

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, NOVEMBER 10, 2020**

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

Although our City Council meetings are open to the public, space is limited and citizens are encouraged to watch the meetings online (www.midlothian.tx.us/watchlive) rather than in person due to concerns related to the spread of COVID-19. Citizens attending in person are asked to maintain a distance of at least six (6) feet from other members of the public, City Council and City staff. Citizens not attending in person, but wishing to address the City Council, may submit comments on any topic or agenda item electronically by utilizing the Citizen Participation Form on our website at www.midlothian.tx.us/Participate. All forms must be received by 5:00 p.m. on the date of the meeting and will be provided for the record.

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation, Pledge of Allegiance and the Preamble to the U.S. Constitution.

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”.

- 2020-405 Canvass votes from the City Council & Mayor election of November 3, 2020
- 2020-406 Recognition of service for Councilmember Mike Rodgers.
- 2020-407 Administer Oath of Office to Newly Elected Councilmember(s) & Mayor.
- 2020-408 Citizens to be heard - *The City Council invites citizens to address the Council on any topic not already scheduled for a Public Hearing. Citizens wishing to speak should complete a “Citizen Participation Form” and present it to the City Secretary prior to the meeting. Speakers are limited to 3 minutes. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns may be addressed by City Staff, placed on a future agenda, or responded to by some other course.*

CONSENT AGENDA

- 2020-409 Consider and act upon minutes from the City Council meetings of October 27 and November 2, 2020 and the Citizens Planning Group meeting of October 29, 2020.
- 2020-410 Consider and act upon a resolution designating The Waxahachie Daily Light and The Midlothian Mirror as the official newspapers of the City of Midlothian for Fiscal Year 2020-2021.
- 2020-411 Consider and act upon a resolution authorizing the Ellis County Toy Run, an annual event hosted by the Gryphon Motorcycle Club of Ellis County, scheduled for Sunday, December 13, 2020, 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. SEP02-2021)

- 2020-412 Consider and act upon a resolution providing for a December 8, 2020 runoff election to be held to elect a Councilmember Place 6 in the City of Midlothian; defining the unexpired term of office; designating the polling locations; designating the election judge and providing for clerical personnel; and designating the time and place for said election.

PUBLIC HEARINGS

- 2020-413 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a restaurant with drive thru services relating to the use and development of ±0.813 acres of land located on Lot 1AR of the Midtown Plaza (commonly known as 1001 East Main Street, Ste. C), and located in Planned Development District No. 2 (PD-2) (Case No. SUP13-2020-144).
- 2020-414 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a retail cigar lounge authorizing a 2,700± square foot portion of the building located at 3261 F.M. 663 Unit B and within a Commercial (C) District to be developed and used as a retail cigar lounge (Case No. SUP14-2020-150).
- 2020-415 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 117 (PD-117), relating to garage standards. The property is generally located ±445 feet north of Montgomery Road and on the west side of Joe Wilson Road (Case No. Z34-2020-135).
- 2020-416 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 98 (PD-98) by reapportioning the amount of open space, common area, residential acreage, and adopting a new site plan. Property is generally located on the northeast corner of Walnut Grove and FM 1387 (Case No. Z35-2020-142). **CONTINUED TO DECEMBER 8th PER APPLICANT REQUEST**

REGULAR AGENDA

- 2020-417 Consider and act upon a thirty-six (36) month fair market value lease with Dell Computers for 39 laptops and 50 desktops. The Lease is part of the City's computer replacement program as approved in the Capital Equipment Program and the FY 2020-21 Budget.
- 2020-418 Consider and act upon a three-year Enterprise License Agreement with SHI to cover all Microsoft Licenses in use by the City of Midlothian. This contract has an annual cost of \$66,532.18 for a total of \$199,596.54.
- 2020-419 Review and discuss the Midlothian Historic Gymnasium Project and direct staff as necessary.
- 2020-420 Consider and act upon a License Agreement with Manna House for the use of City property located at 301 W. Main Street, Midlothian, Texas.

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. Walnut Grove Road Right-of-Way.

3. Section 551.087 Economic Development: (1) Deliberation regarding commercial or financial information received from a business prospect and/or (2) To deliberate the offer of a financial or other incentive to a business prospect.
Project: 2008

REGULAR AGENDA

- 2020-421 Action resulting from Executive Session, Item #1: Legal
2020-422 Action resulting from Executive Session, Item #2: Real Estate
2020-423 Action resulting from Executive Session, Item #3: Economic Development
2020-424 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 6th day of November, 2020 at or before 6pm.


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.

**ADDENDUM TO NOTICE OF A REGULAR MEETING
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- 2020-425 Consider and act upon the purchase of two Stryker Lifepak 15 monitors to replace and upgrade the current monitors assigned to ambulances in an amount not to exceed \$85,496.96, utilizing a portion of the Texas Corona Virus Relief Funds Grant (CRF) total allocation to the City of \$1,556,555.00.
- 2020-426 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2020-2021 General Fund Budget Appropriations in an amount not to exceed \$85,496.96 from the Unreserved Fund Balance for the purchase of two Stryker Lifepak 15 monitors 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.

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