



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, May 11, 2009

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**

City Attorney Briefing on Lawsuit Cause No. 06-41026-3 Daniel Jay Massey

Agreement for the Sale and Delivery of Treated Water; Johnson County Special Utility District

City Attorney Briefing Regarding ZC # 09-001

City Attorney Briefing Regarding ZC # 08-023

City Attorney Briefing Regarding US 287 Frontage Roads

#### **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**

#### **3. WORK SESSION (IMMEDIATELY FOLLOWING EXECUTIVE SESSION)**

Review of Planned Development District Regulations and Design Standards for The Reserve at Mansfield

**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. PROCLAMATION**

[09-1455](#)

Feed the Kids for the Summer Program

**Attachments:** [Feed the Kids 09](#)

**11. PRESENTATIONS**

Chesapeake Energy Presentation of Donation to Rockin' 4th of July Event

Big League Dreams Update

**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 City Secretary.*

**13. COUNCIL ANNOUNCEMENTS**

## **14. 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

May 19th Special Meeting to Canvas Election Returns

### **B. Business Services Department**

**09-1453** Presentation of Monthly Financial Report for the Period Ending March 31, 2009

**Sponsors:** Peter Phillis

**Attachments:** [March 2009 Financial](#)

## **15. OLD BUSINESS**

**09-1308** Ordinance - Third and Final 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](#)

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

**09-1439** Ordinance - Public Hearing and First Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 5.772 Acres Located at 839 S. Mitchell Road; David Arrington Oil & Gas (ZC#09-002)

**Sponsors:** Felix Wong

**Attachments:** [Maps and supporting information](#)  
[Ordinance with Exhibits A and B](#)

**09-1440** Ordinance - Public Hearing and First Reading of an Ordinance Approving a Zoning Change from PR, Pre-Development to C-2, Community Business on Approximately 3.391 Acres Located at 1675 N. Main Street; Valdar Properties No. 4 L.L.C. (ZC#09-003)

**Sponsors:** Felix Wong

**Attachments:** [Maps & Supporting Information](#)  
[Ordinance](#)

**17. PUBLIC HEARING CONTINUATION AND SECOND READING****09-1420**

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 12.726 Acres Located at the Mansfield Sports Complex at 920 N. Holland Road; XTO Energy, Inc. (ZC#09-001)

**Sponsors:** Felix Wong

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

**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****09-1389**

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending the Code of Ordinances Section 51.011 (D) of Title V: Public Works, Chapter 51 Sewer and Water Service, by Changing the Molybdenum (Mo) Local Limit to 0.8 mg/L From 0.2 mg/L, Which Was Previously Established by Ordinance No. 1424

**Sponsors:** Joe Smolinski

**Attachments:** [Molybdenum Change Ordinance](#)  
[Molybdenum Change Section](#)

**09-1441**

Resolution - A Proposed Resolution Awarding a One Year Contract to the Lowest and Best Bid for the Supply of Liquid Ammonium Sulfate (LAS), for an Amount not to Exceed \$384.00 / Dry Ton (Utility Fund FY-2009, FY-2010 Operating Budget 25-8105-8401)

**Sponsors:** Joe Smolinski

**Attachments:** [2009-25-03 LAS \(Liquid Ammonium Sulfate\)](#)  
[Resolution](#)

**09-1442**

Resolution - A Proposed Resolution Awarding a One Year Contract to the Lowest and Best Bid for the Supply of Liquid Aluminum Sulfate (Alum) for an Amount not to Exceed \$229.00 / Dry Ton (Utility Fund Operating Budget FY-2009, FY-2010 25-8105-8401)

**Sponsors:** Joe Smolinski

**Attachments:** [2009-25-04 Aluminum Sulfate](#)  
[Resolution](#)

**09-1443**

Resolution - A Proposed Resolution Awarding a One Year Contract to the Lowest and Best Bid to Supply One Ton Chlorine Cylinders for an amount not to Exceed \$463.00 /

Ton (Utility Fund FY-2009, FY-2010 Operating Budget 25-8105-8401)

**Sponsors:** Joe Smolinski

**Attachments:** [2009-25-02 Chlorine Resolution](#)

**09-1444**

Resolution - A Proposed Resolution Awarding a One Year Contract to the Best Bid for the Supply of Liquid Sodium Hydroxide (Caustic Soda) for an Amount not to Exceed \$539.00 / Dry Ton (Utility Fund FY-2009, FY-2010 Operating Budget 25-8105-8401)

**Sponsors:** Joe Smolinski

**Attachments:** [2009-25-01 Sodium Hydroxide \(Caustic Soda\) Resolution](#)

**09-1450**

Resolution - A Resolution Authorizing a Contract with Wier and Associates, Inc. for Engineering Design Services for an amount not to Exceed \$196,500.00 and a Contract with Brittain and Crawford for Surveying Services not to Exceed \$61,200.00 for the East Broad Street from Holland Road to Day Miar Road Paving Improvements (Street Bond Fund and Utility Revenue Bonds)

**Sponsors:** Steve Freeman

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

**09-1454**

Resolution - A Resolution of the City Council of the City of Mansfield, Texas Proclaiming the 2010 Census as a Top Priority for all Elected and Appointed Officials, and Encourage Full Support and Participation of this Community in Achieving an Accurate and Complete Count through the Formulation of a Complete Count Committee

**Sponsors:** Vicki Collins

**Attachments:** [Resolution 2010 Census](#)  
[2010 Census Handout](#)

**09-1449**

Request for Special Event Permit; Mansfield's Rockin' 4th of July Celebration to be held July 4, 2009

**Sponsors:** Andy Binz

**Attachments:** [4th of July Celebration](#)  
[4th of July Approvals](#)

**09-1446**

Approval of the April 28, 2009 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [DRAFT 4-28-09 Meeting Minutes](#)

**END OF CONSENT AGENDA**

**19. NEW BUSINESS**

**09-1438**

Resolution - A Resolution Approving an Agreement for the Sale and Delivery of Treated Water by Wholesale Customer Contract to Johnson County Special Utility District

**Sponsors:** Bud Ervin

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

**09-1447**

Ordinance - First Reading of An Ordinance Authorizing the City Manager to Execute a Contract of Sale to the Fort Worth Area Habitat for Humanity, Inc. to Construct New Affordable Single Family Housing

**Sponsors:** Chris Burkett

**Attachments:** [Ordinance Habitat](#)  
[Habitat Contract of Sale](#)

## **20. ADJOURN**

### **AGENDA MAP**

**09-1445**

Agenda Map of Detailed Agenda Items

**Sponsors:** Vicki Collins

**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, May 7, 2009 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Vicki Collins, City Secretary

Approved as to form:

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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:

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By: \_\_\_\_\_  
City Secretary's Office