

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
\*\*\*Midlothian Conference Center\*\*\*  
Tuesday, December 12, 2017 at 6:00 pm**

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 **Ballroom at Midlothian Conference Center, 1 Community Circle, Midlothian, Texas**

**REGULAR AGENDA**

Call to Order, Invocation and Pledge of Allegiance

2017-455 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.*

2017-456 Consider and act upon minutes from the City Council meeting of November 14, 2017.

2017-457 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Red Oak, Texas.

2017-458 Consider and act upon a one (1) year Distribution Pole License Agreement with Oncor Electric Delivery Company, LLC and the City of Midlothian.

2017-459 Consider and act upon a Subscriber Services Agreement between the City of Fort Worth and the City of Midlothian.

2017-460 Consider and act upon a resolution authorizing the Cupid Shuffle 5K, an event hosted by the Reach Council of Ellis County, scheduled for Saturday, February 10, 2018, 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. SEP05-2018)

2017-461 Consider and act upon awarding a contract to Brenntag Southwest, Inc. for the purchase of NSF Approved Caustic Soda 50% Chemicals for the Water Treatment Plants based on an initial unit price bid of \$0.167. On 310,000 wet pounds, this would total \$51,770.

2017-462 Consider and act upon Change Order No. 1 to the S. 14th Street (Ashford/Oak Tree Lane to McAlpin Road) Roadway Improvement Project with Circle H Contractors, L.P. for the construction of the two future northbound lanes of S. 14th Street in the amount of \$849,634.47, for a total revised contract amount of \$5,322,826.27, plus additional contingency funds in the amount of \$50,000 to be added to the previously approved contingency fund amount of \$150,000, for a total project amount not to exceed \$5,522,826.27.

2017-463 Consider and act upon a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

## REGULAR AGENDA

- 2017-464 Consider and act upon an ordinance annexing territory currently in the City's extraterritorial jurisdiction to include  $\pm 3,467$  acres of land (5.417 square miles), generally located adjacent to the southeastern corporate limits of the city, within the city's limits, save and except tracts containing a total of  $\pm 668$  acres in said save and except tracts for a net acreage of  $\pm 2,799$  acres (4.373 square miles) of land out of the Coleman Jenkins Survey – Abstract No. 555, the James P. Alford Survey – Abstract No. 7, the Alexander S. Jenkins Survey – Abstract No. 554, the Amasa Howell Survey – Abstract No. 520, the Coleman F. Jenkins Survey - Abstract No. 591, the Jefferson Morgan Survey – Abstract No. 724, the Nathaniel W. Bigham Survey - Abstract No. 153, the James Pratt Survey – Abstract No. 1229, the John M. Garvin Survey – Abstract No. 424, the Nathaniel W. Bigham Survey - Abstract No. 152, the William Morgan Survey – Abstract No. 723, the William M. Shofner Survey – Abstract No. 1300, the Augustus Leake Survey – Abstract No. 662, the J. M. Morgan Survey – Abstract No. 782, the Martha Brenan Survey – Abstract No. 43, the M.L. Swing Survey - Abstract No. 1047, the Mary T. Castor Survey – Abstract No. 236, the James E. Hawkins Survey – Abstract No. 462, the William D. Witherspoon Survey – Abstract No. 1186, the Benjamin G. Garvin Survey – Abstract No. 396, the Joseph H. Witherspoon Survey – Abstract No. 1137, the John H. Jones Survey – Abstract No. 586, the Elizabeth A. Braly Survey – Abstract No. 184, the John Braly Survey – Abstract No. 185, the E.H. Belcher Survey – Abstract No. 141, the Peter A. Wyatt Survey – Abstract No. 1192, the Benjamin P. Wyatt Survey – Abstract No. 1193, the S.A. & M.G. R.R. Co. Survey - Abstract No. 1048, the Marcellus T. Hawkins Survey – Abstract No. 463, the S. P. Skinner Survey – Abstract No. 1389, and the A. Logsdon Survey – Abstract No. 644 in Ellis County, Texas, and more generally described in and depicted in Exhibits “A” and “B”, extending the boundary limits of the city to include said territory within the City's limits, granting to all inhabitants and owners of the territory all of the rights and privileges of other citizens, and binding the inhabitants by all the acts, ordinances, and regulations of the city; adopting a service plan for the described territory; and providing an effective date.
- 2017-465 Consider and act upon thirty-four (34) annexation development agreements on properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as being approximately  $\pm 668$  acres out of the Coleman Jenkins Survey – Abstract No. 555, the James P. Alford Survey – Abstract No. 7, the Alexander S. Jenkins Survey – Abstract No. 554, the Amasa Howell Survey – Abstract No. 520, the Coleman F. Jenkins Survey - Abstract No. 591, the Jefferson Morgan Survey – Abstract No. 724, the Nathaniel W. Bigham Survey - Abstract No. 153, the James Pratt Survey – Abstract No. 1229, the John M. Garvin Survey – Abstract No. 424, the Nathaniel W. Bigham Survey - Abstract No. 152, the William Morgan Survey – Abstract No. 723, the William M. Shofner Survey – Abstract No. 1300, the Augustus Leake Survey – Abstract No. 662, the J. M. Morgan Survey – Abstract No. 782, the Martha Brenan Survey – Abstract No. 43, the M.L. Swing Survey - Abstract No. 1047, the Mary T. Castor Survey – Abstract No. 236, the James E. Hawkins Survey – Abstract No. 462, the William D. Witherspoon Survey – Abstract No. 1186, the Benjamin G. Garvin Survey – Abstract No. 396, the Joseph H. Witherspoon Survey – Abstract No. 1137, the John H. Jones Survey – Abstract No. 586, the Elizabeth A. Braly Survey – Abstract No. 184, the John Braly Survey – Abstract No. 185, the E.H. Belcher Survey – Abstract No. 141, the Peter A. Wyatt Survey – Abstract No. 1192, the Benjamin P. Wyatt Survey – Abstract No. 1193, the S.A. & M.G. R.R. Co. Survey - Abstract No. 1048, the Marcellus T. Hawkins Survey –

