



CITY OF MANSFIELD

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

Meeting Agenda

City Council

Monday, September 28, 2020

5:00 PM

Council Chambers

REGULAR MEETING

THIS MEETING WILL BE HELD BY VIDEO CONFERENCING. To participate, please register at

https://mansfieldtexas.zoom.us/webinar/register/WN_jS4NrN7TS42niN1iF5VoLA by 7:00 p.m. on Monday, September 28, 2020 or join by telephone at 1-888-788-0099 (Toll Free). If joining by phone, please provide the Webinar ID number and password below:

Webinar ID: 914-4753-4223

Passcode: 1234567

Citizen comments and public hearing comments may also be submitted through the city's website www.mansfieldtexas.gov or by sending an email to susana.marin@mansfieldtexas.gov. All comments must be submitted by 5:00 p.m. Monday, September 28, 2020. Comments received will be read into the record by the Mayor or the City Secretary.

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 Pending Litigation - Cause No. 4:19-CV-00944

Seek Advice of City Attorney Regarding Claim Notices

Seek Advice of City Attorney Regarding Contract Issues Related to Service Procurement

Seek Advice of City Attorney Regarding Legal Issues Relating to Lien Foreclosure

- 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**
- 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. PRESENTATIONS

Tarrant County College "State of the College" Presentation - Eugene V. Giovannini, Ed.D.

Mansfield City Council - Presidential Volunteer Service Award Gold Medal

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. Due to regulations of the Texas Open Meetings Act, please do not expect a response from the Council as they are not able to do so. THIS WILL BE YOUR ONLY OPPORTUNITY TO SPEAK UNLESS YOU ARE SPEAKING ON A SCHEDULED PUBLIC HEARING ITEM. After the close of the citizen comments portion of the meeting only comments related to public hearings will be heard. All comments are limited to five (5) minutes.

In order to be recognized during the "Citizen Comments" or during a Public Hearing (applicants included), please complete a blue or yellow card located at the Assistant City Secretary's seating place. Please present the card to the Assistant City Secretary prior to the start of the meeting.

10. COUNCIL ANNOUNCEMENTS**11. SUB-COMMITTEE REPORTS**

Public Memorials Sub-Committee Meeting of September 15, 2020 Report (Terry Moore, Chair; Mike Leyman; Larry Broseh)

Revitalization of Historic Downtown Mansfield Sub-Committee Meeting of September 23, 2020 Report (Brent Newsom, Chair; David Cook; Casey Lewis)

[20-3794](#) Minutes - Approval of the September 23, 2020 Revitalization of Historic Downtown Mansfield Sub-Committee

Presenters: Shelly Lanners and Susana Marin

Attachments: [9-23-20 DRAFT Meeting Minutes](#)

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

National Night Out Event Update

B. Business Services Department Report

[20-3785](#) Presentation of Monthly Financial Report for the Period Ending July 31, 2020

Presenters: Peter Phillis and Bryan Rebel

Attachments: [July Monthly Financial](#)

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

[20-3692](#)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Ordinance](#)

[Map](#)[20-3696](#)

Ordinance - Third and Final Reading to Consider a Historic Landmark Overlay District Classification for the 1924 High School and the 1940 Rock Gym at 605 E. Broad Street; Art Wright, City Historic Preservation Officer, on behalf of the Mansfield Independent School District, owner (ZC#20-011)

Presenters: Joe Smolinski, Matt Jones and Art Wright

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Photographs of Buildings](#)

[20-3769](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with Ellis County Elections Administrator to Perform Election Services for the November 3, 2020 General and Special Election; and Providing and Effective Date

Presenters: Shelly Lanners and Susana Marin

Attachments: [Resolution](#)

[Joint Election Agreement](#)

[20-3772](#)

Resolution - A Resolution 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 2020 Rate Review Mechanism Filing

Presenters: Joe Smolinski and Jeff Price

Attachments: [Resolution](#)

[Exhibit A-C](#)

[Attachments 1-3](#)

[20-3781](#)

Resolution - A Resolution Selecting BelWave Communications, Inc. as Contractor for the Installation and Service Provider of Public WiFi; Delegating the Authority to the City Manager or Designee to Negotiate and Enter into a Contract with BelWave Communications, Inc. to Provide Infrastructure and Service Agreement in the Amount of Four Hundred Fifteen Thousand Five Hundred and Seventy-Two Dollars (\$415,572.00)

Presenters: Joe Smolinski, Bernadette McCranie and Todd Williams

Attachments: [Resolution](#)

[Bid Tab](#)

[Exhibit A](#)

[20-3782](#)

Resolution - A Resolution Authorizing the Bank Depository Contract

Presenters: Peter Phillis and Bryan Rebel

Attachments: [Resolution](#)

[Matrix](#)

[Fee Schedule](#)

[20-3784](#)

Resolution - A Resolution Amending the Bylaws of the Historic Preservation

Advisory Board

Presenters: Shelly Lanners and Yolanda Botello

Attachments: [Resolution](#)

[Amended Historic Preservation Advisory Board Bylaws](#)

[20-3787](#)

Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Authorizing the Execution of a Joint Election Agreement and Contract with the Tarrant County Elections Administrator to Perform Election Services for the November 3, 2020 General and Special Elections; and Providing and Effective Date

Presenters: Shelly Lanners and Susana Marin

Attachments: [Resolution](#)

[Joint Election Agreement](#)

