



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

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Monday, October 22, 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 the City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

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

Land Acquisition for Future Development

Seek Advise from City Attorney Regarding Agreement for Property Located at 201 N. Main Street

**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**

Discussion Regarding ZC#18-021

Discussion Regarding Development Agreements

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**

[18-2935](#) Arbor Day

*Attachments:* [Arbor Day 2018.doc](#)

[18-2936](#) Friends of the Library Week

*Attachments:* [Friends of the Library Week 2018.doc](#)

[18-2943](#) Texas Trekkers for Pitt Hopkins Day

*Attachments:* [Texas Trekkers for Pitt Hopkins 2018.doc](#)

9. **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.*

10. **COUNCIL ANNOUNCEMENTS**

11. **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

Information and Invitation for Turkey Palooza on November 3, 2018

**12. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****13. 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**[18-2879](#)

Ordinance - Third and Final Reading of an Ordinance Granting a Permanent Access Easement In, Upon and Across City Owned Property On Lot 4, Blk 5, Original Town Of Mansfield (301 South Main Street), in the City of Mansfield, Tarrant County, Texas

**Presenters:** Joe Smolinski and Bart VanAmburgh

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

[S Main Map](#)

[Exhibit A - Perm Access Easement](#)

[Driveway Exhibit - PARCEL 6](#)

[18-2899](#)

Ordinance - Third and Final Reading of an Ordinance Changing the Speed Limits on Regency Parkway from East Broad Street to Heritage Parkway and Mouser Way from FM 157 to the US Hwy 287 Southbound Frontage Road

**Presenters:** Joe Smolinski and Bart VanAmburgh

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

[Speed Limits 2018 Exhibit A](#)

[Location Map Speed Limit Changes 2018](#)

[18-2915](#)

Ordinance -Second Reading of an Ordinance Granting An Oncor Electric Easement In, Upon and Across City Owned Property as described in Vol. 13582 PG. 221 D.R.T.C.T. (918 Magnolia St.), in the City of Mansfield, Tarrant County, Texas

**Presenters:** Joe Smolinski and Bart VanAmburgh

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

[Exhibit A - Legal Description](#)

[Easement and Right of Way](#)

[Map](#)

[18-2927](#)

Resolution - Resolution of the City of Mansfield, Texas, Authorizing the Fire Chief to Act as the City's Representative in all Matters Relating to the Mutual Aid Agreement with the Tarrant County Fire Chiefs Association

**Presenters:** Clayton Chandler and Barry Bondurant

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

[18-2939](#) Resolution - A Resolution Authorizing a Contract with Trinity River Authority for Industrial Sampling and Analytical Services

**Presenters:** Joe Smolinski and Jeff Price

**Attachments:** [Exhibit A TRA Tech Contract FY19](#)

[Exhibit B TRA Tech Contract FY19](#)

[Resolution](#)

[18-2918](#) Request for Special Event Permit: Legacy HS Band March-A-Thon

**Presenters:** Joe Smolinski and The Applicant

**Attachments:** [Legacy HS Band March-a-Thon](#)

[Approval & Comments](#)

[18-2940](#) Request for Special Event Permit: Veterans Day Parade & Salute

**Presenters:** Joe Smolinski and The Applicant

**Attachments:** [Veterans Day Parade - Corrected Map](#)

[Approval & Comments](#)

[18-2925](#) Minutes - Approval of the October 8, 2018 Regular City Council Meeting Minutes

**Presenters:** Shelly Lanners and Tracy Norr

### **END OF CONSENT AGENDA**

## **14. OLD BUSINESS**

[18-2908](#) Ordinance - Second Reading and Consideration of an Ordinance Amending Chapter 130 of the Mansfield Code of Ordinances to Regulate Residential Outdoor Lighting (OA#18-004)

**Presenters:** Joe Smolinski and Lisa Sudbury

**Attachments:** [Lighting Ordinance 10 16 18](#)

[Lighting Exhibit A 10 16 18](#)

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

[18-2838](#) Ordinance - Public Hearing and Continuation of a 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 - 8.20.18](#)

[Request to Table - 9.11.18](#)

[Request to Withdraw ZC#18-011](#)

[18-2928](#)

Ordinance - Public Hearing and First Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Designating a Certain Area as a Tax Abatement Reinvestment Zone for Commercial-Industrial Tax Abatement Within the City of Mansfield, Texas; Establishing the Boundaries Thereof and Other Matters Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.

***Presenters:*** Richard Nevins and Clayton Chandler

***Attachments:*** [Reinvestment Zone Ordinance No. 43.doc](#)

[18-2929](#)

Ordinance - Public Hearing and First Reading of an Ordinance of the City Council of the City of Mansfield, Texas, Designating a Certain Area as a Tax Abatement Reinvestment Zone for Commercial-Industrial Tax Abatement Within the City of Mansfield, Texas; Establishing the Boundaries Thereof and Other Matters Related Thereto; Providing a Severability Clause; Providing a Repealer Clause; and Providing for an Immediate Effective Date.

