



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, November 14, 2016

5:00 PM

Council Chambers

REGULAR MEETING

1. **5:00 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 Mineral Lease Agreement with Newark Core Barnett, LLC/GHA Barnett, LLC

Seek Advice of City Attorney Regarding the Pond Branch Design/Construction Contract

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

Deliberate the Purchase, Exchange, Lease, or Value of Easements and Real Property for the Mountain Creek Sanitary Sewer Interceptor Project

Discussion Regarding Possible Purchase of the Farr Best Theater

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**

[16-2079](#) Municipal Court Week

Attachments: [Municipal Court Week 2016](#)

[16-2108](#) Small Business Saturday

Attachments: [Small Business Saturday 2016](#)

9. **PRESENTATION**

Texas Police Chief's Association Law Enforcement Recognition Program – Mansfield Police Department “Recognized Law Enforcement Agency” Award – Tracy Aaron, Mansfield Police Department

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

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

[16-2087](#) Resolution - A Resolution of the City of Mansfield, Texas, Authorizing the City Manager and the Fire Department to Enter into an Interlocal Agreement with the City of Cedar Hill for the Cooperative Purchasing of Good, Products and/or Services

Sponsors: Clayton Chandler and Barry Bondurant

Attachments: [Resolution](#)

[16-2092](#) Resolution - A Resolution Approving an Amendment to the Contract for Design Services with Banister Engineering, LLC for the Antler Drive Extension Improvement Project for an Amount not to Exceed \$10,000.00 (MEDC)

Sponsors: Scott Welmaker and Clayton Chandler

Attachments: [RES Bannister Change order](#)

[16-2088](#) Request for Special Event Permit: MISD Toys for Tots

Sponsors: Joe Smolinski and The Applicant

Attachments: [MISD Toys for Tots SE App](#)

[Approvals & Comments](#)

[16-2109](#) Request for Special Event Permit: Meredith Hatch Foundation 5K & 1K

Sponsors: Joe Smolinski and The Applicant

Attachments: [The Meredith Hatch Foundation App](#)

[Approval & Comments](#)

[16-2097](#) Minutes - Approval of the October 24, 2016 Regular City Council Meeting Minutes

Sponsors: Shelly Lanners and Jeanne Heard

Attachments: [10-24-16 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. OLD BUSINESS

- [16-1999](#) Ordinance - Third and Final Reading of an Ordinance Authorizing the Execution of a Gas Lease Agreement Between the City of Mansfield and GHA Barnett, LLC for City-Owned Property Located at 707 Pleasant Ridge Court
Sponsors: Shelly Lanners
Attachments: [Ordinance](#)
[Location Map](#)
- [16-2048](#) Ordinance - Third and Final Reading on an Ordinance Approving a Specific Use Permit for Eating Place with Drive-Through Service on Approximately 1.1 Acres, Generally Located at the Southwest Corner of E. Broad Street and N. Holland Road; Muy Hamburger, LLC. (ZC#16-011)
Sponsors: Joe Smolinski and Felix Wong
Attachments: [Maps & Supporting Info.](#)
[Ordinance](#)
[16088_Wendy's Mansfield - 16.10.18](#)
[Exhibits A-F](#)
- [16-2104](#) Consideration of a Request to Remove From the Table Agenda Item Number 16-2046, for the Continuation of a Public Hearing and First Reading on November 28, 2016, of an Ordinance for a Zoning Change from PR to SF-7.5/18, SF-9.6/20 and SF-12/22 on Approximately 187.85 Acres Generally Located West of Gertie Barrett Road and the End of Cancun Drive, North of Country Meadow Drive and Chimney Hill Circle; Alluvium Development (ZC#16-001)
Sponsors: Joe Smolinski and Felix Wong
- 16. PUBLIC HEARING AND FIRST READING**
- [16-2093](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District to C-2, Community Business District on Approximately 30 Acres Generally Located at the Southeast Corner of East Debbie Lane and North Matlock Road; Reilly Brothers (ZC#16-015)
Sponsors: Joe Smolinski and Felix Wong
Attachments: [Maps & Supporting Information](#)
[Ordinance](#)
[Exhibit A](#)
- [16-2094](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Historic Landmark Overlay District for the Property Located at 114 N. Main Street; City Staff (ZC#16-020)
Sponsors: Joe Smolinski and Felix Wong

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

[16-2096](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Specific Use Permit for Retail and Service Establishments Not Elsewhere Listed (Brewery) in the Existing Building at 117 N. Main Street; Dirty Job Brewing (ZC#16-019)

Sponsors: Joe Smolinski and Felix Wong

Attachments: [Ordinance](#)

[Exhibit](#)

[Maps & Supporting Info.](#)

[Citizen Letters](#)

17. **PUBLIC HEARING CONTINUATION AND SECOND READING**

[16-2095](#) Ordinance - Public Hearing Continuation and Reconsideration of Second Reading on an Ordinance Approving a Zoning Change from PR, Pre-Development District and C-2, Community Business District to PD for Single-Family Residential Development on Approximately 61.7 Acres Generally Located South of Harmon Road, Between SH 360 and the Future Extension of S. Matlock Road; Jabez Development LP (ZC#16-010)

Sponsors: Joe Smolinski and Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Information](#)

[Exhibits A - C](#)

18. **NEW BUSINESS**

[16-2101](#) Presentation of Referendum Petition Received October 28, 2016; Action as Necessary or Appropriate

Sponsors: Shelly Lanners and Jeanne Heard

[16-2103](#) Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 26, 2016 to December 12, 2016

Sponsors: Shelly Lanners and Jeanne Heard

Attachments: [Procedural Rules of Council](#)

[16-2107](#) Resolution - A Resolution of the City of Mansfield, Texas Authorizing the Filing of Eminent Domain Proceedings for the Purpose of Obtaining Real Property and Easements for Use by the City for the Construction of Sanitary Sewer Line Improvements and Facilities to Serve Existing and New Development and for Other Public Purposes Permitted by Law

Sponsors: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution & Exhibits](#)

19. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the November 14, 2016 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, November 10, 2016 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.