[Attachment A](#)

[Attachment B](#)

[20-3756](#)

Minutes - Approval of the September 11, 2020 Special City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [9-11-20 DRAFT Meeting Minutes](#)

[20-3757](#)

Minutes - Approval of the September 14, 2020 Regular City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [9-14-20 DRAFT Meeting Minutes](#)

[20-3758](#)

Minutes - Approval of the September 15, 2020 Special City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [9-15-20 DRAFT Meeting Minutes](#)

[20-3759](#)

Minutes - Approval of the September 17, 2020 Special City Council Meeting Minutes

Presenters: Shelly Lanners and Susana Marin

Attachments: [9-17-20 DRAFT Meeting Minutes](#)

[20-3783](#)

Request for Special Event Permit: Eubanks Snow Cones

Presenters: The Applicant and Nicolette Allen

Attachments: [Eubanks Snow Cones Application](#)

END OF CONSENT AGENDA

15. OLD BUSINESS

[20-3704](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Change of Zoning from C-1, Neighborhood Business District to SF-7.5/18,

Single-Family Residential District on Approximately 1.46 Acres Located at 1557 Speers Drive; Cristina Salinas, owner/developer (ZC#20-010)

Presenters: Joe Smolinski, Matt Jones and Shirley Emerson

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B-C](#)

16. **PUBLIC HEARING AND FIRST READING**

[20-3768](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Change of Zoning from SF-7.5/12 Single-Family Residential District to PD Planned Development District for Single-family Residential and Accessory Dwelling Uses on Approximately 0.258 Acres Known as a Portion of Lot 1, Block 29, Original Town of Mansfield, Located at 106 S. 2nd Ave.; Sheri Bumgardner of SSB Designs, Inc. on behalf of Janell Pendergast and Brian Clettenberg (ZC#20-012)

Presenters: Joe Smolinski, Matt Jones and Andrew Bogda

Attachments: [Ordinance](#)

[Maps and Supporting Information](#)

[Exhibit A](#)

[Exhibits B - C](#)

[20-3775](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from SF-7.5/12, Single-Family Residential District to PD, Planned Development District for Multi-family Residential Uses on Approximately 0.535 Acres Located at 505 W. Kimball Street; Ben Hartman, Owner/Developer (ZC#20-013)

Presenters: Joe Smolinski, Matt Jones and Shirley Emerson

Attachments: [Ordinance](#)

[Map and Supporting Documents](#)

[Exhibit A](#)

[Exhibit B-E](#)

[20-3777](#)

Ordinance - Public Hearing and First Reading of an Ordinance Amending Sections 2200B, 4400.B Table G and 7800.B.38 of the Zoning Ordinance to Create a Body Art & Piercing Studio Use; to Permit Such Use in the I-1 and I-2 Zoning Districts; to Require a Specific Use Permit in C-2 and C-3 Zoning Districts; and to Establish Separation Criteria from Such Use from Certain Other Land Uses (OA#20-001)

Presenters: Joe Smolinski, Matt Jones and Lisa Sudbury

Attachments: [Ordinance](#)

[Exhibit A](#)

[20-3778](#)

Ordinance - Public Hearing and First Reading of an Ordinance Amending Sections 5100.E.7, 5100.F.19, 6100.D.8 and 6400.D.8 of the Zoning Ordinance to Revise the Submittal Requirements for Applications for Concept Plans, Planned Developments, Specific Use Permits and Industrial Use Permits (OA#20-002)

Presenters: Joe Smolinski, Matt Jones and Lisa Sudbury

Attachments: [Ordinance](#)

17. NEW BUSINESS

[20-3780](#)

Presenters: Joe Smolinski and Bart VanAmburgh

Attachments: [Ordinance](#)

[Easement Map](#)

[Exhibit A-Phase 1 Utility Easement Abandonment Exhibit](#)

[20-3797](#)

Ordinance - First Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 111 "Peddlers and Solicitors" of the City of Mansfield, Texas, Code of Ordinances by; Amending Section 111.22 "Time Restrictions"

Presenters: Allen Taylor

Attachments: [Ordinance](#)

[20-3755](#)

Discussion and Possible Action Regarding Republic Services Request for an Extraordinary Recycling Processing Rate Increase for the Ensuing Contract Year

Presenters: Peter Phillis

Attachments: [Correspondence](#)

[Rates](#)

[20-3766](#)

Consideration of a Request for a Minor Modification of the Planned Development Standards and Exhibits for Oaks Preserve to Reduce the Minimum Floor Area for Third-Acre Lots and Modify the Enhanced Entryway Plans, on Approximately 157.94 Acres Located South of Lillian Road and Approximately 2,000 Feet Southwest of the Intersection of W. Broad Street and Lillian Road; Felix Wong on Behalf of Adlai Pennington of MKP Associates, Inc. (Developer) (ZC#15-022C)

Presenters: Joe Smolinski, Matt Jones and Andrew Bogda

Attachments: [Previously Approved PD](#)

[Letter from Applicant](#)

[Exhibit B - Amendment to PD Standards](#)

[Exhibit D - Amendment to Enhanced Entryway Plan](#)

[20-3795](#)

Discussion and Possible Action Regarding Lease and Permit Options with the Pilot Parklet Program

Presenters: Joe Smolinski and Nicolette Allen

18. ADJOURN

CERTIFICATION

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the September 28, 2020 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, September 25, 2020 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.