



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, November 24, 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

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**

Discussion Regarding the Anonymous Correspondence Questioning the Qualifications of Council Member Wendy Burgess

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

[14-1151](#) Small Business Saturday 2014 Proclamation

Attachments: [Small Business Saturday 2014](#)

9. PRESENTATIONS

The Texas Recreation and Park Society North Region Award

The Greater Fort Worth Builders Association Spotlight Award

Texas Downtown Association Awards

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

Hometown Holidays Update; Andy Binz

13. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

14. 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

[14-1116](#) Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas, Amending Chapter 94, "Food Establishments", of the City of Mansfield Code of Ordinances, As Amended, by Amending, Revising, and Modifying the Regulations for Food Establishments; Providing that this Ordinance shall be Cumulative of all Ordinances; Providing a Severability Clause; Providing a Savings Clause; Providing a Penalty Clause; Providing for Publication; and Providing an Effective Date

Sponsors: Richard Wright

Attachments: [Food Ordinance](#)

[Food Ord. Red Lined](#)

[14-1117](#) Ordinance - Third and Final Reading of an Ordinance of the City Council of the City of Mansfield, Texas for the Purpose of Amending the Permit Fees Found in City Code of Ordinances as They Relate to the Fees for Inspections Performed by the Tarrant County Health Department of Food Establishments, Public Pools, Spas, and Interactive Water Features within the City; Providing for the Repeal of all Ordinances or Parts of Ordinances in Conflict; Providing a Severability Clause; Providing for Publication; and Providing an Effective Date

Sponsors: Richard Wright

Attachments: [Ordinance](#)

[Exhibit A](#)

[14-1118](#) Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas, Amending Chapter 92, "Health and Sanitation", of the City of Mansfield Code of Ordinances, as Amended, by Amending, Revising, and Modifying the Regulations for Public Pools, Spas, and Interactive Water Features; Providing that this Ordinance shall be Cumulative of all Ordinances; Providing a Severability Clause; Providing a Savings Clause; Providing a Penalty Clause; Providing for Publication, and Providing an Effective Date

Sponsors: Richard Wright

Attachments: [Pool Ordinance](#)

[Pool Ord. Red Lined](#)

[14-1142](#) Resolution - A Resolution of the City of Mansfield Authorizing the City Manager and the Mansfield Police Department (MPD) to make Application, Receive, and Expend Grant Funds from the Texas Department of Transportation FY 2016 Selective Traffic Enforcement Program (STEP) Grant Program in an Amount not to Exceed \$110,000 with a 20% In-Kind Match (\$22,000)

Sponsors: Tracy Aaron

Attachments: [Resolution](#)

- [14-1152](#) Resolution - A Resolution Authorizing the City Manager and the City of Mansfield Fire Department to make Application and Receive Funds from the Department of Homeland Security Assistance to Firefighter Grant Program 2014 for an Air / Light Utility Truck not to Exceed \$450,000 with a Required City Cash Match of 10% Equal to \$45,000

Sponsors: Barry Bondurant

Attachments: [Resolution](#)

- [14-1144](#) Minutes - Approval of the November 10, 2014 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [11-10-14 DRAFT Meeting Minutes](#)

- [14-1145](#) Minutes - Approval of the November 11, 2014 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [11-11-14 DRAFT Meeting Minutes](#)

- [14-1146](#) Minutes - Approval of the November 12, 2014 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [11-12-14 DRAFT Meeting Minutes](#)

END OF CONSENT AGENDA

15. OLD BUSINESS

- [14-1153](#) Review and Consideration of a Resolution Dissolving the Moratorium on Restaurant or Food Service Operations with Drive Through Lanes

Sponsors: Felix Wong

Attachments: [Resolution](#)

- [14-1091](#) Review and Consideration of a Request for Variance to the Moratorium on Restaurants or Food Service Operations where More than 10% of the Business Activities is Provided by Food Service Delivery to Drive Through Lanes; Raising Cane's

Sponsors: Felix Wong

Attachments: [Letter of Request & Exhibits Raising Cane's](#)

[Aerial & Street View of Raising Cane's Lot](#)

- [14-1098](#) Review and Consideration of a Revised Request for Variance to the Moratorium on Restaurants or Food Service Operations where more than 10% of the Business Activities is Provided by Food Service Delivery to Drive Through Lanes; Valley Bell Enterprises, LLC and Multifoods, Inc, a Taco Bell Franchisee

Sponsors: Felix Wong

Attachments: [Arthur Anderson letter for Taco Bell \(1\)](#)

16. PUBLIC HEARING AND FIRST READING

[14-1143](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving Proposed Amendments of Sections 2200, 4400 and 7800 of the Zoning Ordinance Regarding Definitions; Zoning Classification and Permitted Use Regulations; Specific Use Permit Requirements; and Special Conditions Applicable to Medical Waste Product Facilities (OA #14-012)

Sponsors: Felix Wong

Attachments: [Ordinance](#)

[Exhibits A & B](#)

17. NEW BUSINESS

[14-1147](#) Ordinance - First Reading of an Ordinance Vacating and Abandoning a Portion of a Drainage Easement Dedicated to the City of Mansfield by H.A. and Roberta Hott (Now Known as the Hott Family Limited Partnership)

Sponsors: Steve Freeman

Attachments: [Hott - Maps and Supporting Information](#)

[Hott Ordinance - Esmt Abdn.](#)

[Hott - Ex A and B](#)

[Hott - Quitclaim Deed](#)

[14-1148](#) Ordinance - First reading of an Ordinance Approving a Request to Abandon Part of a 7.5-foot Utility Easement in Lot 7, Block 5, Twin Creeks Addition, Phase Five, by Thomas A. Roman and Wife, Linda Lou Roman

Sponsors: Steve Freeman

Attachments: [Ordinance with Ex A and Ex B](#)

[Maps and Supporting Information](#)

[14-1149](#) Discussion and Action if Necessary to Address the Anonymous Correspondence Questioning the Qualifications of Council Member Wendy Burgess

Sponsors: Allen Taylor

18. 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, November 20, 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:

Steven Wood, 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