2017-465 Abstract No. 463, the S. P. Skinner Survey – Abstract No. 1389, and the A. Logsdon Survey  
(Cont'd.) – Abstract No. 644 in Ellis County, Texas and more generally described and depicted in Exhibits “A” and “B” in the associated development agreements.

- a. Tax ID No. 149845 and 149854- NAIZER RONALD L, ±13 acres
- b. Tax ID No. 179073- SHAW KEITH & KRISTI, ±5 acres
- c. Tax ID No. 179074- SHAW KEITH & KRISTI, ±25.53 acres
- d. Tax ID No. 179078 and 179079- PONDER BERTHA J, ±24.28 acres
- e. Tax ID No. 179086- SIBLEY MAC & LINDA L/E, ±5.51 acres
- f. Tax ID No. 179087- SIBLEY FRED MAC C/S, ±1.42 acres
- g. Tax ID No. 179092- RAY SHANNON G, ±18.362 acres
- h. Tax ID No. 179098- HEARTWELL THOMAS A & CHERYL, ±37.602 acres
- i. Tax ID No. 179102 and 202340- MINTER GARY, ±17.91 acres
- j. Tax ID No. 185868- SMESNY GEORGIE L, ±45.11 acres
- k. Tax ID No. 185875- ROPE & COCKER INVESTMENTS LLC, ±15.52 acres
- l. Tax ID No. 185932 and 186025- SIBLEY MAC & LINDA L/E, ±11.09 acres
- m. Tax ID No. 186016- THAYER KEVIN R & CYNTHIA L C/S, ±12.457 acres
- n. Tax ID No. 186030- SIBLEY JAMES S, ±27.19 acres
- o. Tax ID No. 186341- RAMSEY CORINE, ±31.14 acres
- p. Tax ID No. 187154- ABLE GLENN P & LUCINDA, ±21.664 acres
- q. Tax ID No. 188007- NEAL KATHLEEN S FAMILY TRUST, ±19.97 acres
- r. Tax ID No. 188414- RAY MARY JUNE, ±73.35 acres
- s. Tax ID No. 191410 and 191411- SHAW WANDA WOODWARD, ±30 acres
- t. Tax ID No. 191423 and 191424- RAMSEY CORINE, ±18.89 acres
- u. Tax ID No. 196272- COWLEY JOHN L & BILLIE M, ±7.99 acres
- v. Tax ID No. 196823- SIBLEY FRED MAC C/S, ±3.64 acres
- w. Tax ID No. 196946- SEARCY M KEITH & PAMELA P, ±18.692 acres
- x. Tax ID No. 198545- ROOK JIMMY D & VICKIE, ±26 acres
- y. Tax ID No. 199783- PONDER BERTHA J, ±4.97 acres
- z. Tax ID No. 202274- SELF DONNA KAY, ±18.342 acres
- aa. Tax ID No. 207197- SHAW KEITH & KRISTI, ±1.29 acres
- bb. Tax ID No. 218596 and 218595- DONNELLY THOMAS & ALMA, ±20 acres
- cc. Tax ID No. 222976- LUEDTKE GEORGE & PATRICIA, ±13.318 acres
- dd. Tax ID No. 222977- LUEDTKE PATRICIA G & GEORGE R, ±19.621 acres
- ee. Tax ID No. 230739- MJ CROCKER COMPANY LLC, ±34.93 acres
- ff. Tax ID No. 249909- PONDER LOUIS O & KATHLEEN, ±7.962 acres
- gg. Tax ID No. 268316- MJ CROCKER COMPANY LLC, ±2.23 acres
- hh. Tax ID No. 258845 and 258846 and 179091- ADAM ROPE AND CROCKER  
MICHAEL J & CHRISTINA AND MJ CROCKER COMPANY LLC & ADAM  
ROPE, ±34.97 acres

