

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, December 13, 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

2016-399 Citizens to be heard

2016-400 Receive a quarterly update on various City Board and Commission meetings and activities

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.

2016-401 Consider and act upon minutes from the City Council meetings of November 1, 8, and 28, 2016.

2016-402 Consider and act upon a contract extension with Evoqua Water Technologies for supplying the necessary equipment, chemicals, preventative maintenance and monitoring services for the generation of chlorine dioxide used in the treatment process at the Tayman Water Treatment Plant.

2016-403 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for the southern section of Lawson Farms, Phase 3 and Enclave at Lawson Farms for the purpose of the completion of a public works project and providing for procedures established by the Texas Local Government Code and City Ordinance; providing for conditions and exemptions; and setting an effective date and termination date (Case No. M03-2017-19).

PUBLIC HEARINGS

2016-404 Conduct a public hearing and consider an ordinance rezoning 0.80± acres out of the W. Hawkins Survey, Abstract 465, generally located on east side of South 14th Street, ± 663 feet south of East Main Street from Planned Development 36 (PD-36) and Single Family Three (SF-3) Zoning District to a Planned Development District for General Professional (GP) and Community Retail (CR) for office and retail uses, and adopting development regulations, a site plan, a landscaping plan, and building elevations. (Case No. Z03-2017-15)

2016-405 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance, specifically Section 1.09 (Plat Required Prior to Building Permit), Section 1.42 (Duties of the City Council), Section 3.5401 (Landscaping Requirements for Single Family Residential Uses, attached and detached), Section 3.5402 (Landscaping Requirements for Multifamily Uses, apartments, triplex, fourplex, townhomes, etc.), Sections 3.5502 and 4.5504 (Procedure for Determining Alternative Exterior Materials), Section 4.5205 (Off-street Loading / Dumpster Screening), Section 4.5602 (Off-street Parking Requirements), Section 4.5605 (Driveway Spacing and Design), Section 4.5841 (Signs located in General Professional (GP), Community Retail (CR), or Commercial (C) Districts), Section 4.5844 (Signs Located in Light Industrial (LI), Medium Industrial (MI), Heavy Industrial (HI) districts), Section 5.112 (Revisions of the Site Plan and Development Schedule), Section 5.213 (Criteria for Residential Uses in the CBD) and Section 100.200 (Masonry Definitions) 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 Midlothian Zoning Ordinance. (Case No. OZ02-2017-11)

- 2016-406 Continue 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)

REGULAR AGENDA

- 2016-407 Consider and act upon a request by a homeowner to construct a swimming pool within a tree preservation easement in Spring Creek Estates, Phase 1.
- 2016-408 Consider and act upon an ordinance of the City of Midlothian, Texas, amending Ordinance No. 2011-25 passed, adopted and approved by the City Council on August 9, 2011, adopting monthly water and wastewater rates to be charged for residential, commercial, industrial and wholesale customers, by amending Exhibit “A” titled “Water/Wastewater Utility Rates” by providing new rates for said customers beginning March 1, 2017 through 2021; providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date.
- 2016-409 Consider and act upon an agreement with Insituform Technologies, Inc. of Corinth, Texas for the 2016 Manhole Rehabilitation Program using the SpectraShield multi-layered liner system, utilizing the BuyBoard Purchasing Cooperative, #462-14, in an amount not to exceed \$99,996.
- 2016-410 Consider and act upon a request to authorize the purchase of a 2016 John Deere 310SL Backhoe Loader and a 2016 John Deere 17G Mini Excavator from RDO Equipment Company, utilizing the BuyBoard Purchasing Cooperative, #462-14, in an amount not to exceed \$97,730.
- 2016-411 Consider and act upon a resolution approving a proposed rate schedule for vehicles for hire submitted by Silver Bullet Taxi, and direct staff on taximeter ordinance revision.
- 2016-412 Consider and act upon a ten year Chapter 380 Agreement by and between the City of Midlothian, Texas and Bloomfield Homes.
- 2016-413 Consider and act upon an ordinance amending the FY 2016-2017 General Fund budget appropriations in the amount of \$260,446.56 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2015-2016 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.
- 2016-414 Consider and act upon an ordinance amending the FY 2016-2017 General Fund budget appropriations in the amount of \$777,978 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2015-2016 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.
- 2016-415 Consider and act upon an ordinance amending the FY 2016-2017 Utility Fund budget appropriations in the amount of \$542,425.80 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2015-2016 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.
- 2016-416 Consider and act upon an ordinance amending the FY 2016-2017 Utility Fund budget appropriations in the amount of \$1,583,353 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2015-2016 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.

- 2016-417 Consider and act upon an ordinance amending the FY 2016-2017 Midlothian Community Development Corporation (MCDC) budget appropriations in the amount of \$250,000 from the MCDC unreserved fund balance for expenditures not encumbered nor expended from the FY 2015-2016 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.
- 2016-418 Consider and act upon the appointment of members to the Citizens Planning Committee
- 2016-419 Consider and act upon a Communications System Agreement with the City of Fort Worth, Texas, to connect our 700 MHz trunked simulcast system to their master switch, obligating our City to annual subscriber use and software maintenance fees.

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

REGULAR AGENDA

- 2016-420 Action resulting from Executive Session, Item #1: Legal
- 2016-421 Action resulting from Executive Session, Item #2: Real Estate
 - a. 14th Street Right-of-Way
- 2016-422 Action resulting from Executive Session, Item #2: Real Estate
 - b. Ledgestone Lane Right-of-Way
- 2016-423 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 9th day of December, 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.