAR 621 EASY DRIVE**

(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-3846-22

[22-4586](#)

Resolution - A Resolution of the City of Mansfield, Texas Authorizing the City Manager to Enter into an Interlocal Agreement with Dallas County for the Purpose of Cooperative Purchase of Goods, Products and/or Services

**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 TO ENTER IN TO AN INTERLOCAL AGREEMENT WITH DALLAS COUNTY FOR THE PURPOSE OF COOPERATIVE PURCHASE OF GOODS, PRODUCTS AND/OR SERVICES**

(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-3847-22

[22-4588](#)

Resolution - A Resolution Authorizing Funding in the Amount of Eight Hundred Seventy-Two Thousand Five Hundred and Fifty Dollars \$872,550.00, for the Construction of the Bud Ervin Water Treatment Plant Control System to Taknek, LLC

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

**A RESOLUTION AWARDDING A CONTRACT FOR CONSTRUCTION OF THE BUD ERVIN WATER TREATMENT PLANT CONTROL SYSTEM TO TAKNEK, LLC FOR THE AMOUNT OF \$872,550.00 (UTILITY 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-3848-22

[22-4582](#)

Request for Special Event Permit: 2022 Music Alley

**A motion was made by Council Member Lewis to approve the Special Event Permit. 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

[22-4562](#)

Minutes - Approval of the February 28, 2022 Regular City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the February 28, 2022 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

[22-4585](#)

Minutes - Approval of the March 7, 2022 Regular City Council Meeting Minutes

**A motion was made by Council Member Lewis to approve the minutes of the March 7, 2022 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

**END OF CONSENT AGENDA**

**PUBLIC HEARING**

[22-4580](#)

Public Hearing - Public Hearing and Consideration of a Request for a Specific Use Permit for a Used Merchandise Store on Approximately 0.9636 Acres being Lot 2, Blk 1, Hunters Pointe Addition at 1826 Cannon Dr.; Shane Farrar on behalf of Road Less Traveled, LLC, Owner, and Uptown Cheapskate, Proposed Tenant (SUP 22-001)

*Director of Planning Jason Alexander presented the item and answered Council questions. Applicants Shane Farrar and Keziah Farrar answered Council questions.*

*Mayor Evans opened the public hearing at 8:30 p.m. With no one wishing to speak, Mayor Evans closed the public hearing at 8:30 p.m.*

**A main motion was made by Council Member Bounds to approve the Specific Use Permit. Seconded by Mayor Pro Tem Tonore. A motion was made by Council Member Lewis to amend the original motion to include the conditions of limiting the square footage for the SUP to the 5,200 square feet within the existing facility within reason (if the square footage comes out to 5,201, staff has discretion), and also to limit the SUP to this specific tenant under this Certificate of Occupancy, so that it couldn't become a future resale shop if the Farrar family decided to sell the business and another tenant wanted to come in, they would need to come back through for an SUP. Council Member Short seconded the motion to amend the main motion. The motion to amend the main motion passed unanimously. The 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

**PUBLIC HEARING AND FIRST READING**[22-4581](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Single-Family Residential uses on Approximately 2.997 Acres known as Lot 15, Mount Zion Estates, Located at 301 Sayers St.; Michael Thomas of MJ Thomas Engineering, LLC, Engineer, on behalf of Christine Panagopoulos of Trinity Habitat for Humanity, Owner/Developer (ZC 20-021)

*Jason Alexander stated that there is no presentation at this time and staff requests consideration that the City Council remands this item to the Planning and Zoning Commission for further review and consideration which would allow the applicant time to work with staff on some refinements to the plan.*

*Mayor Evans opened the public hearing at 8:38 p.m.*

*Benny Robinson, 117 Morgan Rd. - Mr. Robinson spoke in opposition to the development.*

*Stoney Short, 304 W. Kimball - Mr. Short spoke in support of the development.*

*Gage Yager, Applicant, 2201 Ashland Ave. - Mr. Yager spoke in support of the development.*

*Mayor Evans continued the public hearing through second reading at 8:50 p.m.*

**A motion was made by Council Member Lewis to table the item back to the Planning and Zoning Commission to allow the Commissioners to make their comments in a Planning and Zoning Commission meeting, and then bring the item back to Council. Seconded by Council Member Bounds. The motion CARRIED by the following vote:**

**Aye:** 6 - Larry Broseh; Mike Leyman; Casey Lewis; Todd Tonore; Michael Evans and Tamera Bounds

**Nay:** 0

**Abstain:** 1 - Julie Short

**NEW BUSINESS**[22-4589](#)

Ordinance - Consideration of an Ordinance Requesting to Abandon the Eastern Half of the Prescriptive Right-of-Way of Miller Rd. (.344 Acres) North of Heritage Parkway to MCP 360 LAND, LLC and Mansfield IRF, LLC

*Director of Public Works Bart VanAmburgh presented the item.*

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

**AN ORDINANCE VACATING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY OF MILLER ROAD DESCRIBED HEREINAFTER, DECLARING**

**THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC;  
AUTHORIZING THE MAYOR OF THE CITY OF MANSFIELD, TEXAS, TO EXECUTE  
A QUITCLAIM DEED RELEASING PUBLIC INTEREST OR CONTROL OF SAID  
RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE**

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

**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

Enactment No: OR-2247-22

### **ADJOURN**

**A motion was made by Council Member Lewis to adjourn the meeting at 8:55  
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

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Susana Marin, City Secretary