

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, DECEMBER 14, 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 2:00 P.M.

Call to Order, Invocation, and Pledge of Allegiance.

- 2021-548 Methodist Mansfield Medical Center's 15th Anniversary Celebration Day Proclamation
- 2021-549 Receive Quarterly Board Liaison Reports
- 2021-550 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.

- 2021-551 Consider and act upon minutes from the City Council meeting of November 9, 11 and 18, 2021.
- 2021-552 Consider and act upon a resolution authorizing the Cupid Shuffle 5K, an event hosted by the Reach Council of Ellis County, scheduled for Saturday, February 12, 2022, 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. SEP02-2022)
- 2021-553 Consider and act upon three document imaging proposals with Records Consultants, Inc. for processing and scanning of the City's Developmental Services and Finance records in a total amount not to exceed \$105,858.
- 2021-554 Consider and act upon an agreement with Insituform Technologies, Inc. (Insituform) of Corinth, Texas for manhole rehabilitation services at Spur 73, FM 663 from Cemetery Rd. to E. Main St., Hillcrest Lift Station, and complete the Trunk Line from Cotton Creek to Loves Truck Stop utilizing the BuyBoard Purchasing Cooperative, #635-21, in an amount not to exceed \$149,872.
- 2021-555 Consider and act upon a resolution declaring certain property surplus or obsolete, and authorizing the open competition through auction or donation of same; and authorizing items that do not sell to be disposed of by other means.
- 2021-556 Consider and act upon authorizing the City Manager to execute an Encroachment on Easement Agreement with Oncor Electric Delivery Company LLC for identified public improvements being installed as part of the Midlothian Development Authority's Ward Road water transmission main improvement project.

- 2021-557 Consider and act upon a resolution adopting the Texas Term Sheet and its Intrastate Allocation Schedule regarding the global opioid settlement.

PUBLIC HEARINGS

- 2021-558 Conduct a public hearing and consider and act upon a Specific Use Permit (SUP) for mini-warehouse storage uses on 3.057± acres in the Joseph H. Witherspoon Survey, Abstract No. 1136. The property is located south of US Highway 287, north of Shady Grove Road and +/- 1,000 ft. west of Plainview Road (Case No. SUP02-2022-012).
- 2021-559 Conduct a public hearing and consider an ordinance amending and restating the development and use regulations of Planned Development District No. 78 (PD-78). The property is located at 1630 N. U.S. Highway 67 (Case No. Z05-2022-017).
- 2021-560 Conduct a public hearing and consider and act upon an ordinance amending and restating the development regulations for the Specific Use Permit (SUP) for a heat treatment facility. The property is currently zoned Heavy Industrial (HI) District and is located on the west side of South Wyatt Road, between U.S. Hwy 67 and East Wyatt Road (commonly known as 3351 South Wyatt Road) (Case No. SUP03-2022-014).
- 2021-561 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 506.6± acres out of the M.E.P & P Railroad Company Survey, Abstract No. 761, John Chamblee Survey, Abstract No. 192, J. Stewart Survey, Abstract No. 961, Cuadrilla Irrigation Company Survey, Abstract No. 262 and Cuadrilla Irrigation Company Survey, Abstract No. 1204, described in Exhibit "A" hereto, by changing the zoning from Planned Development District No. 18 (PD-18) to Planned Development District No. 146 (PD-146) for a mixed-use development; adopting development regulations and a site plan. The property is located approximately +/- 1400 feet west of U.S. Hwy 67 interchange, between U.S. Hwy 287 and Old Fort Worth Road (Case No. Z40-2021-160).
- 2021-562 Conduct a public hearing and consider and act upon an ordinance amending the zoning of +/- 66.441 acres situated in the J. Sharkey Survey, Abstract No. 1065 and the WP Kerr Survey, Abstract No. 609, by changing the zoning from Planned Development District No. 94 (PD-94) to Planned Development District No. 150 (PD-150) for a mixed-use development consisting of residential and nonresidential uses. The property is located to the east of U.S. Hwy 67, between Spur 73 and Main Street (Business 287) (Case No. Z49-2021-199).
- CONTINUED TO JANUARY 11, 2021**
- 2021-563 Conduct a public hearing and consider and act upon an ordinance amending The City of Midlothian Comprehensive Plan and Thoroughfare Map by removing thoroughfares, and changing the designations of existing thoroughfares located 1) a portion of Weatherford Road from its intersection with U.S. Highway 67 on the south to its intersection with Miller Road on the north, 2) a portion of north/south Wyatt Road, between East Wyatt Road on the north and U.S. Hwy 67 on the south , 3) a portion of Frances Lane, and 4) a portion of the north/south alignment of Skinner Road from its intersection with F.M. 875 to its intersection with the east/west alignment of Skinner Road as depicted in Exhibit "A" (Case No. C01-2022-021).
- 2021-564 Conduct a public hearing and consider an ordinance amending the development and use regulations of Urban Village Planned Development District No. 97 (UVPD-97). The property is located at 417 W. Ave F (Case No. Z01-2022-002).

