



CITY OF MANSFIELD

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

Meeting Agenda City Council

Monday, November 9, 2009

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.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

Consideration of Possible Interlocal Agreement with Mansfield Independent School District and Forest City for Development of Shops at Broad and the Proposed Event Center

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

Consideration of Possible Interlocal Agreement with Mansfield Independent School District and Forest City for Development of Shops at Broad and the Proposed Event Center

Personnel Matters Pursuant to Section 551.074

Board Appointment; Zoning Board of Adjustment

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

Forest City Incentives

Consideration of Possible Interlocal Agreement with Mansfield Independent School District and Forest City for Development of Shops at Broad and the Proposed Event Center

3. 6:50 P.M. – COUNCIL BREAK PRIOR TO REGULAR BUSINESS SESSION

4. 7:00 P.M. – 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. PRESENTATION

Joint Meeting with Mansfield Economic Development Corporation Board to Receive Public Input and Discussion Regarding the Proposed Mansfield Independent School District Performing Arts Center on the Proposed Shops at Broad Street Development

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.

City Manager Report or Authorized Representative

Current/Future Agenda Items

12. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION**13. OLD BUSINESS**

09-1681

Follow up Discussion and Possible Action Regarding MISD Request to Open Gate Access at Asa E. Low, Jr. Intermediate School on Clover Hill Drive

Sponsors: Steve Freeman

Attachments: [Asa Low Overall Circulation](#)
[Close up of Circulation Plan](#)

14. PUBLIC HEARING AND FIRST READING

09-1669 Ordinance - Public Hearing and First 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 and First 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 and First 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](#)

15. PUBLIC HEARING CONTINUATION AND SECOND READING

09-1657 Ordinance - Public Hearing Continuation and Second 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](#)

16. NEW BUSINESS

- 09-1667** Minutes - Approval of the October 26, 2009 Regular City Council Meeting Minutes
Sponsors: Vicki Collins
Attachments: [DRAFT 10-26-09 Meeting Minutes](#)
- 09-1662** Consideration and Possible Action to Suspend the Procedural Rules of Council and Reschedule the Regular Scheduled City Council Meeting of December 28, 2009 to December 14, 2009
Sponsors: Vicki Collins
Attachments: [Suspension of Rules](#)
- 09-1672** Consideration of a Request to Revise the Development Plan for The Enclave, a Planned Development for Professional and Medical Offices Located at 103 E. Debbie Lane; MA Engineering and Construction (ZC#06-009C)
Sponsors: Felix Wong
Attachments: [Development Plan with Revised Elevations](#)
[Applicant Request Letter](#)
- 09-1680** Ordinance - First Reading of an Ordinance Amending the Regulations Contained 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: [Ordinance](#)
- 09-1683** Resolution - A Resolution of the City of Mansfield, Texas, Declaring Support for the Mansfield Pioneer Place-Senior Independent Living Facility Development, a Joint Tax Credit and Home Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the Application Year 2010
Sponsors: Chris Burkett

Attachments: [Resolution](#)

17. ADJOURN

AGENDA MAP

[09-1668](#) Agenda Map of Detailed Agenda Items

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, November 5, 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