***Presenters:*** Richard Nevins and Clayton Chandler

***Attachments:*** [Reinvestment Zone Ordinance No. 44.doc](#)

[18-2934](#)

Public Hearing and First Reading on an Ordinance approving a zoning change from PR, Pre-Development District to PD, Planned Development District for I-1, Light Industrial uses on approximately 241.69 acres, generally located at the northwest corner of Lone Star Road and S. Miller Road; the northeast corner of Britton Road and S. Miller Road; and south of Lone Star Road and Britton Road approximately 660 feet east of SH 360 and approximately 1500 feet west of S. Holland Road; Logistics Property Company (ZC#18-021)

***Presenters:*** Joe Smolinski and Lisa Sudbury

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

[Exhibit A - Legal Descriptions - Copy](#)

[Exhibits B - E](#)

[Maps and Supporting Information](#)

[LPC - Park 360 South - CC#1 Outline - 10.17.18 DRAFT](#)

[LPC - Park 360 South - CC#1 Presentation - 10.17.18 DRAFT](#)

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

[18-2743](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance to Consider a Change of Zoning from PR Pre-Development District and C-2 Community Business District to PD Planned Development District for Single-Family Residential Uses on Approximately 52.1225 Acres Situated in the Esquire Hendricks Survey, Abstract #659 & the William H. Herrall Survey, Abstract #724 and Approximately 10.4597 Acres Situated in the Esquire Hendricks Survey, Abstract #659, Altogether Totalling Approximately 62.7195 Acres Generally Located on the West Side of Callender Road, North of the MISD Center for the Performing Arts, and Southeast of the Woodland Estates subdivision; Charles F. Dibrell III of Terra Associates on Behalf of Dolce Vita Development Group, LLC (developer) and ACCP, LP, Michael Balloun, and Urban Contractors (owners) (ZC#17-022)

***Presenters:*** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - D](#)

[Aerial Exhibit](#)

[Request to Table - 08.03.18](#)

[Request to Table - 10.16.18](#)

[18-2861](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from PR Pre-Development District to OP Office Park District on Approximately 0.647 Acres out of the Joab Watson Survey, Abstract No. 1632, Located at 4451 E. Broad Street; Bob Blackwelder of HCC Contracting, Inc. on Behalf of Smart & Stella Ajayi of Harplet Marketing, LLC (ZC#18-019)

***Presenters:*** Joe Smolinski and Lisa Sudbury

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

[Maps and Supporting Information](#)

[Exhibit A - Property Description](#)

[Exhibits B - C](#)

[Proposed Site Plan](#)

[Letter from Applicant](#)

[Conceptual Elevations](#)

[Request to Table to 11-12-18](#)

## 17. **NEW BUSINESS**

[18-2734](#) Ordinance - First Reading of an Ordinance Renewing a Franchise to Construct, Maintain, and Operate Pipelines and Equipment in the City of Mansfield, Tarrant County Texas granted to Atmos Energy Corporation, a Texs and Virginia Corporation, its Successors and Assigns, for the Transportation, Delivery, Sale and Distribution of Gas in , out of, and Through Said City; Providing for the Payment of a Fee or Charge for the Use of the Public Right-of-Way; and Providing that Such Fee Shall be in Lieu of Certain Other Fees and Charges

**Presenters:** Joe Smolinski and Jeff Price

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

[18-2937](#) Consideration of a Request for a Minor Modification of the Approved Specific Use Permit for Eating Place with Drive-Through Service 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#18-018A)

**Presenters:** Joe Smolinski and Lisa Sudbury

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

[Exhibit A](#)

[Exhibits B - E](#)

[Previously Approved SUP exhibits](#)

[18-2938](#) A Resolution Relating to the Giving of Notice of Intention to Issue City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation; Declaring Intent to Reimburse Certain Prior Capital Costs, and Approving Other Matters Related Thereto

**Presenters:** Peter Phillis

**Attachments:** [Notice of Intent Resolution 2018 COs.pdf](#)

[18-2941](#) A Resolution of the City Council of the City of Mansfield, Tarrant County, Texas, Transferring the Duties of Vital Statistics Registrar to the County Clerk of Tarrant County

**Presenters:** Shelly Lanners and Tracy Norr

**Attachments:** [Transfer Resolution.pdf](#)

## 18. **ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the MONTH, DAY, YEAR 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 WEEKDAY, MONTH, DAY, YEAR prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

\_\_\_\_\_  
Tracy Norr, 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.