

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

- 2021-293 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 act 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.

- 2021-294 Consider and act upon minutes from the City Council meeting of June 22, 2021.
- 2021-295 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article 3.02 titled "Building Standards" by amending Division 2 titled "Building Code" by amending Section 3.02.031 titled "Adopted" and Section 3.02.032 titled "Amendments" to adopt the provisions of the 2018 Edition of the International Building Code (IBC) with amendments.
- 2021-296 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article 3.02 titled "Building Standards" by amending division 3 titled "Existing Building Code" to adopt the provisions of the 2018 Edition of the International Existing Building Code (IEBC) with amendments
- 2021-297 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article 3.04 titled "Energy Conservation Code" to adopt the provisions of the 2018 Edition of the International Energy Conservation Code (IECC) with amendments.
- 2021-298 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled "Building Regulations" by amending Article 3.17 titled "Fuel and Gas Code" to adopt the provisions of the 2018 Edition of the International Fuel and Gas Code (IFGC) with amendments.

- 2021-299 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.07 titled “Mechanical Code” to adopt the provisions of the 2018 Edition of the International Mechanical Code (IMC) with amendments.
- 2021-300 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.06 titled “Plumbing” by amending Division 2 titled “Code” by amending Section 3.06.031 titled “Adopted” and Section 3.06.032 titled “Amendments” to adopt the provisions of the 2018 Edition of the International Plumbing Code (IPC) with amendments.
- 2021-301 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.03 titled “Housing” by amending Division 3 titled “International Residential Code” to adopt the provisions of the 2018 Edition of the International Residential Code (IRC) with amendments
- 2021-302 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 3 titled “Building Regulations” by amending Article 3.05 titled “Electricity” by amending Division 2 titled “Electrical Code” to adopt the provisions of the 2017 Edition of the National Electrical Code (NEC) with amendments.
- 2021-303 Consider and act upon an ordinance amending the Code of Ordinances by amending Chapter 5 titled “Fire Prevention and Protection” by amending Article 5.02 titled “Fire Code” by amending Section 5.02.001 titled “Adopted” and section 5.02.002 titled “Specific Amendments” to adopt the provisions of the 2018 Edition of the International Fire Code with amendments.
- 2021-304 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Ellis County Emergency Services District 9 (ESD9) to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.
- 2021-305 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Ennis Independent School District to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.

PUBLIC HEARINGS

- 2021-306 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a drive-thru establishment on Lot 5, Block 1, Harvest Hill Addition, Cabinet K, Slide 80, (2211 F.M. 663) presently zoned Planned Development District No. 19 (PD-19) (SUP21-2021-139).
- 2021-307 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 46.635± acres out of the N.N. J.J. & B.L. Edwards Survey, Abstract No. 340 described in Exhibit “A” hereto, by changing the zoning from Agricultural (A) District to Planned Development District No. 142 (PD-142) for residential uses. The property is located north of FM 875, between McAlpin Rd. and Skinner Rd. (Case No. Z31-2021-134).
- 2021-308 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a restaurant (over 1,000 square feet) with a drive-thru on Lot 3-B1, Block 1, of the Hawkins Meadows Commercial Addition, presently zoned Planned Development District No. 68 (PD-68) (Case No. SUP20-2021-138).

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- 2021-309 Consider and act upon a request to allow for a driveway access onto McAlpin Road for a single-family residential lot, being approximately ± 7.478 acres out of the N.N. J.J. and B.L. Edwards Survey, Abstract No. 340. The property is located on McAlpin Road (Case No. M19-2021-143).
- 2021-310 Receive a water and wastewater rate study and financial plan presentation from Willdan Financial Services and direct staff accordingly.
- 2021-311 Consider and act upon a First Amendment to an Agreement for Professional Services with Freese and Nichols, Inc. for additional engineering-related 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 \$934,589.
- 2021-312 Consider and act upon an Agreement for Professional Services for design and related professional services for the McAlpin Road (just east of FM 663 to Plainview Road) Roadway Improvement Project with Kimley-Horn and Associates, Inc. in an amount not to exceed \$970,200.
- 2021-313 Consider and act upon an Agreement for Professional Services for design and related professional services for the Mockingbird Lane (Midlothian Parkway to N. Walnut Grove Road) Roadway Improvement Project with Kimley-Horn and Associates, Inc. in an amount not to exceed \$975,200.
- 2021-314 Consider and act upon authorizing the City Manager to enter into a Professional Services Agreement with Vidaurri Management Group (VMG) for Project Management Support in the Architectural/Engineering firm selection and on-boarding for the new Public Safety facility and Library & City Hall in an amount not to exceed \$23,760.
- 2021-315 Consider and act upon a recommendation from Midlothian Economic Development approving a bid award to Jay Mills Contracting for the Midlothian Business Park Texas Department of Transportation Driveway in a bid amount of \$146,240.00 plus \$36,560.00 in contingency, for a total amount not to exceed \$182,800.00.
- 2021-316 Consider and act upon a resolution authorizing the execution of the City of Midlothian Amended and Restated Tax Abatement Agreement with Cornerstone Development Partners, LLC.
- 2021-317 Consider and act upon Change Order No. 3 to the agreement with Dean Electric, Inc., dba Dean Construction in the amount of \$75,468.78 for the costs associated with the additional soil and concrete work and overflow pipe to secure the dam at Midlothian Community Park Phase II.
- 2021-318 Consider and act upon a resolution declaring intention to reimburse City expenditures related to bond projects with proceeds from debt.
- 2021-319 Consider and act upon an agreement with CIGNA to provide medical, flexible spending account administration, and voluntary vision insurance benefits with MetLife providing dental insurance benefits for City employees.

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.
5. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. 301 W. Avenue F
6. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. 300 N. 9th Street & 101 E. Avenue E

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- 2021-320 Action resulting from Executive Session, Item #1: Legal
- 2021-321 Action resulting from Executive Session, Item #2: Real Estate
- 2021-322 Action resulting from Executive Session, Item #3: Real Estate
- 2021-323 Action resulting from Executive Session, Item #4: Real Estate
- 2021-324 Action resulting from Executive Session, Item #5: Real Estate
- 2021-325 Action resulting from Executive Session, Item #6: Real Estate
- 2021-326 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 July, 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.