



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

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Monday, February 27, 2017

6:00 PM

Council Chambers

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#### REGULAR MEETING

1. **6:00 P.M. - CALL MEETING TO ORDER**

2. **RECESS INTO EXECUTIVE SESSION**

*Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.*

A. **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 the Sales Contract for the Farr Best Theatre

Seek Advice of City Attorney Regarding the Rejection of Bids for Sports Complex Restroom

Seek Advice of City Attorney Regarding a Downtown Restroom

B. **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

C. **Personnel Matters Pursuant to Section 551.074**

D. **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**

3. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

5. **INVOCATION**

**6. PLEDGE OF ALLEGIANCE****7. TEXAS PLEDGE**

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

**8. PROCLAMATION**

[17-2204](#) Texas Smartscape Month

**Attachments:** [SmartScape Proclamation 2017](#)

**9. PRESENTATION**

Texas Association of Convention & Visitors Bureau 2016 Idea Fair Annual Awards for Best Video, Best Sports Marketing, Cooperative Marketing, and Convention Promotion - Theresa Cohagen

**10. CITIZEN COMMENTS**

*Citizens wishing to address the Council on non-public hearing agenda items and items not on the agenda may do so at this time. Once the business portion of the meeting begins, only comments related to public hearings will be heard. All comments are limited to 5 minutes. Please refrain from "personal criticisms."*

*In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow "Appearance Card" located at the entry to the City Council Chamber and present it to the Assistant City Secretary prior to the start of the meeting.*

**11. COUNCIL ANNOUNCEMENTS****12. STAFF COMMENTS**

*In addition to matters specifically listed below, Staff comments may include updates on ongoing or proposed projects and address of posted agenda items.*

**A. City Manager Report or Authorized Representative**

Current/Future Agenda Items

**B. Business Services Department Report**

[17-2198](#) Presentation of Monthly Financial Report for the Period Ending December, 2016

**Sponsors:** Peter Phillis

**Attachments:** [December 2016 Financials](#)

**C. Police Department Report**

[17-2185](#) Presentation of the Mansfield Police Department Annual Contact Report for 2016

**Sponsors:** Tracy Aaron

**Attachments:** [Annual Contact Report 2016](#)

13. **TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**

14. **CONSENT AGENDA**

*All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff's recommendation.*

**ITEMS TO BE REMOVED FROM THE CONSENT AGENDA**

[17-2160](#) Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR to PD for Office, Dental Lab, Day nursery and Children's Learning Facility on Approximately 1.43 Acres Generally Located East of Matlock Road and Approximately 1,181 Feet South of E. Debbie Lane; Reilly Brothers Property (ZC#16-027)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Ordinance](#)

[Maps & Supporting Info](#)

[Exhibit A](#)

[Exhibit B & C - Holland Family PD Standards](#)

[17-2181](#) Resolution - A Resolution to Reject All Bids Received for the Construction of a Restroom Building at the Michael L. Skinner Sports Complex

**Sponsors:** Shelly Lanners and Matt Young

**Attachments:** [2016-23-01-08 Bid Tab Sports Complex Restroom](#)

[Resolution](#)

[17-2203](#) Resolution - A Resolution Authorizing a Change Order to the Contract with McClendon Construction, Inc. for Antler Dr. Paving, Drainage and Sewer Improvements for an Amount Not to Exceed \$108,784.00 (MEDC Fund)

**Sponsors:** Joe Smolinski and Bart VanAmburgh

**Attachments:** [Resolution](#)

[17-2205](#) Resolution - A Resolution Amending the Chapter 380 Economic Development Agreement Between the City of Mansfield and HPC Somerset Development Corporation for Infrastructure and Improvements Within and Related to the Somerset Development

**Sponsors:** Joe Smolinski

**Attachments:** [Hanover - Somerset 380 Agreement - Amendment 2.27.2017](#)  
[Hanover - Somerset 380 Agreement - Amended Exhibit D - Eligible Public Imprc](#)  
[Hanover - Somerset 380 Agreement - REDLINE Amendment 2.27.2017](#)  
[Hanover - Somerset Amended 380 Agreement - Resolution](#)

[17-2195](#) Request for Special Event Permit; Pickle Parade & Run

**Sponsors:** Joe Smolinski and The Applicant  
**Attachments:** [Pickle Parade & Run App & Insurance](#)  
[Approval & Comments](#)

[17-2197](#) Minutes - Approval of the February 13, 2017 Regular City Council Meeting Minutes

