



# CITY OF MANSFIELD

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

## Meeting Agenda

### City Council

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Monday, October 12, 2020

4:00 PM

Council Chambers

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#### REGULAR MEETING

**THIS MEETING WILL BE HELD BY VIDEO CONFERENCING.** To participate, please register at [https://mansfieldtexas.zoom.us/webinar/register/WN\\_KqkwbtTkSKaS-AUDX4oizw](https://mansfieldtexas.zoom.us/webinar/register/WN_KqkwbtTkSKaS-AUDX4oizw) by 7:00 p.m. on Monday, October 12, 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: 912-0150-1274**

**Passcode: 1234567**

Citizen comments and public hearing comments may also be submitted through the city's website [www.mansfieldtexas.gov](http://www.mansfieldtexas.gov) or by sending an email to [susana.marin@mansfieldtexas.gov](mailto:susana.marin@mansfieldtexas.gov). All comments must be submitted by 5:00 p.m. Monday, October 12, 2020. Comments received will be read into the record by the Mayor or the City Secretary.

1. **4:00 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 Legal Issues Related to Insurance Programs and Claims

Seek Advice of City Attorney Regarding Claim Notices

Seek Advice of City Attorney Regarding Property 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**

City Manager Evaluation

Board Appointments - Historic Preservation Advisory Board

**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. PROCLAMATION**

[20-3807](#) National Chiropractic Health Month

**Attachments:** [National Chiropractic Health Month 2020](#)

[20-3806](#) National Code Compliance Month

**Attachments:** [National Code Compliance Month 2020](#)

**9. PRESENTATION**

International Code Council Community Service Award

**10. 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.*

**11. COUNCIL ANNOUNCEMENTS****12. SUB-COMMITTEE REPORTS****13. 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

Music Alley Event Update

Park Master Plan Update

Quarterly Reports: Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Code Enforcement, Communications and Marketing, Library, Mansfield Historical Museum and Heritage Center, Mansfield Convention and Visitors Bureau

**B. Business Services Department Report**

[20-3812](#)

Presentation of Monthly Financial Report for the Period Ending August 31, 2020

**Presenters:** Peter Phillis and Bryan Rebel

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

**14. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****15. 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**

- [20-3797](#) Ordinance - Second 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](#)
- [20-3780](#) Ordinance - Second Reading of an Ordinance Approving a Request to Abandon Certain Utility Easements and Drainage Easements Relating to the M3 Ranch Addition
- Presenters:*** Joe Smolinski and Bart VanAmburgh
- Attachments:*** [Ordinance](#)
- [Easement Map](#)
- [Exhibit A-Phase 1 Utility Easement Abandonment Exhibit](#)
- [20-3773](#) Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a First Amended and Restated Economic Development and Performance Agreement Between the Mansfield Economic Development Corporation and RMA Holdings, LLC; Authorizing the MEDC President to Execute Said Agreement; and Providing an Effective Date
- Presenters:*** Richard Nevins and Peter Phillis
- Attachments:*** [Resolution](#)
- [Termination Agreement](#)
- [20-3774](#) Resolution - A Resolution of the City of Mansfield, Texas Approving a Termination Agreement Terminating a Tax Abatement Agreement Between the City of Mansfield, Texas and RMA Holdings, LLC; Authorizing the Mayor to Execute Said Agreement; and Providing an Effective Date
- Presenters:*** Richard Nevins and Peter Phillis
- Attachments:*** [Resolution](#)
- [Tax Abatement Termination Agreement](#)
- [20-3805](#) Resolution - A Resolution Awarding a Construction Contract for a Westbound Left-Turn Lane and Driveway Improvements on West Broad Street to GRod Construction, LLC.; Authorizing and Directing the City Manager to Execute Contract Documents; and Authorizing Funding for an Amount Not to Exceed \$176,000.00 (Street Bond Fund)
- Presenters:*** Joe Smolinski and Bart VanAmburgh

