



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, June 22, 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. 06-41026-3 Daniel Jay Massey

Exchange of Property with St. Judes Catholic Church

Potential Interlocal Agreement with Mansfield Independent School District and Other Agencies

Exchange of Property to the Fort Worth Area Habitat for Humanity Inc.

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

Exchange of Property with St. Judes Catholic Church

Exchange of Property to the Fort Worth Area Habitat for Humanity Inc.

C. Personnel Matters Pursuant to Section 551.074

Board Appointment; Planning & Zoning Commission

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)

Joint Meeting with Planning and Zoning Commission - Roadway Impact Fees

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

[09-1493](#)

National Recreation and Parks Month

Attachments: [National Recreation and Parks Month 2009](#)

11. 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.

12. COUNCIL ANNOUNCEMENTS**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

Recent Storms and Power Outages Update

Mansfield's Rockin 4th of July

B. Business Services Department

[09-1495](#) Presentation of Monthly Financial Report for the Period Ending May 31, 2009

Sponsors: Peter Phillis

Attachments: [May 2009 Financial](#)

14. OLD BUSINESS

[09-1466](#) Authorization to Settle Lawsuit Cause No. 06-41026-3 Daniel Jay Massey

Sponsors: Allen Taylor

[09-1488](#) Follow - Up Discussion and Possible Action of Quiet Zones at Holland Road, Seeton Road and South Heritage Parkway

Sponsors: Steve Freeman

Attachments: [Map](#)

15. PUBLIC HEARING CONTINUATION AND SECOND READING

[09-1471](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 4.64 Acres, Located on Property at 1650 N. Main Street and 1151 W. Debbie Lane; XTO Energy, Inc. (ZC#09-004)

Sponsors: Felix Wong

Attachments: [Maps and Supporting Information](#)

[Ordinance with Exhibits A and B](#)

[Revised Exhibit B](#)

[Dalton Noise Abatement Study](#)

16. 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

[09-1484](#) Resolution - Resolution Authorizing the City Manager and the Police Department to Make Application for Approximately \$7,000.00 in Available Federal Funds from the FY

2009 Bulletproof Vest Partnership Program

Sponsors: Gary Fowler

Attachments: [Resolution](#)

09-1485

Resolution - Resolution Authorizing the City Manager and the Police Department to Make Application and Receive \$38,400.00 in Funding Under the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation

Sponsors: Gary Fowler

Attachments: [Resolution](#)

09-1486

Resolution - Resolution Authorizing the City Manager and the Police Department to Make Application and Receive \$9,340.80 in Funding Under the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: FY 2009 Local Solicitation

Sponsors: Gary Fowler

Attachments: [Resolution](#)

09-1489

Resolution - A Resolution Authorizing a Design Services Contract in the Amount of \$68,000 with Teague, Nall & Perkins and a Surveying Services Contract in the Amount of \$30,700 with Brittain & Crawford for the 2009 35th Year CDBG Project, for West Kimball Street to be funded from the Street Bond Fund

Sponsors: Steve Freeman

Attachments: [Resolution](#)

09-1490

Resolution - A Resolution to Award a Contract for Construction of the Water, Sewer and Erosion Control Improvements at 3 Separate Locations:

1. Water, Sewer and Erosion Control Improvements at E. Kimball and Pond St.
2. Water and Erosion Control Improvements at Hogpen Branch Creek and Walnut Creek Dr.
3. Sewer Extension from Kroger Lift Station Across Matlock to Lifetime Fitness and Authorization of Funding for an Amount not to Exceed \$190,729.35 (Utility Bond Fund)

Sponsors: Steve Freeman

Attachments: [Resolution](#)

[Bid Tab](#)

09-1491

Approval of the June 8, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 6-8-09 Meeting Minutes](#)

END OF CONSENT AGENDA

17. NEW BUSINESS

09-1487

Presentation and Discussion of the Possible Abandonment of East Dallas Street between Waxahachie Street and Graves Street

Sponsors: Steve Freeman

Attachments: [Map - St. Jude](#)
[St. Jude's Site](#)

18. ADJOURN

AGENDA MAP

09-1492 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, June, 18, 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