



# CITY OF MANSFIELD

1200 East. Broad St.  
Mansfield, TX 76063  
[www.mansfield-tx.gov](http://www.mansfield-tx.gov)

## Meeting Agenda City Council

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Monday, June 10, 2013

6:00 PM

Council Chambers

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### REGULAR MEETING AMENDED AGENDA

1. **6:00 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**

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 Mansfield Economic Development Corporation Projects

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. 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.*

**9. COUNCIL ANNOUNCEMENTS****10. 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

Mosquito Control Update: Howard Redfearn

Mansfield Rockin' 4th of July Update: Andy Binz

**11. TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION****12. 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**

[13-0537](#)

Ordinance - Third and Final Reading of a Proposed Ordinance of The City Of Mansfield, Texas, ("City") Approving and Adopting Rate Schedule "RRM - Rate Review Mechanism" for Atmos Energy Corporation, Mid-Tex Division to be in Force in The City for a Period of Time as Specified in the Rate Schedule; Adopting a Savings Clause; Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Declaring an Effective

Date; and Requiring Delivery of This Ordinance to the Company and ACSC Legal Counsel

**Sponsors:** Joe Smolinski

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

[13-0539](#)

Ordinance - Third and Final Reading of an Ordinance to Abandon a Portion of Right-of-Way along the South Side of Cannon Drive East of Miller Road

**Sponsors:** Steve Freeman

**Attachments:** [Ordinance](#)  
[Quit Claim Deed](#)

[13-0556](#)

Resolution - A Resolution by the City of Mansfield, Texas Approving an Agreement with MaryLou's Sandwich Shoppe Pursuant to an Economic Development Program Established under Chapter 380 of the Texas Local Government Code to Promote Economic Development and Stimulate Business and Commercial Activity in the City

**Sponsors:** Felix Wong

**Attachments:** [Existing and Proposed Floor Plans](#)  
[Resolution 380 agreement MaryLou's](#)  
[380 Agreement MaryLou's](#)  
[MaryLou's Letter of Request](#)

[13-0560](#)

Resolution - A Resolution Supporting the Closure of North Main Street for Wurst Fest and Historic Mansfield Music & Arts Festival

**Sponsors:** Felix Wong

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

[13-0567](#)

Resolution - A Resolution Authorizing a Contract Award for the Construction of Low Branch Lift Station and 30-inch Force Main to Bar Constructors, Inc. for an Amount not to Exceed \$ 4,461,644.25 (Utility Revenue Bond Fund)

**Sponsors:** Steve Freeman

**Attachments:** [Bid Tabulation](#)  
[Recommendation of Award](#)  
[Location Map](#)  
[Resolution](#)

[13-0568](#)

Resolution - A Resolution to Award a Construction Contract for the East Broad Street from N. Holland Road to Day Miar Road Paving, Drainage and Traffic Signal Improvements to XIT Paving and Construction Inc. and Authorization of Funding for an Amount not to Exceed \$3,346,922.58 (Street Bond Fund and Utility Bond Fund)

**Sponsors:** Steve Freeman

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

[13-0561](#) Request for Special Event Permit; Discover Historic Mansfield Music & Arts Festival

**Sponsors:** Felix Wong  
**Attachments:** [Mans Music & Arts](#)  
[Approvals and Comments](#)

[13-0562](#) Request for Special Event Permit; Discover Historic Mansfield Wurst Festival, Friday October 18th

**Sponsors:** Felix Wong  
**Attachments:** [Wurst Fest SE Application 2013\(1\)](#)  
[Approvals and Comments](#)

[13-0563](#) Request for Special Event Permit; Mansfield's Rockin' 4th of July

**Sponsors:** Andy Binz  
**Attachments:** [Mansfield Rockin 4th](#)  
[Approvals and Comments](#)

[13-0564](#) Request for Special Event Permit; Run with Heart 1/2 Marathon

**Sponsors:** Andy Binz  
**Attachments:** [Run with Heart](#)  
[Site Plan](#)  
[Approvals and Comments](#)

[13-0566](#) Minutes - Approval of the May 28, 2013 Regular City Council Meeting Minutes

**Sponsors:** Vicki Collins  
**Attachments:** [5-28-13 DRAFT Meeting Minutes](#)

**END OF CONSENT AGENDA**

**13. PUBLIC HEARING AND FIRST READING**

[13-0558](#) Ordinance - Public Hearing and First Reading of an Ordinance Approving Amendment of Section 7100, Sign Standards of the Zoning Ordinance, Specifically Table 7100D, Schedule of Sign Standards, Section 7100.I, General Provisions, Section 7100.J.7, Political Signs and Section 7100.M, Removal of Signs (OA#13-002)

**Sponsors:** Felix Wong  
**Attachments:** [Political Sign Regulations Amendment 06.10.13](#)  
[Ordinance](#)

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

[13-0540](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance to Consider Proposed Changes to the Mansfield, Texas Code of Ordinances: Chapter 96: Parks and Recreation

**Sponsors:** Shelly Lanners

**Attachments:** [Parks and Recreation Ordinances - redline Ordinance](#)

[13-0555](#) Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving a Zoning Change from an Existing PD for Single-Family Residential to a new PD for Single-Family Residential on Approximately 15 acres, located at 2001 and 2011 Callender Road; TCCI Land Development, Inc. (ZC#13-004)

**Sponsors:** Felix Wong

**Attachments:** [Maps & Supporting Information Ordinance](#)  
[PD Comparison Chart](#)  
[Lionsgate Builder Packet](#)  
[Exhibits A-F - 6-10-13](#)

**15. NEW BUSINESS**

[13-0569](#) Designation of Official Voting Representative to North Central Texas Council of Governments

**Sponsors:** Chris Burkett

[13-0570](#) Discussion and Possible Action Regarding Code Enforcement Sub-Committee Report

**Sponsors:** Chris Burkett

**16. ADJOURN**

**CERTIFICATION**

I, the undersigned authority do hereby certify that the above amended 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: Friday, June 7, 2013 by 6:00 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