



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, August 10, 2009

4:00 PM

Council Chambers

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### REGULAR MEETING

#### **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**

Exchange of Property with St. Judes Catholic Church

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

Enforcement of Gas Well Specific Use Permit

#### **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 Interviews; Planning and 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**

Update on MEDC Project 09-03

Forest City Development Incentives

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

Follow up; Joint Meeting with Mansfield Park Facilities Development Corporation and Planning and Zoning Commission - Parks Master Plan Update

Follow-up on Potential Amendments to the City's Gas Well Drilling and Production Regulations requiring Property Owners to Notify Renters or Lessors of a Proposed Gas Well and Imposing other Safety Operation and Aesthetic Requirements on Gas Well and Pipeline Activities

### **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. PRESENTATION**

[09-1524](#)

Presentation of 2009 TAMI Award to Communications & Marketing Department

Rose Park New ALL-accessible Play Structure Design & Recognition of Contributors

### **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

Staff Report on Rockin 4th Event - Shelly Lanners

**B. Business Services Department**

[09-1550](#) Presentation of Monthly Financial Report for the Period Ending June 30, 2009

**Sponsors:** Peter Phillis

**Attachments:** [June, 2009 Financials](#)

**14. PUBLIC HEARING**

[09-1544](#) Public Hearing on FY 2009/2010 Tax Rate

**Sponsors:** Clayton Chandler

[09-1545](#) Public Hearing on the FY 2009/2010 Proposed Budget

**Sponsors:** Clayton Chandler

[09-1546](#) Public Hearing - Use of Hotel/Motel Tax

**Sponsors:** Peter Phillis

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

**15. PUBLIC HEARING AND FIRST READING**

[09-1531](#) Ordinance - Public Hearing and First Reading of an Ordinance of the City of Mansfield, Texas, Amending Chapter 90 "Animal Control", of the Code of Ordinances of the City of Mansfield, Texas as Heretofore Amended by Ordinance Number 1405, Prohibiting the Sale of Animals Without a Valid Certificate of Occupancy Allowing for Such Sales; Providing that this Ordinance Shall be Cumulative of all Ordinances; Providing a Severability Clause; Providing for a Penalty; and Providing for an Effective Date

**Sponsors:** Gary Fowler

**Attachments:** [Animal Control Ordinance \(Chapter 90 Amendment\)](#)  
[Animal Control Ordinance No. 1405 \(Last Amendment\)](#)

- [09-1535](#) Ordinance - Public Hearing and First Reading of an Ordinance to Amend the Existing Flood Damage Prevention Ordinance and to Provide for Compliance with the National Flood Insurance Program as required by the Federal Emergency Management Agency
- Sponsors:** Howard Redfearn and Bart VanAmburgh
- Attachments:** [Floodplain Update 2009](#)

## **16. PUBLIC HEARING CONTINUATION AND SECOND READING**

- [09-1515](#) Ordinance - Public Hearing Continuation and Second 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](#)  
[Revised Dev Plan 4 Aug 09](#)  
[Building Area Summary 4 Aug 09](#)  
[Building Area DetailL 4 Aug 09](#)

- [09-1519](#) Ordinance - Public Hearing Continuation and Second 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](#)  
[Sheet Sk-1 10 AUG 09](#)  
[Sheet Sk-1.1 10 AUG 09](#)  
[Sheet Sk-2 10 AUG 09](#)  
[Sheet Sk-3 10 AUG 09](#)

## **17. 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 - Third and Final 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](#)
- 09-1536** Resolution - A Resolution Awarding a Contract for Construction for McKown Drive for Sanitary Sewer and Pavement Improvements to McClendon Construction Co. for an Amount Not to Exceed \$301,062.45  
**Sponsors:** Steve Freeman  
**Attachments:** [Resolution](#)  
[Bid Tab](#)
- 09-1551** Resolution - A Resolution to Award a Construction Contract for the West Broad Street Landscape and Irrigation Improvements to Cole Construction, Inc. for an Amount not to Exceed \$153,884.60  
**Attachments:** [Resolution](#)  
[Bid Tabulation](#)
- 09-1532** Request Special Event Permit for All Star Equestrian "Ride for the Riders" Event to be held August 29, 2009  
**Sponsors:** Andy Binz  
**Attachments:** [All Star Equestrian](#)  
[All Star Equestrian approval](#)
- 09-1533** Request for Special Event permit for the "Hometown Holidays Parade" to be held December 5, 2009  
**Sponsors:** Andy Binz  
**Attachments:** [2009 Holiday Parade Special Event Application](#)  
[Hometown Holidays approvals](#)
- 09-1534** Request for Special Event Permit for Mansfield High School Band Booster Tiger Trek Band Parade to be held Saturday, August 22, 2009  
**Sponsors:** Richard Wright  
**Attachments:** [Tiger Trek 2009](#)  
[Tiger Trek approvals](#)

**09-1549** Request Special Event Permit for Blackwood Entertainment Car Show and Concert to be held in McClendon Park West on Sunday, September 20, 2009

**Sponsors:** Andy Binz

**Attachments:** [799 W Broad car show](#)  
[updated site plan for car show](#)  
[Blackwood car show and concert approvals](#)

**09-1547** Approval of the July 27, 2009 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [DRAFT 7-27-09 Meeting Minutes](#)

**END OF CONSENT AGENDA**

**18. ADJOURN**

**AGENDA MAP**

**09-1548** Agenda Map of Detailed Agenda Items

**Sponsors:** Vicki Collins

**Attachments:** [8-10-09 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, August 6, 2009 by 4:00 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