



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Tuesday, May 28, 2019

5:00 PM

Council Chambers

REGULAR MEETING

1. **5:00 P.M. - CALL MEETING TO ORDER**

2. **WORK SESSION TO BE HELD IN THE MULTI-PURPOSE ROOM**

The View at the Reserve

3. **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 City Facility Naming Policy

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

Discussion and Consideration of 2644 North Main Street

Seek Advice of City Attorney Regarding the Disposition of City Property on Stell Avenue and McKown Drive

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**

4. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**
5. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**
6. **INVOCATION**
7. **PLEDGE OF ALLEGIANCE**
8. **TEXAS PLEDGE**

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

9. **OATH OF OFFICE: DAVID L. COOK AND BRENT NEWSOM**
10. **ELECTION OF MAYOR PRO TEM**
11. **PRESENTATION**

Recognition of Life Saving Efforts - Methodist Mansfield Medical Center and Lifetime Fitness

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. **SUB-COMMITTEE REPORTS**
15. **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

16. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**17. 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[19-3113](#)

Ordinance -Third and Final Reading of an Ordinance Amending Section 8600.A of the Zoning Ordinance to Revise the Regulations for Issuing or Revoking Specific Use Permits by City Council (OA#19-001)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Sect. 8600.A Specific Use Permits - Redlined](#)

[19-3133](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Building Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Building Code Ordinance 2018](#)

[Exhibit A](#)

[19-3134](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Residential Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Residential Code Ordinance 2018](#)

[Exhibit A](#)

[19-3135](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Existing Building Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Existing Building Code Ordinance 2018](#)

[Exhibit A](#)

[19-3136](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Fire Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Fire Code Ordinance 2018](#)

[Exhibit A](#)

[19-3137](#)

Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Fuel Gas Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Fuel Gas Code Ordinance 2018](#)

[Exhibit A](#)

[19-3138](#) Ordinance - Second Reading of an Ordinance Adopting the 2017 Edition of the National Electrical Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Electrical Code Ordinance 2017](#)

[Exhibit A](#)

[19-3139](#) Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Mechanical Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Mechanical Code Ordinance 2018](#)

[Exhibit A](#)

[19-3140](#) Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Plumbing Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Plumbing Code Ordinance 2018](#)

[Exhibit A](#)

[19-3141](#) Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Energy Conservation Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Energy Code Ordinance 2018](#)

[Exhibit A](#)

[19-3142](#) Ordinance - Second Reading of an Ordinance Adopting the 2018 edition of the International Property Maintenance Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Property Maintenance Code Ordinance 2018](#)

[Exhibit A](#)

[19-3143](#) Ordinance - Second Reading of an Ordinance Adopting the 2018 Edition of the International Swimming Pool and Spa Code and its Local Amendments

Presenters: Joe Smolinski, Wade McLaurin and Paul Coker

Attachments: [Swimming Pool & Spa Code Ordinance 2018](#)

[Exhibit A](#)

[18-2996](#) Resolution - A Resolution of the City of Mansfield Consenting to a Sublease Allowing Slap Shot Café, LLC to Operate Within the StarCenter Mansfield

Presenters: Shelly Lanners

Attachments: [Resolution](#)

Sublease

19-3131 Resolution - Resolution Authorizing Additional Funding to TxDOT to Cover Costs Associated with the Completed US 287 Ramps and Texas U-Turn Project in the Amount of \$893,718.11 (Street Bond Fund)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)

[TxDOT Statement of Costs](#)

19-3157 Resolution - Resolution Establishing a Date for Public Hearing to Consider the Amendment of the Impact Fee Capital Improvements Plan for Water and Wastewater Infrastructure, and the Imposition of Revised Water and Wastewater Impact Fees

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)

19-3152 Minutes - Approval of the May 13, 2019 Regular City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [5-13-19 DRAFT Meeting Minutes](#)

19-3155 Request for Special Event Permit: Steak Cook-Off Competition and Concert

Presenters: Joe Smolinski and The Applicant

Attachments: [Steak Cook-Off Competition and Concert](#)

END OF CONSENT AGENDA**18. OLD BUSINESS**

19-3110 Ordinance - Third and Final Reading of an Ordinance to Consider a Change of Zoning from PR Pre-Development District, SF-12/22 Single-Family Residential District, and C-2 Community Business District to PD Planned Development District for Single-Family Residential Uses on Approximately 65.2525 Acres Out of the Esquire Hendricks Survey, Abstract No. 659 & the William H. Herrall Survey, Abstract No. 724, Tarrant County, TX, and Approximately 15.9256 Acres out of the Esquire Hendricks Survey, Abstract No. 659, Tarrant County, TX, Altogether Totalling Approximately 81.1781 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 Michael Balloun of Balloun ACCP, LP, et. al (Owner) (ZC#17-022)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Letter from EagleRidge Operating, LLC](#)

[Letter from Summit Midstream Partners, LLC](#)

[Correspondence from TRWD 05-06-19](#)

[Exhibits B - D](#)

