



# CITY OF MANSFIELD

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

## Meeting Agenda City Council

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Monday, August 26, 2013

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**

Legal Consideration of Granting an Easement to Property Owners Along the Linear Trail

TxDOT; Transfer of State Highways Inside City

B. **Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072**

Consider Possible Purchase of Certain Properties for Future Development/Use

Property Acquisition - 651 Justice Ln.

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**

Update on Economic Development Prospects

Present Proprietary Information Regarding a Request for Economic Development Incentive from Methodist Mansfield Medical Center

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**

[13-0647](#) Blood Cancer Awareness

**Attachments:** [Blood Cancer Awareness 2013](#)

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

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**

[13-0608](#) Ordinance - Third and Final Reading on an Ordinance Approving a Zoning Change from MF-2 & PD for Multi-family Residential Use to a New PD for Multi-family Residential Use on Approximately 17.2 Acres, Generally Located East of SH 360 and Approximately 400 Feet North of Heritage Parkway South; HP Civil Engineering, LLC. (ZC#13-002)

**Sponsors:** Felix Wong

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

[Maps & Supporting Info.](#)

[EX A-D 12 July 2013](#)

[Revised Dev. Plan with Nets](#)

[13-0640](#) Resolution - A Resolution to Award a Construction Contract for the Seeton Road Paving Improvements from South Holland Road to Approximately 1400 feet to the East to JLB Contracting, LLC. and Authorization of Funding for an Amount not to Exceed \$442,409.15 (Street Bond Fund).

**Sponsors:** Steve Freeman

**Attachments:** [Bid Tab](#)

[Map](#)

[Resolution](#)

[13-0646](#) Resolution - A Resolution Authorizing the Director of Utilities to Enter Into an Agreement with WHECO Electric, Inc. for the Installation of Equipment, SCADA System Upgrades, and Programming Necessary to Communicate Water Quality and Metering Data to the Bud Ervin Water Treatment Plant's Data Management System from Multiple Stations in Mansfield, for an Amount Not to Exceed \$82,906.00 (Utility Bond Fund)

**Sponsors:** Joe Smolinski

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

[13-0638](#) Minutes - Approval of the August 12, 2013 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins

**Attachments:** [8-12-13 DRAFT Meeting Minutes](#)

### **END OF CONSENT AGENDA**

## **14. PUBLIC HEARING**

[13-0643](#) Public Hearing - Public Hearing on the Tax Rate

**Sponsors:** Peter Phillis

[13-0644](#) Public Hearing - Public Hearing on the FY 2013/2014 Proposed Budget

**Sponsors:** Peter Phillis

[13-0645](#) Public Hearing - Use of Hotel/Motel Tax

**Sponsors:** Peter Phillis

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

**15. PUBLIC HEARING AND FIRST READING**

[13-0637](#) Ordinance - Public Hearing and First Reading on an Ordinance Approving a Zoning Change from The Reserve PD to C-2 on Approximately 16.5 acres Generally Located at the Southwest Corner of East Broad Street and Cannon Drive South, Cann-Mansfield, Ltd. (ZC#13-007)

**Sponsors:** Felix Wong

**Attachments:** [Ordinance](#)  
[Exhibit A](#)  
[Maps & Supporting Info.](#)  
[Kroger's Written Opposition](#)

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

[13-0622](#) Ordinance - Public Hearing Continuation and Second Reading on an Ordinance Approving a Zoning Change from an Existing PD to a new PD for a Nursing & Rehabilitation Center on Approximately 6.6 acres, Generally Located at the Southeast Corner of Cannon Drive and North Miller Road; SCI Construction, Ltd. (ZC#13-005)

**Sponsors:** Felix Wong

**Attachments:** [Maps & Supporting Info.](#)  
[Exhibits A-D](#)  
[Current PD Approved in 2007](#)  
[Ordinance](#)

**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, August 22, 2013 by 5:00 p.m., and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Vicki Collins, City Secretary

Approved as to form:

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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:

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By: \_\_\_\_\_  
City Secretary's Office