

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, SEPTEMBER 26, 2023**

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 regular 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.

- 2023-365 Presentation of a National Night Out proclamation
- 2023-366 Receive an update from Council liaisons on board and commission activities.
- 2023-367 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 item being opened for discussion. 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.

- 2023-368 Consider and act upon minutes from the City Council meeting of September 12, 2023.
- 2023-369 Consider and act upon minutes from the Mid-Way Regional Airport Joint Airport Board meeting of August 10, 2023.
- 2023-370 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas, authorizing an agreement to purchase interests in real property relating to the development of Westside Preserve; and providing an effective date.
- 2023-371 Consider and act upon the purchase of one 2023 Ram 2500 (DJ7L91) Tradesman 4x4 Crew Cab 6'4" Box at a cost of \$59,984.00; which was approved in the FY 2023-24 budget.
- 2023-372 Consider and act upon the expenditure of funds for pavement resurfacing services on various roads within the City of Midlothian to Donelson Construction Company, LLC in an amount not to exceed \$350,000.00 which was approved in the FY 2023-2024 budget.
- 2023-373 Consider and act upon an agreement with Day Services, LLC for the 2023 Midlothian Utility Package Water and Sewer Line Improvement Projects with a base bid of \$1,023,199.25 plus a 5% contingency, for a total not to exceed amount of \$1,074,359.21.
- 2023-374 Consider and act upon an Interlocal Agreement between the City of Midlothian, Texas and the North Central Texas Emergency District, hereinafter referred to as "NCT9-1-1," having its principal place of business at 616 Six Flags Drive, Arlington, TX 76011.

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- 2023-375 Consider and act upon the award of an insurance contract with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) and enter into an interlocal agreement to provide property & casualty coverages for the City of Midlothian effective October 1, 2023 with a total premium amount of \$832,186.82.
- 2023-376 Consider and act upon authorizing the City Manager to execute a Street Landscaping Maintenance License Agreement with Crossroads Logistics Park Association to grant the Association the right to maintain certain landscaping improvements within the public rights-of-way located within the Property.
- 2023-377 Consider and act upon a resolution authorizing an expenditure in the amount of \$19,000 by the Midlothian Community Development Corporation (MCDC) to the City of Midlothian for costs associated with a Consultant Services Agreement with Teague, Nall & Perkins to provide conceptual design modifications and cost estimate for the update of Ridgeview Park.
- 2023-378 Consider and act upon authorizing the City Manager to execute a “Lease Agreement” with Martin Marietta North Texas Cement, LLC f/k/a TXI Operations, LP for the placement of an elevated storage tank located off of Ward Road.
- 2023-379 Consider and act upon authorizing the City Manager to execute a “Right of Entry Agreement” with Tarrant Regional Water District for the temporary use of City property at the Auger Water Treatment Plant and adjacent areas as part of a pipeline rehabilitation project.
- 2023-380 Consider and act upon authorizing the City Manager to execute a First Amendment to the Westside Preserve Development Agreement with Westside Preserve Development, LLC, said agreement being associated with Planned Development 146 (PD-146), more commonly referred to as Westside Preserve.
- 2023-381 Consider and act upon a one-year Interlocal Agreement for Providing Emergency Services (Fiscal Year 2024) with Ellis County Emergency Services District No. 2 (ESD) to provide Fire and Emergency Medical Services response for their jurisdiction.
- 2023-382 Consider and act upon utilizing Ellis Countywide Radio System (ECRS) fund balance to complete equipment and antenna relocations to the new Fire Station 3 Radio Building in an amount not to exceed \$95,057.26.
- 2023-383 Consider and act upon an ordinance amending the City of Midlothian’s Fiscal Year 2022-2023 Ellis County Radio Fund Budget Appropriations in an amount not to exceed \$95,057.26 from the Unreserved Fund Balance for the relocation of equipment and antenna to the new Fire Station 3 Radio building 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.
- 2023-384 Consider and act upon a resolution amending the Master Fee Schedule effective October 1, 2023, to amend certain fees for Animal Services, Community Services, Development Code, Emergency Services, Environment Services, Impact Fees, Court, Parks and Recreation, Utilities, and Utility Billing, and adding the fee for Hazardous Waste Vouchers.
- 2023-385 Consider and act upon a resolution approving a suspension of the activities and authority of the Joint Airport Board until a revised Joint Airport Agreement is completed and adopted by the City Council of the City of Midlothian.

- 2023-386 Discuss the process for moving forward with the City of Waxahachie to reconsider the amendments to the joint airport agreement and direct staff as necessary.
- 2023-387 Consider and act upon a resolution of candidate nominations for the Ellis Appraisal District Board of Directors for the year 2024-2025.
- 2023-388 Consider and act upon nominations for appointments to the Park Board, Zoning Board of Adjustment, Midlothian Economic Development and Midlothian Community Development Corporation.

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 551.074 Personnel Matters: (a)(1) to deliberate the evaluation of a public officer or employee; City Manager, City Secretary, City Attorney, Municipal Court Judge.
- 3. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property located near Hwy 67 in Midlothian
- 4. 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 2308

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- 2023-389 Action resulting from Executive Session, Item #1: Legal
- 2023-390 Action resulting from Executive Session, Item #2: Personnel Matters
- 2023-391 Action resulting from Executive Session, Item #3: Real Estate
- 2023-392 Action resulting from Executive Session, Item #4: Economic Development
- 2023-393 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 23rd day of September, 2023 at or before 4:00pm.


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.