



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, November 23, 2009

5:00 PM

Council Chambers

REGULAR MEETING AMENDED AGENDA

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

City Attorney Briefing on Lawsuit Cause No. 352-228421-08 Lance Ward and Hannah Ward vs. City of Mansfield

Naming of Public Facilities (Addendum)

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

Board Appointment; Zoning Board of Adjustment

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

Economic Development Project 09-03

3. WORK SESSION IMMEDIATELY FOLLOWING EXECUTIVE SESSION

Follow-up Discussion Regarding Strategic Plan 2010/Proposed November 2010 Bond Election

Staff Briefing Regarding Proposed Interlocal Wastewater Contract with City of Arlington

4. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION**5. 7:00 PM OR IMMEDIATELY FOLLOWING EXECUTIVE SESSION - RECONVENE INTO REGULAR BUSINESS 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. PRESENTATIONS

Texas Recreation and Parks Society Award Presentation

Salvation Army Red Kettle Kick-Off Presentation - Captain Andy Miller

Moritz Cadillac Presentation of Donation for the Hometown Holidays Event

Methodist Mansfield Medical Center Presentation of Donation for the Hometown Holidays Parade

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

Ribbon Cutting for West Broad Street; December 14, 2009 at 4:00 p.m.

Hometown Holidays and Holiday Parade on December 4-5, 2009

13. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

14. OLD BUSINESS

09-1657

Ordinance -Third and Final Reading of an Ordinance Adopting Updated Land Use Assumptions, Roadway Capital Improvement Plans, and Revised Roadway Impact Fees

Sponsors: Felix Wong

Attachments: [2004 vs. 2009 Comparison of fees](#)

[Written Comments from CIAC](#)

[Comparison of impact fees from other cities](#)

[MEDC ltr on Impact Fees](#)

[Exh A - Service Area](#)

[Exh B - Land Use Assumptions](#)

[Exh C - Land Use Veh Mile Equivalency Table](#)

[Exh D - Max Assessable Roadway Impact Fee](#)

[Exh E - Current Collected impact fee per service unit](#)

[Exh F - Current Collected Roadway Impact Fees per land use per serv area](#)

[Exh G - Roadway Improvement Plan](#)

[Proposed Ordinance](#)

[Proposed Roadway Impact Fees per Land Use Category per Service Area](#)

[Summary of Projected Impact Fee Revenue](#)

09-1680

Ordinance - Public Hearing and First Reading of an Ordinance Amending the Regulations in Chapter 114 of the Mansfield Code of Ordinances, "Gas Well Drilling and Production," Pertaining to Definitions, Health and Safety, Signage, Hours of Operation, Maintenance, Completion and other Drilling, Operation and Production Activities (OA#09-005)

Sponsors: Felix Wong

Attachments: [Revised Ordinance for 11-23-09](#)

15. PUBLIC HEARING CONTINUATION AND SECOND READING

09-1669

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.052 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Water Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1735 and other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Sponsors: Bud Ervin and Joe Smolinski

Attachments: [2010 Public Hearing Notice](#)

[Water Rate Ordinance](#)

[09-1670](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.054 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Sanitary Sewer Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1734 and other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Sponsors: Bud Ervin and Joe Smolinski

Attachments: [2010 Public Hearing Notice](#)
[Sewer Rate Ordinance](#)

[09-1671](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51.073, 51.075, 51.076, 51.079, and 51.083 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise Sections of the Chapter, as Established by Ordinance 763, which do not Correspond to House Bill 1979 Model Standards For a Grease Ordinance; Providing a Severability Clause; Providing for Publication and for an Effective Date

Sponsors: John Woodworth

Attachments: [Sewer Ordinance Amendments](#)
[2010 Public Hearing Notice](#)
[Sewer Amendments Ordinance](#)

16. 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

[09-1694](#) Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casting of Votes in the 2010-2011 Election of the Board of Directors for the Central Appraisal District of Johnson County, Texas

Sponsors: Peter Phillis

Attachments: [Johnson County Official Ballot](#)
[Resolution](#)
[Johnson County Calculation of Votes](#)

[09-1695](#) Resolution - A Resolution by the City of Mansfield, Texas, Affirming the Casting of Votes in the 2010-2011 Election of the Board of Directors for the Tarrant Appraisal District of Tarrant County, Texas

Sponsors: Peter Phillis

Attachments: [Tarrant County Nominations](#)
[Tarrant County Official Ballot](#)
[Tarrant County Calculation of Votes](#)
[Resolution](#)

09-1696 Resolution - A Resolution by the City of Mansfield, Texas Affirming the Casing of Votes in the 2010-2011 Election of the Board of Directors for the Ellis Appraisal District of Ellis County, Texas

Sponsors: Peter Phillis

Attachments: [Ellis County Official Ballot](#)
[Ellis County Calculation of Votes](#)
[Resolution](#)

09-1685 Minutes - Approval of the November 9, 2009 Regular City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 11-9-09 Meeting Minutes](#)

09-1686 Minutes - Approval of the November 16, 2009 Special City Council Meeting Minutes

Sponsors: Vicki Collins

Attachments: [DRAFT 11-16-09 Meeting Minutes](#)

END OF CONSENT AGENDA

17. 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 19, 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