

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, FEBRUARY 9, 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

Although our City Council meetings are open to the public, space is limited and citizens are encouraged to watch the meetings online (www.midlothian.tx.us/watchlive) rather than in person due to concerns related to the spread of COVID-19. Citizens attending in person are asked to maintain a distance of at least six (6) feet from other members of the public, City Council and City staff.

Citizens not attending in person, but wishing to address the City Council, may submit comments on any topic or agenda item electronically by utilizing the Citizen Participation Form on our website at www.midlothian.tx.us/Participate. Whether registering to speak during the meeting or submitting comments to be included in the record, **all Citizen Participation Forms must be submitted to the City Secretary no less than five minutes prior to the start of the meeting** in order to avoid disrupting the proceedings

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation, Pledge of Allegiance and the Preamble to the U.S. Constitution.

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

2021-050 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.*

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.

2021-051 Consider and act upon minutes from the City Council meetings of January 20-22, 26 and February 2, 2021.

2021-052 Consider and act upon a Mutual Aid Agreement and Request for Mutual Assistance with Ellis County, Texas.

2021-053 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Bedford, Texas.

- 2021-054 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Mesquite, Texas.
- 2021-055 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Azle, Texas.
- 2021-056 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Bryan, Texas.
- 2021-057 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Carrollton, Texas.
- 2021-058 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Cleburne, Texas.
- 2021-059 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Corinth, Texas.
- 2021-060 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Denton, Texas.

PUBLIC HEARINGS

- 2021-061 Conduct a public hearing and consider and act upon an ordinance to change the zoning of Lot 4C, Block 62, of the Town of Midlothian Addition, from Residential Three (R3) District to Urban Village Planned Development District No. 137 (UVPD-137) for Single Family residential uses. The property is located at 816 West Avenue H (Case No. Z12-2021-054).
- 2021-062 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Comprehensive Plan's Future Land Use Map relating to the use and development of +/-472 acres out of the Allen Reeves Survey, Abstract No. 939, the John Chamblee Survey, Abstract No. 192 and the JB Littlepage Survey, Abstract No. 643 and a portion of a 564 acre tract that is located in the John Chamblee, Abstract No. 192, JB Littlepage Survey, Abstract No. 643, MEP and P Railroad Company Survey, Abstract No. 761, Allen Reeves, Abstract No. 939 and the John Sharkey Survey, Abstract No. 1065 by changing the land use designations from Suburban Module (Low Density), Urban Module (High Density), and Regional Module to Urban Module (High Density), Regional Module, and Industrial Module. The property is located to the west of U.S. Hwy 67, south of Auger Road/Kimble Road, and between U.S. Hwy 287 and Teal Way (Case No. C01-2021-01). **WITHDRAWN BY THE APPLICANT.**
- 2021-063 Conduct a public hearing and consider and act upon an ordinance amending Ordinance No. 2019-63 granting a Specific Use Permit (SUP) for a Motor Vehicle Repair Garage (Major) to adopt a phased site plan, building elevations, and landscape plan. The property is located at 555 Murray Street and 1301 East Main Street (SUP10-2021-058).
- 2021-064 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a car wash on Lot 3, Block A, Midlothian Towne Crossing, being ±1.0647 acres of land generally located on the northeast corner of FM 663 and Hawkins Run Road. The property is presently zoned Planned Development District No. 79 (PD-79) (Case No. SUP08-2021-51).

- 2021-065 Conduct a public hearing to consider and act upon an ordinance amending the regulations relating to the development and use of 5.212± acres located in Planned Development District No. 42 (PD-42) and described in Exhibit “A” hereto by authorizing a skilled nursing facility as a permitted use on said property and adopting a planned development site plan and development regulations. The property is generally located on the southeast corner of the intersection of 9th Street and the proposed extension of Dylan Street (Case No. Z09-2021-047).
- 2021-066 Conduct a public hearing and act upon a request to rezone Lot 5R, Block 8 and Lot 19RR, Block 4, Hawkins Addition from Residential Three (R3) District to Urban Village Planned Development District No. 93 (UVPD-93); amending the boundary description and development and use regulations of UVPD-93. The property is approximately located at 323 E Avenue F and 302 E Avenue F (Case No. Z10-2021-050).

REGULAR AGENDA

- 2021-067 Consider and act upon a Right of Use License and Hold Harmless Agreement for use of the sixty-six foot (66.0') wide public street right-of-way adjacent to the northern property line of the Property commonly known as 302 East Avenue F; sixty-six foot (66.0') wide public street right-of-way adjacent to the western property line of the Property commonly known as 302 East Avenue F; sixty-six foot (66.0') wide public street right-of-way adjacent to the eastern property line of the Property commonly known as 323 East Avenue F; sixty-six foot (66.0') wide public street right-of-way adjacent to the southern property line of the Property commonly known as 323 East Avenue F (collectively “the Right-of-Way”); for on-street parking (Case No. M08-2021-49).
- 2021-068 Consider and act upon an ordinance by the City Council of the City of Midlothian, Texas, calling a special election to be held on May 1, 2021 relating to the issuance of bonds; providing for the conduct and the giving notice of the election; providing an effective date; and enacting other provisions relating to the subject.
- 2021-069 Consider and act upon an agreement with Mayes Media Group to provide public relations/public education communication services for the May 1, 2021 special election bond referendum for a consulting fee of \$18,500 and advertising fees estimated at \$72,350.00 for a total not to exceed amount of \$90,850.00.
- 2021-070 Consider and act upon an ordinance amending the City of Midlothian’s Fiscal Year 2020-2021 General Fund Budget Appropriations in an amount not to exceed \$90,850.00 from the Unreserved Fund Balance for the public relations/public education communication services for the May 1, 2021 special election bond referendum 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.
- 2021-071 Consider and act upon a resolution authorizing the Spring Wine & Arts Festival, an event hosted by the Midlothian Chamber of Commerce, scheduled for Saturday, May 1, 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. SEP04-2021)
- 2021-072 Consider and act upon the Midlothian Chamber of Commerce’s request to expend \$27,904.91 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2021 Wine and Arts Festival.

- 2021-073 Consider and act upon a resolution for a ninety-day interest forbearance between the Midlothian Community Development Corporation (MCDC) and Gatehouse Midlothian Ownership, LLC from the mezzanine loan promissory note agreement. The interest amount will be added to the principal amount to be repaid to the MCDC.
- 2021-074 Consider and act upon a recommendation from Midlothian Economic Development to approve a Purchase and Sale Agreement with Sixty-Seven Local/Ledbury LLC for the County Tract being 10.656 acres of land located along Miller Road within the Midlothian Business Park.

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. South 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.

REGULAR AGENDA

- 2021-075 Action resulting from Executive Session, Item #1: Legal
- 2021-076 Action resulting from Executive Session, Item #2: Real Estate
- 2021-077 Action resulting from Executive Session, Item #3: Real Estate
- 2021-078 Action resulting from Executive Session, Item #4: Real Estate
- 2021-079 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 5th day of February, 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 775-3481 for further information.