

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, November 8, 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

2016-366 American Legion Auxiliary Veterans Day Proclamation

2016-367 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.

2016-368 Consider and act upon minutes from the City Council meeting of October 25, 2016.

2016-369 Consider and act upon the purchase of a Toro Workman® HDX 2wd utility cart, and a Groundsmaster® 4000-D mower for the Community Park in an amount not to exceed \$76,907.10. This pricing is obtained through BuyBoard Contract #447-14.

2016-370 Consider and act upon a lease agreement between the City of Midlothian and Boy Scout Troop 512, a non-profit group of Ellis County, Texas, for City property located at 502 State Spur 73.

2016-371 Consider and act upon a resolution authorizing the Rowdy Run 5K, an event hosted by the Midlothian Independent School District Education Foundation and the Rowdy Runners Running Club, scheduled for Saturday, April 22, 2017, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP01-2017)

2016-372 Consider and act upon a resolution authorizing the Southern Star Christmas Celebration, an event hosted by the Midlothian Downtown Business Association, Manna House, the Midlothian Chamber of Commerce and the City of Midlothian, scheduled on Saturday, December 3, 2016, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (Use Table) (Case No. SEP04-2017)

PUBLIC HEARINGS

2016-373 Conduct a public hearing and consider and act upon an ordinance amending Article 10.03 "Impact Fees" of the City of Midlothian Code of Ordinances by adding a definition for "impact fee study" and amending the definitions of "land use assumptions" and "land use equivalency tables"; amending and updating land use assumptions, service areas, capital improvements plan, equivalency tables and impact fee Schedules 1 and 2, thereof, for water, wastewater and roadway facilities. (Case No. M03-2015-12)

2016-374 Conduct a public hearing and consider and act upon an ordinance to amend development standards for Planned Development District No. 28 established by Ordinance No. 2006-37 relating to the development and use of ± 55.5670 acres out of the Benjamin G. Garvin Survey, Abstract No. 396, generally located on the north side of Mount Zion Road, east of Sudith Lane (Shady Valley Estates) (Case No. Z22-2015-127).

- 2016-375 Conduct a public hearing and consider and act upon an ordinance to rezone ± 1.6761 acres located in the Town Centre at the Meadows, Lots 2 and Part of Lot 1 generally located at 114 Roundabout Street from Planned Development No. 6 (PD-6) to Planned Development District for Community Retail (CR) and General Professional (GP) uses, including an animal hospital/veterinarian clinic. (Case No. Z01-2017-02).
- 2016-376 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Subdivision Ordinance, specifically Section 4.14 (Final Plats), Section 5.10 (Inspection), Section 6.14 (Lots), and Section 7.13 (Variances) relating to the authority of the Planning and Zoning Commission and City Council to review and act on certain variance and waiver requests to the Subdivision Ordinance. (Case No. OS01-2017-13).

REGULAR AGENDA

- 2016-377 Consider and act upon a thirty-six (36) month fair market value lease with Dell Computers for 19 laptops and 43 desktops. The Lease is part of the City's computer replacement program as approved in the Capital Equipment Program and the FY 2016-2017 Budget.
- 2016-378 Receive a water and wastewater rate study presentation from Willdan/Economists.com (Willdan) and direct staff accordingly.
- 2016-379 Consider and act upon a bid award to J.S. Haren Company, out of Athens, Tennessee for the Tayman Drive Water Treatment Plant Filters 5 - 8 Media Replacement and Repairs in an amount not to exceed \$149,000.
- 2016-380 Consider and act upon an agreement through Buy Board with Restroom Facilities Limited (RFL) for the purchase and installation of a pre-fabricated restroom building at Mockingbird Nature Park, not to exceed \$110,000.
- 2016-381 Consider and act upon an Interlocal Cooperation Agreement between the North Central Texas Council of Governments, the City of Waxahachie and the City of Midlothian for a Preliminary Engineering Study of the Midlothian to Waxahachie Regional Share-Use Path (Trail).
- 2016-382 Consider and act upon use of Utility funds and unexpended FY 2015-2016 funds from the 14th Street fencing project for enhancements at the Midlothian Community Park.
- 2016-383 Consider and act upon authorizing the City Manager to execute an Agreement with JTS for the purchase and installation of a microwave backhaul link between Fire Station 3 and the Carson Street water tower in Red Oak, in an amount not to exceed \$31,200.00
- 2016-384 Consider and act upon the rejection of bids received on July 29, 2016 for Midlothian Senior Citizen Center Expansion Project in an amount not to exceed \$1,414,070, due to the contractor's inability to obtain bonding as required.

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. 14th Street Right-of-Way
 - b. Ledgestone Lane Right-of-Way
3. Section 551.071(1)(A) Legal: Consultation with city attorney regarding P.U.C. Docket No. 46120; City of Midlothian Notice of Intent to Provide Water Service to Land Decertified from Mountain Peak Special Utility District.
4. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Planning Director

REGULAR AGENDA

- 2016-385 Action resulting from Executive Session, Item #1: Legal
- 2016-386 Action resulting from Executive Session, Item #2: Real Estate
 - a. 14th Street Right-of-Way
- 2016-387 Action resulting from Executive Session, Item #2: Real Estate
 - b. Ledgestone Lane Right-of-Way
- 2016-388 Action resulting from Executive Session, Item #3: Legal
- 2016-389 Action resulting from Executive Session, Item #4: Personnel
- 2016-390 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 November, 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.