



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, April 14, 2014

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**

Seek Advice of City Attorney Regarding Pending Litigation - Cause No. 348-270155-14

Seek Advice of City Attorney Regarding Development Agreement with Ruby 07 SPMTGE, LLC

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. **6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**

4. **7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS SESSION**

5. **INVOCATION**

6. **PLEDGE OF ALLEGIANCE**

7. **TEXAS PLEDGE**

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

8. PROCLAMATION

[14-0876](#) National Library Week

Attachments: [National Library Week 2014](#)

[14-0877](#) National Library Worker's Day

Attachments: [National Library Workers 2014](#)

[14-0878](#) Child Abuse Prevention Month

Attachments: [Child Abuse Prevention Month 2014](#)

[14-0879](#) National Public Safety Telecommunicators Week

Sponsors: Gary Fowler

Attachments: [Public Safety Telecommunications Week 2014.doc](#)

[14-0882](#) Mansfield Reads! Month

Attachments: [Mansfield Reads 2014](#)

[14-0883](#) Safe Digging Month

Attachments: [Safe Digging Texas 811 Month 2014](#)

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

Quarterly Reports - Mansfield Economic Development Corporation, Mansfield Park Facilities Development Corporation, Planning and Zoning Commission, Public Works, Legal, Code Enforcement, Development Services

12. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

13. 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

[14-0842](#)

Ordinance - Third and Final Reading of an Ordinance Approving a Zoning Change from MF-2, PR, I-1 & 2F to SF-7.5/16, SF-8.4/18, SF-12/22, MF-2 and C-2 on Approximately 555 Acres, Generally Located at the Intersection of South 2nd Avenue and FM Road 917 and East of FM Road 917, West of South Main Street and North of English Trail; Setback Partners (ZC#14-001)

Sponsors: Felix Wong

Attachments: [Proposed Zoning Illustration](#)

[Maps & Supporting Information](#)

[Ordinance](#)

[Exhibit A](#)

[McCaslin Gas Well & Pipeline Easement Locations](#)

[14-0844](#)

Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from PR to C-2 on Approximately 10.5 Acres, Generally Located at the Southeast Corner of E Debbie Lane and Matlock Road; Hijo, Ltd. (ZC#14-003)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Maps & Supporting Information](#)

[Exhibit A](#)

[14-0860](#)

Ordinance - Third and Final Reading of an Ordinance Amending Regulations of Smoking in Chapter 92, "Health and Sanitation" of the Mansfield Code of Ordinances by Adding Definitions for "Electronic Vaping Device" and "Liquid Nicotine;" Amending the Definition of "Smoking" to Include Electronic Vaping Devices; Prohibiting Smoking at City Parks or Recreational Facilities; Prohibiting the Sale and Distribution of Electronic Vaping Devices and Liquid Nicotine to Minors; and Prohibiting the Possession of Electronic Vaping Devices and Liquid Nicotine by Minors

Sponsors: Felix Wong
Attachments: [Electronic Vaping Devices Research](#)
[Regulations of Smoking Amended](#)
[Ordinance Smoking](#)

[14-0875](#) Resolution - Resolution Providing Additional Funds for the Median Opening and Left Turn Lane on Heritage Parkway for Oldcastle Precast with JLB Contracting LLC in the Amount of \$7,830.14 (MEDC Funds)

Sponsors: Scott Welmaker
Attachments: [Resolution](#)

[14-0884](#) Resolution - A Resolution of the City Council of the City of Mansfield, Texas, Providing for the Exemption from Inscription Requirements under the Texas State Transportation Code; and Authorizing the Chief of Police to Designate the City Secretary with the Authority to Execute and Approve Forms Necessary for Exempt Vehicles Registered Under Alias

Sponsors: Vicki Collins
Attachments: [Resolution](#)
[Exhibit A](#)

[14-0867](#) Minutes - Approval of the March 17, 2014 Regular City Council Meeting Minutes

Sponsors: Vicki Collins
Attachments: [3-17-14 DRAFT Meeting Minutes](#)

[14-0868](#) Minutes - Approval of the March 24, 2014 Regular City Council Meeting Minutes

Sponsors: Vicki Collins
Attachments: [3-24-14 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

14. PUBLIC HEARING AND FIRST READING

[14-0869](#) Ordinance - Public Hearing and First Reading of an Ordinance Amending Sections 2200 and 4400.B of the Zoning Ordinance to Add a Definition of "Non-Traditional Smoking Related Businesses" and to Establish Permitted Use Regulations for Such Businesses (OA#14-004)

Sponsors: Felix Wong
Attachments: [Ordinance](#)
[Permitted Use Table](#)

[14-0873](#) Ordinance - Public Hearing and First Reading to Consider Proposed Amendment of Section 7200.B of the Zoning Ordinance Regarding Construction Standards for Residential Driveways (OA#14-003)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

15. PUBLIC HEARING CONTINUATION AND SECOND READING

[14-0845](#)

Ordinance - Public Hearing and Second Reading of an Ordinance Revising the Water Conservation and Drought Contingency Sections of Ordinance 1384 "Water Demand Management / Drought Contingency Plan"

Sponsors: Joe Smolinski

Attachments: [TCEQ Letter](#)

[Ordinance 2014 Water Demand Management Plan](#)

[Addendum A 2014 Water Conservation Plan](#)

[Addendum B 2014 Drought Contingency Plan](#)

16. ADJOURN

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, April 10, 2014 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