

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, APRIL 13, 2021**

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. The meeting may be viewed online at www.midlothian.tx.us/watchlive.

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation, and Pledge of Allegiance.

2021-161 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 no less than five minutes prior to the start of 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. Citizens not attending in person may submit comments on our website at www.midlothian.tx.us/Participate.*

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.

- 2021-162 Consider and act upon minutes from the City Council meetings of March 23 and April 6, 2021.
- 2021-163 Consider and act upon a resolution declaring certain property surplus or obsolete, and authorizing the open competition through auction or donation of same; and authorizing items that do not sell to be disposed of by other means.
- 2021-164 Consider and act upon a resolution authorizing the Midlothian Classic Car Show, an event hosted by the Midlothian Classic Wheels Car Club scheduled for Saturdays, June 19 and July 10, 2021, 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. SEP08-2021).
- 2021-165 Consider and act upon a resolution authorizing the Summer Blast in the Park Vacation Bible School, an event hosted by the First Baptist Church Midlothian and scheduled for Monday through Wednesday, June 21 to June 23, 2021, 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. SEP09-2021).
- 2021-166 Consider and act upon a resolution authorizing the Midlothian and Heritage High Schools Light Up Senior Parade, scheduled for Tuesday, May 25, 2021, 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. SEP10-2021).

PUBLIC HEARINGS

2021-167 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for outside storage & display relating to the development and use of Lots 6 and 7, Block 2, Eastgate Industrial Park (commonly known as 820, 824, and 840 Dividend Road), presently zoned Medium Industrial (MI) District (Case No. SUP12-2021-080).

- 2021-168 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit on Lot 40, Block 1, The Grove, Phase 3 and 4 (commonly known as 606 Mesquite Drive), to allow for a residential subdivision sign located on Walnut Grove Road near the entrance of The Grove subdivision (Case No. SUP13-2021-89).
- 2021-169 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit on Lot 1, Common Area 2, Dove Creek to allow for a residential subdivision sign located facing McAlpin Road, near the entrance of Dove Creek subdivision (Case No. SUP14-2021-90).
- 2021-170 Conduct a public hearing and consider and act upon an ordinance changing the zoning of 0.2638+/- acres situated in the James M. Paine Survey, Abstract No. 883 (commonly known as 1509 & 1511 North 9th Street) from Single Family-Four (SF-4) District to Urban Village Planned Development District No. 144 (UVPD-144) for medium density/duplex residential uses (Case No. Z21-2021-082).
- 2021-171 Conduct a public hearing to consider and act upon an ordinance by amending and restating in their entirety the development and use regulations of Planned Development District No. 36 (PD-36) as adopted by Ordinance No. 2019-05, inclusive of all exhibits relating to the use and development of 7.717± acres on Lots 1-3 and Lots 4R-5R, Block A, Green Hollow Phase 1, to allow for a restaurant. The property is located directly to the east of 14th Street, between East Main Street (Business 287) and Highlander Road (Case No. Z22-2021-089).

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- 2021-172 Consider and act upon a request for a special exception from the standard construction details in accordance with Section 6.16 of the Subdivision Ordinance for “Improvement Standard and Requirements” standards on Lot 4, 5, & 6, Block 3 of Milligan Addition. The property is located at 511 N. 9th Street (Case No. M11-2021-083).
- 2021-173 Consider and act upon a request for a special exception to Section 4.5602 (Off-Street Parking Requirements) to allow for additional parking spaces over the maximum number permitted, for a new development for medical offices including an optical center and urgent care facility. The property is on 1.683± acres of land situated on Lot 1A-R, Block 1, of Messiah Lutheran Church. The property is located on the northwest corner of FM 663 and Roundabout Drive. (Case No. M10-2021-70).
- 2021-174 Consider and act upon a resolution setting a public hearing for the creation of a tax increment reinvestment zone (TIRZ) containing approximately 966.515± acres of land generally located north of U.S. Highway 287 and east of South Walnut Grove Road, and being wholly located within the corporate limits of the City of Midlothian; authorizing the issuance of notice by the City Secretary regarding the public hearing; and directing the City of Midlothian to prepare a preliminary reinvestment zone project and finance plan.
- 2021-175 Consider and act upon a long-term “Raw Water Supply Contract between the Trinity River Authority of Texas and the City of Midlothian, Texas.”
- 2021-176 Consider and act upon an Agreement for Professional Services with Freese and Nichols, Inc. for engineering-related design services associated with the next phased expansion of the City of Midlothian’s Auger Water Treatment Plant (WTP #2) in an amount not to exceed \$1,854,665.
- 2021-177 Consider and act upon a change order for the replacement and expansion of the existing Siemens membrane system programmable logic controller and cabinet as part of the Auger Water Treatment Plant Expansion Project with Felix Construction Company in a not to exceed amount of \$439,711.30.

- 2021-178 Consider and act upon a resolution authorizing an expenditure in an amount not to exceed \$130,000 by the Midlothian Community Development Corporation to the City of Midlothian for costs associated with a Professional Services Agreement with Teague, Nall & Perkins for a Parkway Sign Design and Engineering Plan Package in the amount of \$29,750 to provide design services for Midlothian Parkway and costs allocated for the construction of two signs in the landscape beds on Midlothian Parkway in an amount not to exceed \$100,250.
- 2021-179 Consider and act upon a resolution authorizing an expenditure in an amount not to exceed \$250,000.00 by the Midlothian Community Development Corporation to the City of Midlothian for costs associated with a Professional Services Agreement for a Parks, Recreation, Open Space and Trails Master Plan.
- 2021-180 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2020-2021 Utility Fund Budget Appropriations in an amount not to exceed \$439,711.30 from the Unreserved Fund Balance for the change order for the replacement and expansion of the existing Siemens membrane system programmable logic controller and cabinet as part of the Auger Water Treatment Plant Expansion Project with Felix Construction Company 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.
- 2021-181 Consider and act upon a resolution amending the Master Fee Schedule by removing itemized emergency services ambulance fees and replacing with bundled 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. S. Walnut Grove Road Right-of-Way.
3. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. McAlpin Road Right-of-Way.
4. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. Hawkins Run Road Right-of-Way.

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- 2021-182 Action resulting from Executive Session, Item #1: Legal
- 2021-183 Action resulting from Executive Session, Item #2: Real Estate
- 2021-184 Action resulting from Executive Session, Item #3: Real Estate
- 2021-185 Action resulting from Executive Session, Item #4: Real Estate
- 2021-186 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 April, 2021 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 972-775-3481 for further information.