

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, AUGUST 10, 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](http://www.midlothian.tx.us/watchlive).

**WORKSHOP AGENDA 5:00 P.M.**

Call to Order.

- 2021-361 Review and discuss draft FY 2021-2022 City of Midlothian General Fund, Utility Fund, Special Revenue Funds and Component Unit proposed annual operating budgets and related financial matters and direct staff as necessary
- 2021-362 Adjourn

**REGULAR AGENDA 6:00 P.M.**

Call to Order, Invocation, and Pledge of Allegiance.

- 2021-363 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](http://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.*

- 2021-364 Consider and act upon minutes from the City Council meeting of July 21, 27 and 30, 2021.
- 2021-365 Consider and act upon an Interlocal Cooperative Purchasing Agreement with Ellis County, Texas.
- 2021-366 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Plano, Texas.
- 2021-367 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Corsicana, Texas.
- 2021-368 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Italy, Texas 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.

- 2021-369 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Ellis County Emergency Services District No. 7 (ECESD7) 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.
- 2021-370 Consider and act upon a resolution authorizing Heritage Day, an event hosted by the Midlothian Downtown Business Association, to be held Thursday, September 9 and Friday, September 10 for event preparation and Saturday, September 11, 2021 for event activities 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. SEP12-2021).
- 2021-371 Consider and act upon a resolution authorizing the Mayor’s Back to 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 14, 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. SEP13-2021)
- 2021-372 Consider and act upon an Interlocal Agreement between the Midlothian Independent School District and the City of Midlothian, Texas for the assignment of a police commander, a police sergeant and eight police officers to MISD for the 2021-22 school year.
- 2021-373 Consider and act upon a resolution approving the negotiated rate settlement with Atmos resolving the 2021 Rate Review Mechanism (“RRM”) filing, and implementing the change.
- 2021-374 Consider and act upon a resolution amending the Master Fee Schedule by amending the Residential Waste Disposal Garbage and Recycling Fees in accordance with the new contract with Waste Connections effective August 1, 2021.

<b>PUBLIC HEARINGS</b>
------------------------

- 2021-375 Conduct a public hearing and consider and act upon an ordinance to change relating to the use and development of 50.46± acres in the M. Pogue Survey, Abstract No. 852 described in Exhibit “A” hereto, by changing the zoning from Agricultural District to Planned Development District No. 143 (PD-143) for residential uses. The property is located ±1,600 feet south of the Plainview Road and Stout Road intersection commonly known as 4440 Stout Road (Case No. Z37-2021-151). **WITHDRAWN BY APPLICANT**
- 2021-376 Conduct a public hearing and consider and act upon an ordinance accepting a petition for voluntary annexation and annexing 9.56± acres situated in the Alexander Jenkins Survey, Abstract No. 554, City of Midlothian, Ellis County, Texas and more generally described in Exhibit “A” in the attached ordinance, 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 (Case No. AX01-2021-161).
- 2021-377 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 9.56± acres out of the Alexander Jenkins Survey, Abstract No. 554, Ellis County, Texas, as described in Exhibit “A” hereto to adopt the initial zoning of said parcel as Planned Development District No. 34-A (PD-34-A)The subject property is generally located south of Mt. Zion Road and east of Ledgestone Lane (Case No. Z39-2021-158).

- 2021-378 Conduct a public hearing to consider and act upon an ordinance amending the regulations relating to the development and use of 168.65± acres out of the A.R. Newton Survey, Abstract No. 809, the W.M. Lick Survey, Abstract No. 620 and the J.R. Beauchamp Survey, Abstract No. 1201, described in Exhibit “A” hereto, by changing the zoning from Agricultural (A) District to Planned Development District No. 145 (PD-145) for residential and office/warehouse uses. The property is located west of Longbranch Road and the Daniel Road intersection, and is directly northwest of the Mid-Way Regional airport (Case No. Z35-2021-148).
- 2021-379 Conduct a public hearing and consider and act upon an ordinance amending the development and use regulations of Planned Development District NO. 69 (PD-69); as adopted by Ordinance No. 2014-26 and amended by Ordinance No. 2021-43; adopting a site plan, elevations and landscape plan for Lot 2, Block B of Midlothian Business Park. The property is located on the north side of U.S. Hwy 67, between Miller Road and Discovery Street (commonly known as 3090 and 3200 Challenger Drive) (Case No. Z38-2021-156).

**REGULAR AGENDA**

- 2021-380 Consider and act upon an ordinance of the City of Midlothian, Texas, amending Ordinance No. 2016-49 passed, adopted and approved by the City Council on December 13, 2016, adopting monthly water and wastewater rates to be charged for residential, commercial, industrial and wholesale customers, by amending Exhibit “A” titled “Water/Wastewater Utility Rates” by providing new rates for said customers beginning October 1, 2021 through 2026; providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date.
- 2021-381 Consider, discuss and take a record vote to propose an ad valorem tax rate of \$0.675000 and schedule a meeting to adopt the ad valorem tax rate on September 7, 2021.

**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. 301 W. Avenue F
5. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. 211 W. Avenue F and 207 N. 8<sup>th</sup> Street.

**REGULAR AGENDA**

- 2021-382 Action resulting from Executive Session, Item #1: Legal
- 2021-383 Action resulting from Executive Session, Item #2: Real Estate
- 2021-384 Action resulting from Executive Session, Item #3: Real Estate
- 2021-385 Action resulting from Executive Session, Item #4: Real Estate

2021-386 Action resulting from Executive Session, Item #5: Real Estate

2021-387 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 6<sup>th</sup> day of August, 2021 at or before 6pm.

A handwritten signature in cursive script that reads "Mary McDonald".

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.**