



CITY OF MANSFIELD

1200 East. Broad St.
Mansfield, TX 76063
www.mansfield-tx.gov

Meeting Agenda City Council

Monday, February 9, 2009

5:00 PM

Council Chambers

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

City Attorney Briefing on Lawsuit Cause No. 352-230106-08 Valerie Mantos vs. City of Mansfield

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 Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087

Project Number 08-11

3. WORK SESSION (TO BE HELD IN THE MULTI-PURPOSE ROOM)

Council/Staff Discussion Regarding Proposed Rail North Texas

4. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION

5. 7:00 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION

6. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

7. INVOCATION**8. PLEDGE OF ALLEGIANCE****9. TEXAS PLEDGE**

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

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. 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 City Secretary.

11. COUNCIL ANNOUNCEMENTS**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

Dedication of Fire Station #4 - February 23, 2009, 4:00 p.m.

13. OLD BUSINESS

09-1333 Council Sub-Committee Report; Discussion and Possible Action Regarding Hotel/Motel Tax Allocation

Sponsors: City Council

Attachments: [11-19-08 meeting notes](#)

[01-23-09 meeting notes](#)

09-1334 Council Sub-Committee Report; Discussion and Possible Action Regarding Way(s) to Honor Chief Steve Noonkester's Service to the City of Mansfield

Sponsors: City Council

Attachments: [12-30-08 Meeting Notes](#)

[09-1317](#) Resolution - Resolution Adopting Neighborhood Design Guidelines

Sponsors: Felix Wong

Attachments: [Resolution on Neighborhood Guidelines](#)

14. PUBLIC HEARING AND RESOLUTION

[09-1328](#) Resolution - Public Hearing and Resolution Approving and Endorsing the 2009 (35th year) Community Development Block Grant Project for Kimball Street Between 3rd Avenue & McClendon Park

Sponsors: Steve Freeman

Attachments: [Resolution](#)
[Location Map](#)
[Target Area Eligibility Map](#)

15. PUBLIC HEARING AND FIRST READING

[08-1234](#) Ordinance - Public Hearing and First Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 3.47 Acres, Generally Located East of Hardy Street, Approximately 1,100 Feet North of St. Paul Road, and Approximately 650 Feet West of U.S. 287; EOG Resources, Inc. (ZC#08-020)

Sponsors: Felix Wong

Attachments: [Maps and Supporting Information](#)
[Ordinance with Exhibits A and B](#)
[Input from engineer of NTTA](#)

16. PUBLIC HEARING CONTINUATION AND SECOND READING

[09-1308](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 5.817 Acres, Generally Located East of Retta Road, Approximately 1,250 Feet North of West Broad Street, on Property at 491 Retta Road; Chesapeake Operating, Inc. (ZC#08-023)

Sponsors: Felix Wong

Attachments: [Maps and Supporting Information](#)
[Ordinance with Exhibits A and B](#)

17. PUBLIC HEARING CONTINUATION AND THIRD READING

[08-1250](#) Ordinance- Continuation of Public Hearing and Third and Final Reading Regarding Amendments to the Current Smoking Ordinance

Sponsors: Richard Wright

Attachments: [Smoking Ord Amended 2-5-09](#)

18. 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**09-1280**

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.054 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Sanitary Sewer Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1560 and other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Sponsors: Bud Ervin

Attachments: [2009 Public Hearing Notice](#)
[2009 Sewer Rate Ordinance](#)
[Final Letter-Draft](#)

09-1298

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.052 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Water Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1559 and Other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Sponsors: Bud Ervin

Attachments: [2009 Public Hearing Notice](#)
[2009 Water Rate Ordinance](#)
[Final Letter-Draft](#)

09-1296

Ordinance - Third and Final Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 3.842 Acres, Generally Located North of East Debbie Lane and Approximately 2,300 Feet East of Matlock Road at 1700 and 1800 Mansfield Webb Road; Carrizo Oil & Gas, Inc. (ZC#08-018)

Sponsors: Felix Wong

Attachments: [Maps and Supporting Information](#)
[Ordinance with Exhibits A and B](#)
[Distance Waiver](#)

09-1332

Resolution - A Resolution of the City of Mansfield, Texas, Calling for a General Election to be Held on Saturday, May 9, 2009

Sponsors: Vicki Collins

Attachments: [Resolution](#)

END OF CONSENT AGENDA

19. NEW BUSINESS

09-1330 Approval of the January 26, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 1-26-09 Meeting Minutes](#)

09-1335 Resolution - A Resolution Supporting Local Option Fees and Taxes to Fund Transportation Including Rail North Texas

Sponsors: Clayton Chandler

Attachments: [Resolution](#)
[List of Organizations Supporting the Resolution](#)

20. ADJOURN

AGENDA MAP

09-1331 Agenda Map of Detailed Agenda Items

Attachments: [Agenda Map](#)

CERTIFICATION

I, the undersigned authority do hereby certify that the above agenda was posted on the bulletin board next to the main entrance of the City Hall, 1200 East Broad Street, of the City of Mansfield, Texas, in a place convenient and readily accessible to the general public at all times and said Agenda was posted on the following date and time: Thursday, February 5, 2009 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Vicki Collins, City Secretary

Approved as to form:

Craig Magnuson, Attorney, City of Mansfield

1. This building is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting. To make arrangements, call (817) 473-0211 or (TDD) 1-800-RELAY TX, 1-800-735-2989.

2. In deciding a zoning change application, the Planning and Zoning required to determine the highest and best use of the property in question. The Planning and Zoning Commission may recommend and the Council may approve a change in zoning to the category or district requested by the applicant or to any zoning category or district of lesser intensity. Notice is presumed sufficient for every district up to the intensity set forth in the zoning change application.

This public notice was removed from the official posting location at the Mansfield City Hall on the following date and time:

By: _____
City Secretary's Office