[19-3111](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Office, Church, and Special Event Uses on Approximately 0.68 Acres Known as Lots 2 & 3, Block 15, Original Town of Mansfield, Generally Located at 403 E. Broad St. & 400 Elm St.; Sheri Bumgardner of SSB Designs on Behalf of Central Baptist Church and Anchora Properties, LLC (ZC#19-003)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - C](#)

19. PUBLIC HEARING AND RESOLUTION

[19-3158](#)

Resolution - A Public Hearing and Resolution Approving, Endorsing and Allocating the 2019 (45th year) Community Development Block Grant to the 2017 (43rd Year) CDBG Project, Paving, Drainage, Water and Sanitary Sewer Improvements for North St. (Newt Patterson Rd. to North Main St.)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Resolution](#)

20. PUBLIC HEARING

[19-3159](#)

Public Hearing and Consideration of a Request for a Variance to Allow the Sale of Alcoholic Beverages for On-Premise Consumption at Chipotle, Fuddrucker's, Blaze Pizza, and a National Breakfast Chain to be Located at 3000 E Broad St, Within 300 Feet of the Property Lines of Mansfield High School and Mary Orr Intermediate School; Smit Shah of Village at Broad Street

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Letter from Applicant](#)

[Site Plan](#)

[Separation Exhibit](#)

21. PUBLIC HEARING CONTINUATION AND SECOND READING[19-3128](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from SF-12/22 Single-Family Residential District and PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 7.7 Acres out of Lot 1R1, Change of Scenery; 1.2 Acres out of Lot 1R2, Change of Scenery; and 1.122 Acres out of the William Childress Survey, Abstract No. 1949, Tarrant County, TX, Totaling Approximately 10.022 Acres Located at the Southeast Corner of Seeton Road & National Parkway; Don Dykstra of Bloomfield Homes on behalf of Richard E. LeBlanc of Knox Street Partners No. 20, Ltd. c/o Hanover Property Co. (ZC#19-001)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - E](#)

[19-3129](#)

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Change of Zoning from C-2 Community Business District & PR Pre-Development District to PD Planned Development District for Single-Family Residential Uses on Approximately 11.82 Acres out of the Treese Crawford Survey, Abstract No. 831, Johnson County, TX, Located on the East Side of S. Main Street, Approximately 112 Feet North of Vinewood Drive; Rich Darragh of Skorburg Company on behalf of Lyndell Lacey of Central Mansfield Church of Christ and William B. Mashburn (ZC#19-002)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - E](#)

[19-3132](#)

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 Mobile Food Unit Sales, Outdoor Dining, Outdoor Stage/live Entertainment, Bar, Special Event, and Office Uses on Approximately 0.7495 Acres Located at 107 Walnut Street; Shane Farrar of Open Range Properties (ZC#18-007)

Presenters: Joe Smolinski and Lisa Sudbury

Attachments: [Ordinance](#)

[Exhibit A](#)

[Maps and Supporting Information](#)

[Exhibits B - D](#)

[Fire Lane Grasstone Pavers spec sheet](#)

22. **NEW BUSINESS**

[19-3116](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Approving an Economic Development and Performance Agreement by and Between the Mansfield Economic Development Corporation ("MEDC") and Medical Expense Division, Inc. and Authorizing its Execution by the President of the MEDC; and Providing an Effective Date

Presenters: Clayton Chandler and Richard Nevins

Attachments: [Resolution](#)

[Regency MOB Agreement](#)

[Regency MOB Map](#)

[19-3156](#) Resolution - A Resolution to Consider Awarding a Construction Contract to Ratliff Hardscape of Lewisville, Texas in the Amount of \$817,627.69 for Construction of the Dog Park

Presenters: Shelly Lanners and Matt Young

Attachments: [Resolution](#)

[Bid Tabulation](#)

[19-3161](#) Resolution - A Resolution Approving a Development Agreement By and Between the City of Mansfield, Texas, a Texas Municipal Corporation, Dolce Vita at Mansfield, LLC, and ACCP, LP for Water Distribution and Roadway Capital Improvements

Presenters: Joe Smolinski

Attachments: [Resolution](#)

[Development Agreement Dolce Vita](#)

[19-3160](#) Ordinance - First Reading of an Ordinance Approving the Sale of Certain Real Property Described as Lot 18R1 Block 5, Hillcrest Addition, Also Known As 801 Stell Avenue, Lot 18R2 Block 5, Hillcrest Addition, Also Known As 315 McKown Drive, Lot 9 Block 7, Hillcrest Addition Also Known As 416 McKown Drive, Mansfield, Texas to Jennifer Belz for \$48,000 for Each Property Listed for a Total Sum of \$144,000

Presenters: Shelly Lanners

Attachments: [Ordinance](#)

23. **ADJOURN**

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the May 28, 2019 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, May 23, 2019 prior to 5:00 p.m., in compliance with Chapter 551, Texas Government Code.

Susana Marin, 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.