

**NOTICE OF A WORKSHOP & REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, December 8, 2015**

Pursuant to the provisions of Chapter 551 VTCA Government Code, notice is hereby given of a Workshop & Regular Meeting of the Midlothian City Council, to be held at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

WORKSHOP 5:00 P.M. (Administrative Conference Room)

Call to Order

2015-418 Review and discuss the concrete samples and color options to be used for the restroom, playground, plaza area concrete, maintenance building, fertigation building, fence color, press box color, bleacher and press box design, and light poles in the Community Park.

2015-419 Adjourn

REGULAR AGENDA 6:00 p.m. (City Council Chambers)

Call to Order, Invocation and Pledge of Allegiance

2015-420 Receive Quarterly Investment Report from Patterson & Associates

2015-421 Citizens to be heard

2015-422 Receive a quarterly update on various City Board and Commission meetings and activities

CONSENT AGENDA

2015-423 Consider and act upon minutes from the City Council meetings of November 3 and 10, 2015.

2015-424 Consider and act upon an ordinance amending the FY 2015-2016 General Fund budget appropriations in the amount of \$22,385.50 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2014-2015 General Fund budget; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

2015-425 Consider and act upon an ordinance amending the FY 2015-2016 Utility Fund budget appropriations in the amount of \$735,628.09 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2014-2015 Utility Fund budget; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

2015-426 Consider and act upon an ordinance amending the FY 2015-2016 General Fund budget appropriations in the amount of \$896,994 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2014-2015 General Fund budget; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

- 2015-427 Consider and act upon an ordinance amending the FY 2015-2016 Utility Fund budget appropriations in the amount of \$878,395 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2014-2015 Utility Fund budget; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.
- 2015-428 Consider and act upon a thirty-six (36) month fair market value lease with Dell Computers for 24 laptops and 36 desktops. The Lease is part of the City's computer replacement program as approved in the Capital Equipment Program and the FY 2015-2016 Budget.

PUBLIC HEARINGS

- 2015-429 Conduct a public hearing to act upon an ordinance to rezone ±188.175 acres from the current Agricultural (A) District to a Planned Development (PD) District for residential uses, open spaces and corporate uses for Hayes Crossing. Property is in the J. Powers Survey, Abstract No. 838, the C.R. Werley Survey, Abstract No. 1187, the J. Grimes Survey, Abstract No. 1327, and the L.W. Stewart Survey, Abstract No. 997, located on Hayes Road and ±2,100 feet south of FM 1387. (Case No. Z02-2015-04).
- 2015-430 Conduct a public hearing and act upon an ordinance to rezone ± 8.5993 acres from Agricultural (A) District (± 7.26 acres) and Single-Family One (SF-1) District (± 1.33 acres) to a Planned Development District No. 83 (PD 83) for Firefly Gardens, a wedding and event venue and residential use. Property is in the I. Cooper Survey, Abstract No. 226 and the M.J. Pogue Survey, Abstract No. 852, located south of East Highway 287 and ± 3,380 ft. northwest of Rex Odom Drive (Case No. Z03-2015-05)
- 2015-431 Conduct a public hearing and act upon an ordinance to rezone ± 3.727 acres from Community Retail (CR) District to a Planned Development District No. 80 (PD-80), for all uses in the Community Retail (CR) District with the inclusion of a Specific Use Permit (SUP) to allow outdoor sales, display, and storage for a proposed Tractor Supply Company retail store. Property is in the J. Sharkey Survey, Abstract No. 1065 and being at the southwest intersection of US Highway 67 and Overlook Dr. (Case No. Z04-2015-10 and SUP01-2015-07).

REGULAR AGENDA

- 2015-432 Consider and act upon a resolution approving the issuance of taxable bond financing by Midlothian Economic Development, providing funds to complete construction of the new Midlothian Business Park.
- 2015-433 Consider and act upon a variance request from Marturro Development relating to the size of custom-built mailbox assemblies within The Aviary subdivision.
- 2015-434 Consider and act upon an agreement with Insituform Technologies, Inc. of Corinth, Texas for the 2015 Manhole Rehabilitation Program using the SpectraShield multi-layered liner system, in an amount not to exceed \$108,243.
- 2015-435 Consider and act upon a contract with Circle H Contractors, L.P. for a Water and Sewer Line Replacement Project in the alley between South 2nd and South 3rd Street in a bid amount of \$110,317.50 plus a 10% contingency for a total not to exceed \$121,350.
- 2015-436 Consider and act upon recommendations from the Park Board for concrete samples and color options to be used for the restroom, playground, plaza area concrete, maintenance building, fertigation building, fence color, press box color, bleacher and press box design, and light poles in the Community Park.

- 2015-437 Review and discuss residential and commercial solid waste service options and direct staff as necessary.
- 2015-438 Consider and act upon an agreement with Buxton Group for retail customer analytics and development of a retail recruitment program.
- 2015-439 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions
- 2015-440 Review and discuss potential agenda topics for City Council Workshops and direct staff as necessary

EXECUTIVE SESSION

Executive Session items are discussed in closed session but any and all action is taken in regular open session. Executive Session is not open to the public because there is a compelling need of confidentiality (e.g., certain real estate, litigation, or personnel matters).

1. Section 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
3. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation
4. Section 551.071 Personnel Matters: (a)(1) City Manager goals and objectives

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into Executive Session on any of the above posted agenda items in accordance with the Sections 551.071 (litigation and certain consultation with attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), 551.076 (deployment/implementation of security personnel or devices) or 551.087 (economic development negotiations).

REGULAR AGENDA

- 2015-441 Action resulting from Executive Session, Item #1: Economic Development
- 2015-442 Action resulting from Executive Session, Item #2: Real Estate
- 2015-443 Action resulting from Executive Session, Item #3: Contemplated litigation
- 2015-444 Action resulting from Executive Session, Item #4: City Manager goals and objectives
- 2015-445 Adjourn

I, Mary McDonald, Deputy City Secretary of the City of Midlothian, Texas, do hereby certify that this Notice of Meeting was posted on the front window of City Hall, 104 West Avenue E, Midlothian, Texas, at a place readily accessible to the general public at all times, no later than the 4th day of December, 2015 at or before 5:00 p.m.


 Mary McDonald, Deputy City Secretary

**This facility is wheelchair accessible and accessible parking spaces are available.
 Requests for reasonable accommodations must be made 48 hours prior to this meeting.
 Please contact the City Secretary at 775-3481 for further information.**