## **PUBLIC HEARINGS**

- 2017-466 Conduct a public hearing and consider and act upon an ordinance establishing the initial zoning classifications as either Single Family One (SF-1) or Agricultural (A) Zoning Districts located within the extraterritorial jurisdiction of the City of Midlothian adjoining the present city limit boundary lines, which land is proposed to be annexed into the corporate limits of the City of Midlothian, said land being  $\pm 3,467$  acres of land (5.417 square miles), generally located adjacent to the southeastern corporate limits of the city, within the city's limits, save and except tracts containing a total of  $\pm 668$  acres in said save and except tracts for a net acreage of  $\pm 2,799$  acres (4.373 square miles) of land, more or less; said annexation being described and depicted in Exhibit "A" and Exhibit "B" in the attached ordinance. (Case No. Z45-2017-187).
- 2017-467 Conduct a public hearing and consider and act upon an ordinance amending a Specific Use Permit (SUP) for a car dealership by amending the fencing requirements, the number of car display spaces, site plan, landscape plan, and building elevations. Located in Walnut Grove Center South, Lot 1, Block 1, generally located at 4480 East Highway 287 (SUP02-2018-09).

## **REGULAR AGENDA**

- 2017-468 Consider and act upon the purchase of a 2018 Ford F550 Crew Cab with 3.9-yard dump body from Sam Pack's Five Star Ford of Carrollton, Texas utilizing the Texas SmartBuy Purchasing Program, in an amount not to exceed \$68,016.
- 2017-469 Consider and act upon a contract renewal with Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation ("Intermedix"), for rescue ambulance billing and related professional services for a fee of 6.95% of ambulance billing collections.
- 2017-470 Consider and act upon an agreement with ESO Solutions, Inc., for rescue ambulance patient care reporting software to be paid through Intermedix with 2.20% of the total 6.95% of ambulance billing collections.
- 2017-471 Consider and act upon an ordinance amending the FY 2017-2018 General Fund budget appropriations in the amount of \$495,288.05 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2016-2017 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.
- 2017-472 Consider and act upon an ordinance amending the FY 2017-2018 Utility Fund budget appropriations in the amount of \$650,403.51 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2016-2017 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.
- 2017-473 Consider and act upon an ordinance amending the FY 2017-2018 General Fund budget appropriations in the amount of \$904,767 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2016-2017 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.

2017-474 Consider and act upon an ordinance amending the FY 2017-2018 Utility Fund budget appropriations in the amount of \$891,143 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2016-2017 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.

### 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 - land acquisition for future fire station.
3. Section 551.087 Economic Development: Deliberation regarding economic development negotiations – Project 1508
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. Assistant City Manager

### REGULAR AGENDA

- 2017-475 Action resulting from Executive Session, Item #1: Legal
- 2017-476 Action resulting from Executive Session, Item #2: Real Estate
- 2017-477 Action resulting from Executive Session, Item #3: Economic Development
- 2017-478 Action resulting from Executive Session, Item #4: Personnel Matters
- 2017-479 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 8<sup>th</sup> day of December, 2017 at or before 6:00 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.**