



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, August 24, 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**

#### **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**

City Manager Annual Review

Board Interviews; Planning and Zoning Commission

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 MEDC Project 08-09

#### **E. Consider Placement or Deployment of Security Devices on Municipal Property or Facilities Pursuant to Section 551.076**

Security of Public Buildings

**3. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION****4. 7:00 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION****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. PRESENTATION**

Presentation by Robert Earley; President and CEO - John Peter Smith Hospital

**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

**13. OLD BUSINESS****09-1515**

Ordinance - Third and Final 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](#)

[Maps & Supporting info](#)

[Ordinance & Exhibts](#)

[Previous Site Plan color](#)

[Proposed Site Plan color](#)

**09-1519**

Ordinance - Third and Final 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](#)

[Jett PP Presentation](#)

[Ordinance & Exhibts](#)

#### **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**

**09-1553**

Ordinance - Public Hearing and First Reading of an Ordinance Adopting Speed Limit Changes and School Zones on Various Street Within the City of Mansfield

**Sponsors:** Steve Freeman

**Attachments:** [Aug 24 2009 Ordinance Speed limits](#)

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

**09-1531**

Ordinance - Public Hearing Continuation and Second 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 Continuation and Second 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](#)

## **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**

**09-1552**

Special Event Permit - Request for Special Event Permit for the Fall Festival to be held Saturday, October 31, 2009

**Sponsors:** Curtis Phillip

**Attachments:** [Fall Festival 2009 Application](#)  
[Fall Festival Site Plan](#)  
[Fall Festival Approvals](#)

**09-1557**

Resolution - Interlocal Agreement by and Between the City of Mansfield, Texas and the Johnson County Special Utility District Providing Technical Services Agreement for Water Testing

**Sponsors:** Joe Smolinski

**Attachments:** [InterlocalWaterTestingTaylor](#)  
[Technical Services Agreement](#)  
[Technical Services Fee Schedule](#)

**09-1558**

Resolution - A Resolution to Award a Contract to GameTime by Total Recreation Products, Inc. for the Purchase of Playground Equipment for an All-Accessible Playground at Katherine Rose Memorial Park for an Amount not to Exceed \$186,898.37 to be Funded by Half-Cent Sales Tax

**Sponsors:** Hillary Hodges

**Attachments:** [Resolution](#)  
[Quote for Playground Equipment](#)

### **END OF CONSENT AGENDA**

**18. NEW BUSINESS**

**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

**09-1560** Approval of the August 10, 2009 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [DRAFT 08-10-09 Meeting Minutes](#)

**19. ADJOURN****AGENDA MAP**

**09-1559** 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, August, 20, 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