

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, OCTOBER 12, 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.

- 2021-462 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.

- 2021-463 Consider and act upon minutes from the City Council meeting of September 28, 2021.
- 2021-464 Consider and act upon cancelling the November 23, 2021 and December 28, 2021 Regular City Council meetings.
- 2021-465 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 2021-2022.

PUBLIC HEARINGS

- 2021-466 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a car wash on Lot 2, Block B, of Walmart Supercenter Addition, being 2.12± acres of land generally located to the east of Walton Way, between W. Avenue F and W. Main Street (Business 287) (Case No. SUP23-2021-185).
- 2021-467 Conduct a public hearing and consider and act upon an ordinance amending 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. Z41-2021-177).

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- 2021-468 Consider and act upon a request for two special exceptions, being, 1) Section 6.14 of the Subdivision Ordinance to allow for a lot to be subdivided without having street frontage onto a public street (Methodist Way), and 2) Section 4.5605(b.1) of the Zoning Ordinance to allow for driveway access not meeting the minimum spacing requirements for a ±7.909 acres tract of land out of the B.F. Hawkins Survey, Abstract No. 464 for nonresidential uses. The property is located on the northwest corner of U.S. Highway 287 service road and Methodist Way (Case No. M26-2021-180).
- 2021-469 Consider and act upon a resolution to nominate candidates to the 2022-2023 Board of Directors for the Ellis Appraisal District
- 2021-470 Consider and act upon a one-year contract with Ellis County Emergency Services District No. 2 (ESD) to provide fire and EMS response for them.
- 2021-471 Consider and act upon the expenditure of funds for pavement resurfacing services on various roads as designated in the attached quote and maps to Donelson Construction Company, LLC in an amount not to exceed \$300,000.
- 2021-472 Consider and act upon the purchase of a 2021 Caterpillar 420 C4EX Backhoe Loader, through Holt Caterpillar, Inc. of Dallas, TX, utilizing the Sourcewell Purchasing Cooperative, in an amount not to exceed \$94,488.16.
- 2021-473 Consider and act upon the purchase of a 2022 Caterpillar 305 CR Compact Mini Excavator, through Holt Caterpillar, Inc. of Dallas, TX, utilizing the Sourcewell Purchasing Cooperative, in an amount not to exceed \$44,326.62.
- 2021-474 Consider and act upon a lease-purchase of a 2022 TYMCO Model 600 Regenerative Air Sweeper from TYMCO, Inc., of Waco, TX utilizing the Houston-Galveston Area Council (HGAC) Purchasing Agreement, not to exceed \$287,910.00, plus interest of \$12,033.48 for a total of \$299,943.48.
- 2021-475 Consider and act upon a price quote from FilmTec Corporation, a Dupont Water Solutions company, for supplying replacement membrane modules at the Auger Water Treatment Plant in the amount of \$138,440, as well as labor costs in the amount of \$7,520, for a total not to exceed amount of \$145,960.
- 2021-476 Consider and act upon authorizing the City Manager to negotiate and enter into an agreement with Hoefer Welker for the architectural design of the Public Safety facility project.

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. 211 W. Avenue F and 207 N. 8th Street.
5. Section 551.074 Personnel Matters: (a)(1) to deliberate the evaluation and duties of a public officer or employee – City Manager
6. Section 551.087 Economic Development: (1) Deliberation regarding commercial or financial information received from a business prospect (2) To deliberate the offer of a financial or other incentive to a business prospect. Projects: 2109 & 2110

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- 2021-477 Action resulting from Executive Session, Item #1: Legal
- 2021-478 Action resulting from Executive Session, Item #2: Real Estate
- 2021-479 Action resulting from Executive Session, Item #3: Real Estate
- 2021-480 Action resulting from Executive Session, Item #4: Real Estate
- 2021-481 Action resulting from Executive Session, Item #5: Personnel Matters
- 2021-482 Action resulting from Executive Session, Item #6: Economic Development
- 2021-483 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 8th day of October, 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.