REGULAR AGENDA

- 2021-565 Consider and act upon a Right of Use License and Hold Harmless Agreement amendment for use of the northern 20 feet of the right of way for W. Avenue F adjacent to 417 W. Avenue F for parking (Case No. M01-2022-22).

- 2021-566 Consider and act upon a request for two special exceptions, being, 1) Section 6.14.3 of the Subdivision Ordinance to allow for drive access onto a major collector (Walter Stephenson Road/Harvest Hill Road), and 2) Section 4.5605(b.1) of the Zoning Ordinance to allow for driveway access not meeting the minimum spacing requirements for a ±3.476 acres tract of land on Lot 10R, Block 3, Clearview Estates; and Lot 1, Block 10, Hunters Glen Addition Phase 2 for nonresidential uses. The property is located at 2010 Starwashed Drive (Case No. M02-2022-003).
- 2021-567 Consider and act upon a request for a Special Exception to allow for temporary shipping/storage containers on the property. The property is located at 400 South U.S. Hwy 67 (Case No. M05-2022-030).
- 2021-568 Consider and act upon the proposed methodology for a comprehensive compensation and benefits study to be performed by Ray & Associates.
- 2021-569 Consider and act upon an ordinance amending the FY 2021-2022 General Fund budget appropriations in the amount of \$363,861.85 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2020-2021 General Fund budget; 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.
- 2021-570 Consider and act upon an ordinance amending the FY 2021-2022 Utility Fund budget appropriations in the amount of \$1,831,892.19 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2020-2021 Utility Fund budget; 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.
- 2021-571 Consider and act upon an ordinance amending the FY 2021-2022 General Fund budget appropriations in the amount of \$390,738 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2020-2021 General Fund budget; 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.
- 2021-572 Consider and act upon an ordinance amending the FY 2021-2022 Utility Fund budget appropriations in the amount of \$695,663 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2020-2021 Utility Fund budget; 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.
- 2021-573 Consider and act upon a service agreement between the City of Midlothian and Siddons Martin Emergency Group to secure pricing on maintenance, parts and labor.
- 2021-574 Consider and act upon a resolution accepting a petition for and calling a public hearing on the advisability of the improvements and creation of Westside Preserve Public Improvement District within the City of Midlothian pursuant to Chapter 372, Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing.
- 2021-575 Consider and act upon appointments to the various City boards and commissions including Mid-Way Regional Airport Board, Midlothian Community Development Corporation, Midlothian Development Authority, Planning and Zoning Commission, Utility Advisory Board, and Zoning Board of Adjustment.
- 2021-576 Consider and act upon creating a Veterans Memorial Advisory Committee and appointing the initial members.

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 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. Fire Station No. 4.
6. 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 2116

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- 2021-577 Action resulting from Executive Session, Item #1: Legal
2021-578 Action resulting from Executive Session, Item #2: Real Estate
2021-579 Action resulting from Executive Session, Item #3: Real Estate
2021-580 Action resulting from Executive Session, Item #4: Real Estate
2021-581 Action resulting from Executive Session, Item #5: Real Estate
2021-582 Action resulting from Executive Session, Item #6: Economic Development
2021-583 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 11th day of December, 2021 at or before 2pm.


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.