

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, JULY 9, 2019**

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

WORKSHOP AGENDA 4:30 p.m.

Call to Order, Invocation and Pledge of Allegiance

2019-230 Review and discuss the design and engineering of Midlothian Community Park Phase II and direct staff as necessary.

REGULAR AGENDA 6:00 p.m.

2019-231 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.

2019-232 Consider and act upon minutes from the City Council meeting of June 25, 2019.

2019-233 Consider and act upon a resolution authorizing the Mayor's Back 2 School Bash, an event hosted by Manna House, United Way of West Ellis County, the City of Midlothian and the Midlothian Independent School District, scheduled for Saturday, August 10, 2019, 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. SEP20-2019)

2019-234 Consider and act upon a resolution authorizing the Ellis County Emergency Preparedness Fair, an event hosted by the Ellis County Office of Emergency Management and the City of Midlothian, scheduled for Saturday, September 21, 2019, 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. SEP21-2019)

2019-235 Consider and act upon a resolution authorizing the Midlothian Chamber of Commerce Fall Festival & 5K, scheduled for Saturday, October 19, 2019, 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. SEP22-2019)

2019-236 Consider and act upon the Midlothian Chamber of Commerce's request to expend \$3,304.67 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2019 Fall Festival.

PUBLIC HEARINGS

2019-237 Conduct a public hearing and consider and act upon an ordinance amending the regulations relating to the use and development of 4.0± acres out of R. Berry Survey, Abstract No. 42 by changing the zoning from Agricultural (A) District to Planned Development District No. 120 (PD-120) for Metal Fabrication and Outside Storage Uses. The property is generally located 2,900± feet west of the intersection of Forbes Road and V.V. Jones Road on the north side of Forbes Road (Case No. Z14-2019-109).

WITHDRAWN BY APPLICANT

- 2019-238 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian zoning ordinance and zoning map relating to the use and development of 5.499 ± acres of land located on Lot 1, Block A, Midlothian Dog Park, located at 1111 Walter Stephenson Road and presently zoned Planned Development District No. 47 (PD-47), by granting a Specific Use Permit (SUP) for a commercial communication tower type 2 (Case No. SUP14-2019-112).
- 2019-239 Conduct a public hearing and consider and act upon an ordinance amending the City Of Midlothian zoning ordinance by amending section 2.04 “use tables,” subsection (d) “recreational & entertainment” by amending where athletic facilities may be located (Case No. OZ14-2019-117).

REGULAR AGENDA

- 2019-240 Consider and act upon a contract with Swagit Productions, LLC for a streaming video solution for City Council meetings to include all video hardware, broadcast equipment and services at a one-time cost of \$44,896.00 and an annual managed service package fee of \$11,940.00 for an initial cost of \$56,836.00.
- 2019-241 Consider and act upon an ordinance amending the FY 2018-2019 General Fund budget appropriations in the amount of \$56,836 from the General Fund unreserved fund balance for expenditures related to streaming video services for City Council meetings; 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.
- 2019-242 Consider and act upon a request for a special exception to Section 3.5501 of the Midlothian Zoning Ordinance to allow construction of a single-family house with a roof pitch less than the minimum requirement of 8:12. Property contains 1.21± acres of land situated in Lot 10 of The Aviary located at 2930 American Sparrow Drive (Case No. M30-2019-110).
- 2019-243 Consider and act upon a request for a special exception to Section 4.5602 (Off-Street Parking Requirements) to allow for additional parking over the maximum permitted, special exception to Section 4.5607 related to minimum stall width, and a special exception to Section 4.5604 (Minimum Landscaping Requirements) to the required landscaping within off-street parking areas, for an existing elementary school (Longbranch) on 16.42± acres situated in the R. M. Craig Survey, Abstract No. 252. The property is located at 6631 F.M. 1387 (Case No. M31-2019-113).
- 2019-244 Consider and act upon a request for a special exception to Section 4.5602 (Off-Street Parking Requirements) to allow for additional parking over the maximum permitted, special exception to Section 4.5607 related to minimum stall width, and a special exception to Section 4.5604 (Minimum Landscaping Requirements) to the required landscaping within off-street parking areas, for an existing Elementary School (Mountain Peak) on 14.79± acres situated in the L. D. Ledbetter Survey, Abstract No. 631. The property is located at 5201 F.M. 663 (Case No. M32-2019-114).
- 2019-245 Consider and act upon a request for a Special Exception from the masonry requirements in accordance with Section 3.5502(b) of the Zoning Ordinance for a single-family residential dwelling. Being 0.607± acres of land situated on Lot 130, Hidden Creek Phase III, the property is located at 661 Primrose Drive (Case No. M29-2019-107).
- 2019-246 Receive a presentation from Mark McLiney of SAMCO Capital Markets, Inc. outlining a bond issuance strategy for fire, street, and park projects.

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 551.071 Legal: Consultation with the City Attorney regarding lawsuit styled City of McAllen, et. Al. v State of Texas, Cause No. D-1-GN-17-004766 in the 353rd Judicial District Court, Travis County, Texas.
3. Section 551.071(2) Legal: Consultation with the City Attorney regarding the petition submitted by Harbor Investment Group, LLC seeking consent from the City of Midlothian for the creation of a water control and improvement district over property in the City ETJ and City boundaries.

REGULAR AGENDA

- 2019-247 Action resulting from Executive Session, Item #1: Legal
- 2019-248 Action resulting from Executive Session, Item #2: Legal
- 2019-249 Action resulting from Executive Session, Item #3: Legal
- 2019-250 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 5th day of July 2019 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.**