

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, FEBRUARY 22, 2022**

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.

- 2022-075 Receive a Quarterly Investment Report from Patterson & Associates
- 2022-076 Presentation of City's financial audit for FY 2020-2021 from representatives of Patillo, Brown, & Hill, LLP.
- 2022-077 Receive racial profiling and juvenile curfew annual reports
- 2022-078 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.

- 2022-079 Consider and act upon minutes from the City Council meetings of February 1 and 8, 2022.
- 2022-080 Consider and act upon a resolution authorizing the Midlothian Downtown Market, an event hosted by the Midlothian Downtown Business Association, to be held every Saturday from April 16, 2022 until November 26, 2022 excluding April 30, May 14, July 2, and September 10, 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. SEP05-2022).
- 2022-081 Consider and act upon a resolution authorizing the Mental Health Awareness Walk & Festival, an event hosted by the Paws for Reflection and scheduled for Saturday, May 21, 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. SEP04-2022).
- 2022-082 Consider and act upon a resolution authorizing the Spring Wine, Arts & Craft Beer Festival, an event hosted by the Midlothian Chamber of Commerce, scheduled for Saturday, April 30, 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. SEP06-2022)

- 2022-083 Consider and act upon the Midlothian Chamber of Commerce's request to expend \$22,585.00 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2022 Wine, Arts & Craft Beer Festival.
- 2022-084 Consider and act upon a resolution that authorizes continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation.
- 2022-085 Consider and act upon a resolution authorizing continued participation with the Oncor Cities Steering Committee; and authorizing the payment of ten cents (\$0.10) per capita to the Oncor Cities Steering Committee to fund activities of the Steering Committee.

PUBLIC HEARINGS

- 2022-086 Conduct a public hearing to consider and act upon an ordinance designating a certain area as a reinvestment zone for commercial-industrial tax abatement in the City of Midlothian, Texas to be known as the Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 17; approximately +393 acres located at Chaparral Steel Midlothian L.P.'s existing facility (and surrounding areas) at 300 Ward Road, Midlothian, TX 76065, including parcels 29 (VOL. 01781 PG. 1872 1.3 acres), 30 (VOL. 0647 PG. 0654 57.5 acres), 31 (VOL. 01235 PG. 0820 188.9 acres), 32 (VOL. 01235 PG. 0820 87.3 acres) and 33 (VOL. 01235 PG. 0820 31.9 acres) and 3351 S. Wyatt Road, Midlothian, TX 76065 as part of parcel 22 (192 J Chamblee 26 acres), further described in the Ellis County Public Records.; establishing the boundaries thereof; and providing for an effective date.

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- 2022-087 Consider and act upon a resolution authorizing the execution of the City of Midlothian Tax Abatement Agreement with Chaparral Steel Midlothian, LP.
- 2022-088 Consider and act upon a recommendation from Midlothian Economic Development to approve an Economic Development Performance Agreement with Chaparral Steel Midlothian L.P. to provide a possible incentive of up to \$2,450,000 for a project related to the creation or retention of primary jobs.
- 2022-089 Consider and act upon an Agreement for Professional Services with Enprotec/Hibbs & Todd, Inc. for the design of new filter underdrains and media at the Tayman Water Treatment Plant in an amount not to exceed \$80,000.
- 2022-090 Consider and act upon a resolution scheduling a public hearing date to consider an update to land use assumptions, capital improvements plan and impact fees pursuant to Chapter 395 of the Texas Local Government Code.
- 2022-091 Consider and act upon authorizing the City Manager to A) execute a first amendment extending the term within the Southeast 3-year annexation development agreements to expire on October 31, 2063 for Donna Kay Self; Fred Mac Sibley; Gary Minter; Georgie Smesney; Glenn and Lucinda Able; Janell Thompson/Berta Ponder; Louis O Ponder; Jimmy D Haynes L/E; Jimmy and Vickie Rook; John and Billie Cowley; Tristan V Lee; Keith and Kristi Shaw; Kevin and Cynthia Thayer; Louis and Kathleen Ponder; Corine Ramsey; Mac and Linda Sibley; Mary June Ray; MJ Crocker Co and Adam Rope; Patricia and George Luedtke; Ronald Naizer; Shannon Ray; Midlothian Endeavor, LLC; Thomas and Alma Donnelly; Wanda Woodard Shaw; and MJ Crocker Company, LLC; and B) amend and restate a development agreement in its entirety within the Southeast 3-year annexation for Patricia and George Luedtke, extending the term to October 31, 2063 and setting an expiration date to January 1, 2024 for the ability to sell fireworks on their property (Case No. M11-2022-079).

- 2022-092 Consider authorizing the City Manager to negotiate and enter into an agreement with Steele and Freeman, Inc. for services as the Construction Manager-At-Risk (CMAR) and associated General Conditions for Construction for the City of Midlothian City Hall & Library and Public Safety Building & Courts.

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 551.087 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. Chaparral Steel Midlothian, L.P.

REGULAR AGENDA

- 2022-093 Action resulting from Executive Session, Item #1: Legal
- 2022-094 Action resulting from Executive Session, Item #2: Economic Development
- 2022-095 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 18th day of February, 2022 at or before 5pm.



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.