**Attachments:** [Resolution](#)  
[Location Map](#)  
[Bid Tabulation](#)

[20-3808](#) Resolution - A Resolution Awarding Contract to the Lowest and Best Bids for the Supply of Granular Activated Carbon Filter Media (GAC) for the Bud Ervin Water Treatment Plant

**Presenters:** Joe Smolinski and Jeff Price

**Attachments:** [Resolution](#)  
[2020-25-03 Granular Activated Carbon](#)

[20-3809](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Rejecting all Bids for the Construction of the Man House Information Center and Restroom Building Received Through A Public Bid Opening

**Presenters:** Shelly Lanners and Wade McLaurin

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

[20-3810](#) Resolution - A Resolution Authorizing Funding in an Amount Not to Exceed \$372,000.00 and Approval of Contracts, Including Design Services with Neel-Schaffer, Inc. and Surveying Services with Brittain & Crawford, to Prepare Upper Pressure Plane and South 6th Avenue Water Line Improvements for Public Bidding and Construction (Utility Bond Fund)

**Presenters:** Joe Smolinski and Bart VanAmburgh

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

[20-3813](#) Resolution - A Resolution Amending the Bylaws of the Mansfield Commission for the Arts

**Presenters:** Shelly Lanners and Theresa Cohagen

**Attachments:** [Resolution](#)  
[MCA Amended Bylaws](#)

[20-3821](#) Resolution - A Resolution Authorizing the City Attorney to Institute Foreclosure Proceedings Against Property Located at 502 Patterson Street and Providing an Effective Date

**Presenters:** Allen Taylor

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

[20-3803](#) Minutes - Approval of the September 28, 2020 Regular City Council Meeting Minutes

**Presenters:** Shelly Lanners and Susana Marin

**Attachments:** [9-28-20 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**16. PUBLIC HEARING AND RESOLUTION**

[20-3796](#) Resolution - Public Hearing on a Resolution Approving the Fiscal Year 2020/2021 Services and Assessment Plan for the South Pointe Public Improvement District ("PID"); Providing a Severability Clause; and Providing an Effective Date

***Presenters:*** Peter Phillis and Gary Cardinale

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

**17. PUBLIC HEARING**

[20-3800](#) Public Hearing and Consideration of a Request for a Specific Use Permit for a Crematorium on Approximately 1.478 Acres Known as Lot 4R1, Block C, Hillcrest Business Park, Located at 1556 Heritage Pkwy.; Christie Moore of Mansfield Funeral Home & Cremations (SUP#20-014)

***Presenters:*** Joe Smolinski, Matt Jones and Andrew Bogda

***Attachments:*** [Letter from Applicant Regarding Impact Mitigation](#)  
[Crematory Evaluation Report](#)  
[Maps and Supporting Information](#)  
[Exhibit A](#)  
[Exhibits B - D](#)

**18. PUBLIC HEARING CONTINUATION AND SECOND READING**

[20-3768](#) Ordinance - Public Hearing Continuation and Second 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 Continuation and Second 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](#)  
[Applicants Options 1-3](#)

[20-3777](#) Ordinance - Public Hearing Continuation and Second 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:** [Revised Ordinance](#)  
[Revised Exhibit A](#)

[20-3778](#) Ordinance - Public Hearing Continuation and Second 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](#)

## 19. **NEW BUSINESS**

[20-3801](#) Ordinance - First Reading of an Ordinance Amending Title XV of the Mansfield Code of Ordinances, "Land Usage" to provide regulations for Vacant Buildings and Properties (OA#20-003)

**Presenters:** Joe Smolinski, Matt Jones and Lisa Sudbury

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

[20-3802](#) Ordinance - First Reading of an Ordinance Amending Title VII of the Mansfield Code of Ordinances, "Traffic Code" to Provide Regulations for Historic Downtown No Parking Zones (OA#20-004)

**Presenters:** Joe Smolinski and Tracy Aaron

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

## 20. **ADJOURN**

**CERTIFICATION**

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the October 12, 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 Thursday, October 8, 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.