



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

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Monday, August 27, 2018

5:00 PM

Council Chambers

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#### 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 the Disposition of City Owned Property

Seek Advice of City Attorney Regarding Development at Hwy 287 and Broad Street

Seek Advice of City Attorney Regarding Assignment of Development Agreement for The View at the Reserve

Seek Advise of City Attorney Regarding Matters Related to Human Resource Management

Seek Advice of City Attorney Regarding Contract Issues with Service Provider

**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**

Board Interviews

- 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**

Discussion Regarding Project #18-06 - New Office/Warehouse

Discussion Regarding Project #18-14 - Existing Industrial Expansion

- 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. 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.*

- 9. COUNCIL ANNOUNCEMENTS**

- 10. 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**

[18-2842](#) Presentation of the Monthly Financial Report for the Period Ending July 31, 2018

**Presenters:** Peter Phillis

**Attachments:** [July 2018 Financials](#)

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

12. **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**

[18-2788](#) Ordinance - Third and Final Reading of an Ordinance Amending the Code of Ordinances for Designated Truck/Commercial Delivery Routes by Removing a Section of Main Street from the Truck Route, Adding W. Debbie Lane and FM 157 as Truck Routes and Adding Mouser Way, a Portion of S. Main Street, Industrial Boulevard and S. 2nd Avenue as Commercial Delivery Routes

**Presenters:** Joe Smolinski and Bart VanAmburgh

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

[Truck Route Map](#)

[18-2841](#) Resolution - A Resolution Authorizing the Purchase of Property Located at 210 E. Kimball Street in the Amount of \$10,000

**Presenters:** Matt Young and Shelly Lanners

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

[Boundary Survey Map](#)

[SR Purchase of Property](#)

[18-2845](#) Resolution - A Resolution Approving and Authorizing the City Manager to Execute the Assignment of a Development Agreement Between the City, the Board of Directors of the Tax Increment Financing Reinvestment Zone Number One, and Sowell Reserve Associates, L.P. to Wilbow-Reserve, LLC; and Providing an Effective Date

**Presenters:** Shelly Lanners

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

[Resolution](#)

[18-2834](#) Minutes - Approval of the August 6, 2018 Special City Council Meeting Minutes

**Presenters:** Shelly Lanners and Tracy Norr

**Attachments:** [8-6-2018 DRAFT Meeting Minutes](#)

[18-2835](#) Minutes - Approval of the August 8, 2018 Special City Council Meeting Minutes

**Presenters:** Shelly Lanners and Tracy Norr

**Attachments:** [8-8-2018 DRAFT Meeting Minutes](#)

[18-2836](#) Minutes - Approval of the August 13, 2018 Regular City Council Meeting Minutes

**Presenters:** Shelly Lanners and Tracy Norr

**Attachments:** [8-13-2018 DRAFT Meeting Minutes](#)

[18-2833](#) Request for Special Event Permit: Bike Out Hunger

**Presenters:** Joe Smolinski and The Applicant

**Attachments:** [Bike Out Hunger SE App](#)  
[Approval & Comments](#)

[18-2844](#) Request for Special Event Permit: Star Center Grand Opening

**Presenters:** Joe Smolinski and The Applicant

**Attachments:** [Star Center Grand Opening SE App](#)  
[Approval & Comments](#)

### **END OF CONSENT AGENDA**

## **13. PUBLIC HEARING**

[18-2813](#) Public Hearing - Second Public Hearing on the Tax Rate, Levying the Ad Valorem Taxes for the Fiscal Year 2019 at a Rate of \$0.7100 per One Hundred Dollars (\$100.00) Assessed Valuation on all Taxable Property Within the Corporate Limits of the City as of January 1, 2018, to Provide Revenues for the Payment of Current Expenditures and to Provide an Interest and Sinking Fund on all Outstanding Debts of the City, and Providing for Due and Delinquent Dates Together With Penalties and Interest

**Presenters:** Peter Phillis and Gary Cardinale

[18-2814](#) Public Hearing - Second Public Hearing on the Budget for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019, in Accordance with the Charter of the City of Mansfield, and the Appropriation of Various Amounts Thereof

**Presenters:** Peter Phillis and Gary Cardinale

[18-2815](#) Public Hearing - Second Public Hearing on the Use of Hotel/Motel Tax for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019

**Presenters:** Peter Phillis and Gary Cardinale

**14. PUBLIC HEARING AND FIRST READING**[18-2838](#)

Ordinance - Public Hearing and First Reading on an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Single-Family Attached Townhomes on Approximately 0.885 Acres out of Lot 4, Block 1, Cooper Square and Approximately 7.155 Acres out of the T.O. Harris Survey, Abstract No. 645, Totaling Approximately 8.05 Acres Located at 1400-1420 Turner Warnell Road; Felix Wong on Behalf of Hector Escamilla Jr. of Escamilla Capital Corp., General Partner of Mansfield Commercial Partners, and John R. Hardee of First Momentum Enterprises, LLC (Owners) and Mark J. Fueling of Turnkey Construction and Development Group (Developer) (ZC#18-011)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - D](#)

[Letter from Escamilla Capital Corporation](#)

[Letter from First Momentum Enterprises](#)

[Letter from Willowstone Estates residents](#)

[Request to Table](#)

**15. PUBLIC HEARING CONTINUATION AND SECOND READING**[18-2823](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District to PD Planned Development District for Auto Parts or Accessory Sales (Indoor) Uses on Approximately 0.982 Acres Located at 1597 FM157; David Tipton of CEI Engineering Associates Inc. on Behalf of Carolyn Thaemert of AutoZone, Inc. (ZC#18-017)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - D](#)

**16. NEW BUSINESS**[18-2807](#)

Resolution - A Resolution of the City of Mansfield, Texas, Approving the Terms and Conditions of an Agreement With Texas Brew Works , LLC. Pursuant to a Program to Promote Economic Development and Stimulate Business and Commercial Activity In The City;Authorizing the City Manager to Execute Said Agreement For Such Purposes; and Providing an

## Effective Date

**Presenters:** Richard Nevins and Clayton Chandler

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

[380 Loan Agreement Dirty Jobs](#)

[18-2826](#)

Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$609,000 and Approval of Contracts for Design and Surveying Services with Evolving Texas, LP and Brittain and Crawford, LLC to Prepare Construction Documents for Infrastructure to Serve the MEDC Owned 170 Acre Parcel on Easy Drive

**Presenters:** Richard Nevins and Clayton Chandler

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

[18-2839](#)

Public Hearing - Public Hearing and Consideration of a Specific Use Permit for Eating Place with Drive-Through Service, and to Provide a Variance to the Alcoholic Beverage Sale Regulations Enacted Under Section 109.33 of the Texas Alcoholic Beverage Code, on Approximately 1.28 Acres Out of the Jacob Back Survey, Abstract No. 126, Generally Located on the North Side of E. Broad Street, the East Side of Cannon Drive, and the West Side of SH 360; Scott Brown of Hat Creek Burger Co. on Behalf of Charles W. Anderson of CWA Vistas, LP (ZC#18-018)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Exhibit A](#)

[Exhibits B - E](#)

[Letter of request for variance to allow alcohol sales](#)

[Previously Approved PD](#)

17. **ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the August 27, 2018 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, August 23, 2018 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

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Tracy Norr, City Secretary

Approved as to form:

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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.