



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, June 26, 2017

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 Case #17-C-30619 Easements and Real Property for Mountain Creek Sanitary Sewer Interceptor Project

Seek Advice of City Attorney Regarding Board of Adjustments and Appeals

Seek Advice of the City Attorney Regarding Signage and Graffiti Regulations

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

Project #15-02 - Briefing and Update

Acquisition of Right-of-way for Regency Parkway from three properties at 2441 Heritage Parkway, 240 Mitchell Road and 75 Regency Parkway

Discuss Property Management and Disposition

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**

Project Incentive Updates

Project #15-02 - Briefing and Update

- 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. ACKNOWLEDGEMENT OF SERVICE**

Wendy Burgess

- 9. OATH OF OFFICE: TERRY M. MOORE AND LARRY BROSEH**
- 10. ELECTION OF MAYOR PRO TEM**
- 11. PROCLAMATION**

[17-2356](#) Park and Recreation Month

Attachments: [National Park and Recreation Month 2017](#)

- 12. 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.

13. COUNCIL ANNOUNCEMENTS

14. 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

Farr Best Theater Programming Updates - Rosie Gilbert

B. Business Services Department Report

[17-2359](#) Presentation of Monthly Financial Report for the Period Ending May 31, 2017

Sponsors: Peter Phillis

Attachments: [May 2017 Financials](#)

15. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

16. 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

[17-2299](#) Ordinance - Third and Final Reading on an Ordinance to Amend Section 7100, "Sign Standards," of the Zoning Ordinance to Establish New Regulations for Temporary Realtor Open House Directional Signs and Human Signs; (OA#17-001)

Sponsors: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[17-2315](#) Ordinance - Third and Final Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Approving a Negotiated Settlement Between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division Regarding the Company's 2017 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Settlement Tariffs to be just and Reasonable and in the Public

Interest; Requiring Reconciliation and Rate Adjustments if Federal Income Tax Rates Change; Terminating the RRM Process for 2018 Pending Renegotiation of RRM Terms and Conditions; Requiring the Company to Reimburse ACSC's Reasonable Ratemaking Expenses; Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Ordinance to the Company and the ACSC's Legal Counsel

Sponsors: Joe Smolinski and Jeff Price

Attachments: [Ordinance](#)

17-2293

Ordinance - Second Reading of an Ordinance Approving a Request to Abandon a Portion of the Former South 2nd Avenue Right-of-Way (5.847Acres) as Described in Abstract No. 311, Mansfield, Johnson County, as Being a Portion of the Former ROW area for FM Highway 917 (South 2nd Avenue) to Set Back Partners and to Johnson County Electric Cooperative (the abutting property owners) and Reserving a Permanent Utility Easement and Permanent Drainage Easement in such Vacated and Abandoned Property

Sponsors: Joe Smolinski and Bart VanAmburgh

Attachments: [Ordinance](#)

[2nd Ave. Locate Map](#)

[Quitclaim Setback](#)

[Quitclaim Johnson Electric](#)

17-2334

Request for Special Event Permit: Rockin 4th

Sponsors: Joe Smolinski and The Applicant

Attachments: [Rockin 4th App with Insurance](#)

[Approval & Comments](#)

17-2353

Minutes - Approval of the June 12, 2017 Regular City Council Meeting Minutes

Sponsors: Shelly Lanners and Jeanne Heard

Attachments: [6-12-17 DRAFT Meeting Minutes](#)

17-2360

Minutes - Approval of the June 20, 2017 Special City Council Meeting Minutes

Sponsors: Shelly Lanners and Jeanne Heard

Attachments: [6-20-17 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

17. PUBLIC HEARING AND FIRST READING

17-2354

Ordinance - Public Hearing and First Reading of an Ordinance approving a zoning change from PD, Planned Development District to

PD, Planned Development District for Single-Family Residential Attached Townhomes on approximately 16.13 acres out of the T.J. Hanks Survey, Abstract #644, Tarrant County, TX, generally located east of S. Main Street and Airport Drive; Skorburg Company (ZC#17-005)

Sponsors: Joe Smolinski and Lisa Sudbury

Attachments: [ORDINANCE](#)

[EXHIBIT A - Metes & Bounds](#)

[MAPS & SUPPORTING INFO](#)

[EXHIBIT B DEV PLAN](#)

[EXHIBIT C Landscape 2017-06-12](#)

[Exhibit D.1-D.6 \(1\)](#)

[Exhibit D.7-D.8 \(1\)](#)

[Exhibit D.9-D.10 \(1\)](#)

[Exhibit D.11-D.12 \(1\)](#)

[17-2355](#)

Ordinance - Public Hearing and First Reading of an Ordinance approving a zoning change from PD, Planned Development District to PD, Planned Development District for Retail on approximately 5.307 acres out of the James Grimsley Survey, Abstract #578, Tarrant County, TX, generally located south of E. Debbie Lane and approximately 1,300 feet east of Matlock Road; Kimley Horn (ZC#17-007)

Sponsors: Joe Smolinski and Lisa Sudbury

Attachments: [ORDINANCE](#)

[MAPS & SUPPORTING](#)

[Exhibit A - Metes & Bounds](#)

[Exhibit B - Development Plan](#)

[Exhibit C - Landscape Plan](#)

[Exhibit D - Color Elevation](#)

[Exhibit E - Sign Exhibit](#)

18. **NEW BUSINESS**

[17-2357](#)

Resolution - A Resolution Awarding a Contract for Construction of the Bud Ervin Water Treatment Plant Miscellaneous Improvements to Red River Construction Co. for an Amount Not to Exceed \$2,469,900.00 (Utility Construction Fund).

Sponsors: Joe Smolinski and Jeff Price

Attachments: [Resolution](#)

[AwardLetterofRecommendation](#)

[DetailedBidTab](#)

[17-2358](#)

Resolution - A Resolution Authorizing An Engineering Services

Agreement With Alan Plummer Associates Inc for Construction Administration Services Relating to the Bud Ervin Water Treatment Plant Miscellaneous Improvements Project for an Amount Not To Exceed \$151,900.00. (Utility Construction Fund).

Sponsors: Joe Smolinski and Jeff Price

Attachments: [Resolution](#)

19. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the June 26, 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 Friday, June 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.