



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, July 27, 2009

4:30 PM

Council Chambers

REGULAR MEETING AMENDED AGENDA

1. 4:30 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

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 to the Fort Worth Area Habitat for Humanity Inc.

C. Personnel Matters Pursuant to Section 551.074

Board Appointments; Planning & Zoning Commission

Board Appointments; Mansfield Park Facilities Development Corporation

Board Appointments; Mansfield Economic Development Corporation

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

Update on MEDC Project 09-03

Update on Forest City Development Incentives

3. 7:30 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION**4. MOMENT OF SILENCE IN MEMORY OF VERNON NEWSOM****5. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****6. INVOCATION****7. PLEDGE OF ALLEGIANCE****8. TEXAS PLEDGE**

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

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. 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.

10. COUNCIL ANNOUNCEMENTS**11. 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

FY 2009-2010 Proposed Budget - Clayton Chandler, City Manager

12. OLD BUSINESS**09-1530**

Discussion and Possible Action on a Request to Allow Revisions to the Approved Development Plan for the Planned Development for the Dalton Best Maid Pickle Plant Located at 1101 W. Debbie Lane; Dalton Best Maid Product Inc. (ZC#96-021A)

Sponsors: Felix Wong

Attachments: [Approved Development Plan](#)
[Letter from applicant](#)

09-1471 Ordinance - Third and Final 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](#)
[Revised Exhibit B - 3rd Reading](#)
[Noise Abatement Plan Drill Site Layout](#)

13. PUBLIC HEARING AND RESOLUTION

09-1521 Resolution - Public Hearing and Resolution Adopting the City of Mansfield Mitigation Plan

Sponsors: Steve Freeman

Attachments: [Resolution](#)

14. PUBLIC HEARING AND FIRST READING

09-1515 Ordinance - Public Hearing and First Reading of an Ordinance Approving Amendments to an Approved PD for Multi-Family Apartments on Approximately 16.678 Acres, Generally Located to the East of State Highway 360 and Approximately 3,000 Feet North of Heritage Parkway South by Wier & Associates, Inc. (ZC#09-006)

Sponsors: Felix Wong

Attachments: [Pd Comparison Chart CC 21 July 09](#)
[Ordinance & Exhibits](#)
[Maps & Supporting info](#)
[Current Development Plan](#)

09-1519 Ordinance - Public Hearing and First Reading of an Ordinance for a Zoning Change from C-2, Community Business to PD for all C-2 Uses Plus a Car Wash on Approximately 2.27 Acres, Located at 701 W. Debbie Lane by Unkuk, Inc. (ZC#09-005)

Sponsors: Felix Wong

Attachments: [Maps & Supporting Info](#)
[Ordinance & Exhibits](#)
[Jett PP Presentation](#)

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

- 09-1516** Ordinance - Second 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 Contract of Sale](#)
[Hammon Terrace Revised 8x11](#)
- 09-1520** Resolution - Resolution Awarding a Contract for the Construction of Parking and Security Fencing at the City of Mansfield Law Enforcement Center for an Amount Not to Exceed \$466,375.00 (Building Construction Fund)
- Sponsors:** Richard Wright
- Attachments:** [Resolution](#)
[Exhibit A- Schedule of Values](#)
[Exhibit B- Project Summary](#)
[Exhibit C- Bid Tab](#)
[Magee Architects letter](#)
- 09-1523** Resolution - A Resolution of the City of Mansfield Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp; and Authorizing an Increase in the Rate Adjustment
- Sponsors:** Gary Cardinale
- Attachments:** [Resolution](#)
[Memo](#)
[Rate Review](#)
[RRM Facts](#)
[Attachment B Proposed 2009 RRM Settlement Proof of Revenue](#)
[Attachment A Tariffs](#)
- 09-1528** Resolution - A Resolution Recognizing that the City Council of the City of Mansfield, Texas is Proposing to Adopt a Tax Rate on a Future Agenda
- Sponsors:** Peter Phillis
- Attachments:** [Tax Rate](#)

END OF CONSENT AGENDA**16. NEW BUSINESS**

09-1496 Resolution - A Resolution Approving an Interlocal Agreement Between the City of Mansfield and Mansfield Independent School District for a Joint Project to Establish a Tree Farm (OA#09-004)

Sponsors: Felix Wong

Attachments: [Resolution](#)
[Interlocal Agreement](#)
[Tree Farm site](#)

09-1526 Approval of the July 13, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 7-13-09 Meeting Minutes](#)

09-1527 Discussion and Possible Action Regarding Amending the Comprehensive Zoning Ordinance to Require Property Owners to Notify Renters or Leasors of a Gas Well

Sponsors: Mike Leyman, Greg Kunasek and James Rudnicki

Attachments: [Council Request Form](#)

09-1529 Discussion and Possible Action on Potential Amendments to the City's Gas Well Drilling and Production Regulations Requiring Property Owners to Notify Renters or Leasors of a Proposed Gas Well and Imposing Other Safety, Operation and Aesthetic Requirements on Gas Well and Pipeline Activities (OA#09-005)

Sponsors: Felix Wong

17. ADJOURN**AGENDA MAP**

09-1525 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: Friday, July 24, 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