**Sponsors:** Shelly Lanners and Jeanne Heard  
**Attachments:** [2-13-17 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**15. OLD BUSINESS**

[17-2182](#) Ordinance - First Reading of an Ordinance Granting to SiEnergy, L.P. a Franchise to Furnish and Supply Gas to the General Public in the City of Mansfield, Texas, for the Transporting, Delivery, Sale, and Distribution of Gas in, Out of, and Through Said Municipality for all Purposes; Providing for the Payment of a Fee or Charge for the Use of the Streets, Alleys, and Public Ways; Requiring Compliance with all Regulatory Ordinances of the City; and Providing for Other Provisions Related to the Subject Matter Hereof

**Sponsors:** Peter Phillis and Jeff Price  
**Attachments:** [Ordinance](#)

**16. PUBLIC HEARING**

[17-2199](#) Public Hearing and Consideration of a Request for Variance to Allow the Sale of Alcoholic Beverages for Off-premise Consumption by Carnicera Carmelita Meat Market Located at 1275 N Main St, Within 300 Feet of the Property Line of Legacy High School

**Sponsors:** Joe Smolinski and Felix Wong  
**Attachments:** [Letter of Request for Variance & Exhibits](#)  
[Section 109.33 Alcoholic Beverage Code](#)

**17. PUBLIC HEARING AND RESOLUTION**

[17-2201](#) Resolution - Public Hearing and Resolution Approving and Endorsing the 2017 (43rd year) Community Development Block Grant Project for North Street (Newt Patterson Road. to N. Main St.)

**Sponsors:** Joe Smolinski and Bart VanAmburgh

**Attachments:** [Resolution](#)

## 18. **PUBLIC HEARING AND FIRST READING**

[17-2200](#) Ordinance - Public Hearing and First Reading of an Ordinance for a Zoning Change from SF-7.5/12 to PD for Office, Limited Residential and Retail Uses, and Historic Landmark Status on Approximately 0.23 Acres Located at 200 W. Oak Street; 200 W. Oak LLC (ZC#17-002)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Maps and Supporting Information](#)

[Ordinance](#)

[Exhibit A](#)

[Exhibit B](#)

[17-2202](#) Ordinance - Public Hearing and First Reading of an Ordinance for a Request for Specific-Use Permit for Used Merchandise Store at 1071 Country Club Drive, Suite 107; Kids Garage (ZC#17-003)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Maps & Supporting Info.](#)

[Business Summary](#)

[Ordinance](#)

[Exhibit A](#)

## 19. **PUBLIC HEARING CONTINUATION AND SECOND READING**

[17-2174](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Setting Forth the Standards of Care for the Recreation Department's Summer Youth Program for the City of Mansfield; Providing for the Operational Standards of the Administration for the Program; Providing for the Inspecting, Monitoring, and Enforcement of the Standards of Care; Providing for the Staffing Levels, Training and Responsibilities for Those Working in the Program; Providing for Facility Standards; Providing for Cumulative Clause; Providing for a Severability Clause; Providing for an Effective Date

**Sponsors:** Shelly Lanners and Andy Binz

**Attachments:** [Ordinance](#)

[2017 Standards of Care](#)

[17-2175](#) Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from an Existing Planned Development and C-2, Community Business District to a New Planned Development for Retail, Restaurant and Other Commercial Uses and to Provide a Variance to the Alcoholic Beverage Sale Regulations Enacted Under Section 109.33 of the Texas Alcoholic Beverage Code, on Approximately 19.3 Acres Generally Located at the NW corner of E.

Broad Street and Cannon Drive; Leon Capital Group (ZC#16-023)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Maps & Supporting Info.](#)

[Variance Requests](#)

[Exhibit A](#)

[Ordinance](#)

[EXHIBITS B-S \(CC 27 FEB 17\)](#)

[17-2176](#)

Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to PD for Multi-Family Residential Development on Approximately 5.57 Acres Generally Located South of W. Broad Street and Approximately 1,180 Feet East of the Intersection of W. Broad Street and Lillian Road; Carleton Residential Properties (ZC#16-026)

**Sponsors:** Joe Smolinski and Felix Wong

**Attachments:** [Maps & Supporting Info.](#)

[Ordinance](#)

[EXHIBITS A-D](#)

**20. ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the February 27, 2017 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, mansfieldtexas.gov, on Thursday, February 23, 2017 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

\_\_\_\_\_  
Jeanne Heard, City Secretary

Approved as to form:

\_\_\_\_\_  
City Attorney

DATE OF POSTING: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.