

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, October 25, 2016**

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

**REGULAR AGENDA 6:00 p.m.**

Call to Order, Invocation and Pledge of Allegiance

2016-326 Citizens to be heard

**CONSENT AGENDA**

*All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

2016-327 Consider and act upon minutes from the City Council meetings of October 3 and 11, 2016.

2016-328 Consider and act upon cancelling the November 22, 2016 and December 27, 2016 Regular City Council meetings.

2016-329 Consider and act upon a request authorizing the Midlothian Police Department to apply for funds from the Office of the Governor, Criminal Justice Division Grant (the "Grant") and authorizing the City Manager to accept, reject, alter or terminate said Grant. Proceeds of said Grant are to be utilized for the operation of a Major Incident Response Vehicle project.

2016-330 Consider and act upon a resolution authorizing the Midlothian Police Department to apply for grant funds from the Office of the Governor, Criminal Justice Division Grant (the "Grant") and authorizing the City Manager to accept, reject, alter or terminate said Grant. Proceeds of said grant are to be utilized for the operation of a Scenario Based Training Simulator project.

2016-331 Consider and act upon a resolution authorizing the Ellis County Toy Run (motorcycle parade), an annual event hosted by the Gryphon Motorcycle Club of Ellis County, scheduled for Sunday, December 11, 2016, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (Case No. SEP03-2017)

**PUBLIC HEARINGS**

2016-332 Conduct a public hearing to consider and act upon an ordinance to rezone  $\pm$  12 acres out of the W. Hawkins Survey, Abstract No. 465 generally located at the northeast corner of S. 14th street and George Hopper Road from Single Family Three (SF-3) District to a Planned Development for Multi-Family (MF) uses and Community Retail (CR) uses. (Z25-2015-132).

2016-333 Conduct a public hearing to consider and act upon an ordinance to rezone 1.623 $\pm$  acres of land located in Roark Addition, Lot 4, from the current Community Retail (CR) and Commercial (C) District to Planned Development District No. 88 (PD 88) for Commercial (C) uses, generally located on U.S. Highway 67 between Henderson Street and East Ridgeview Drive, in the City of Midlothian (Case No. Z23-2015-128).

2016-334 Conduct a public hearing to consider and act upon an ordinance for a Specific Use Permit (SUP) for a proposed car dealership on  $\pm$  3.842 acres of land currently zoned Commercial (C) District, located in Walnut Grove Center South, Lot 1, Block 1, generally located at 4610 East Highway 287. (Case No. SUP05-2015-125).

- 2016-335 Conduct a public hearing to consider and act upon an ordinance to rezone ±1.59 acres out of the Martha Brenan Survey, Abstract No. 43, and located at 3851 FM 663 from Agricultural (A) District to Commercial (C) District and to amend Ordinance No. 2013-42, establishing a Specific Use Permit (SUP) for a mini storage warehouse facility to incorporate said ±1.59 acres into the scope of said SUP. (Z02-2017-03).
- 2016-336 Conduct a public hearing to consider and act upon an ordinance amending Section 100 (Definitions) of the City of Midlothian Zoning Ordinance. The primary purpose of said amendment is designed to revise the definition for truck stop. (Case No. OZ02-2015-115).
- 2016-337 Conduct a public hearing to consider and act upon an ordinance amending Section 1.48 (Zoning & Permits on Newly Annexed Territory) of the City of Midlothian Zoning Ordinance relating to the designation of zoning districts for newly annexed areas in conformance with the Future Land Use Map of the city's current Comprehensive Plan document (Case No. OZ01-2017-10).

**REGULAR AGENDA**

- 2016-338 Consider and act upon a letter of engagement with Ray Associates, Inc. to conduct a Compensation and Benefits Study for an amount not to exceed \$35,000.
- 2016-339 Consider and act upon a bid award to Hufcor, Inc. of Dallas, Texas, for a folding panel partition wall for the ballroom area of the Midlothian Conference Center, in an amount not to exceed \$65,860.
- 2016-340 Consider and act upon an Agreement for Professional Services with Kimley-Horn and Associates, Inc. for conceptual design and related professional services for improvements to the FM 1387 and Hayes Road intersection in the amount of \$23,000
- 2016-341 Consider and act upon a site plan review for Midlothian Towne Crossing, a Panda Express restaurant located on ± 0.96 acres of land zoned Planned Development District 79 (PD-79), out of the Benjamin F. Hawkins survey, Abstract 464, generally located on the south side of Mt. Zion Road between FM 663 and future S. 14th Street, in the City of Midlothian. (Case No. SP09-2015-126).
- 2016-342 Consider and act upon an Interlocal Agreement (ILA) between the City of Midlothian, Texas, and the City of Red Oak, Texas, for a public safety radio system.
- 2016-343 Consider and act upon an Agreement with Motorola Solutions, Inc. for the purchase of emergency services communication equipment in an amount not to exceed \$1,579,732.00 and authorizing the City Manager to execute the Agreement.
- 2016-344 Consider and act upon authorizing the City Manager to execute an Agreement with JTS for the purchase and installation of a 175-foot communications tower at Fire Station 3 in an amount not to exceed \$112,600.00.
- 2016-345 Consider and act upon a recommendation from the Midlothian Economic Development Board of Directors for approval of an increase in the overall infrastructure project budget to \$7,335,060.45
- 2016-346 Consider and act upon a recommendation from the Midlothian Economic Development Board of Directors approving the transfer of \$150,000.00 from MED FY 2015-2016 budget to Midlothian Business Park Property Owners' Association.
- 2016-347 Consider and act upon an Economic Development Agreement between the City of Midlothian, Texas and Midlothian Economic Development providing a waiver of Water Impact Fees.
- 2016-348 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 4 titled "Business Regulations" by amending Article 4.02 titled "Taxicabs" by replacing with a new Article 4.02 titled "Vehicles for Hire" to provide new regulations for all vehicles for hire; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed five hundred dollars (\$500.00); and providing for an effective date.

- 2016-349 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas, authorizing an Operating License Fee in the amount of One Hundred Dollars (\$100) to be paid by the licensee to the City for each vehicle for hire to be operated within the City of Midlothian for a twenty-four (24) month period; and providing for an effective date.
- 2016-350 Consider and act upon an agreement with Nationwide Construction for the Midlothian Senior Citizen Center Expansion Project in an amount not to exceed \$1,416,120, and authorizing the City Manager to execute the agreement.

#### EXECUTIVE SESSION

*The City Council will convene into executive session pursuant to the following sections of the Texas Government Code. Executive Session items are discussed in closed session but any and all action is taken in regular open session.*

1. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.
2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
  - a. 14<sup>th</sup> Street Right-of-Way
  - b. Ledgestone Lane Right-of-Way

#### REGULAR AGENDA

- 2016-351 Action resulting from Executive Session, Item #1: Legal
- 2016-352 Action resulting from Executive Session, Item #2: Real Estate (a.) 14<sup>th</sup> Street Right-of-Way
- 2016-353 Action resulting from Executive Session, Item #2: Real Estate (b.) Ledgestone Lane Right-of-Way
- 2016-354 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 21<sup>st</sup> day of October, 2016 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 (972) 775-3481 for further information.**