

**NOTICE OF A REGULAR MEETING  
& WORKSESSION  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, OCTOBER 11, 2022**

Pursuant to the provisions of Chapter 551 VTCA Government Code, notice is hereby given of a Regular Meeting & Worksession 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](http://www.midlothian.tx.us/watchlive).

**WORKSHOP AGENDA 4:00 P.M.**

Call to Order, Invocation, and Pledge of Allegiance.

2022-434 Review and discuss the City Hall/Library and Public Safety/Court facilities projects and direct staff as necessary.

**REGULAR AGENDA – Immediately following the Workshop**

2022-435 Receive Quarterly Board Liaison Reports

2022-436 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](http://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.*

2022-437 Consider and act upon minutes from the City Council meetings of September 27 and October 3, 2022.

2022-438 Consider and act upon an Inter-local Cooperation Contract and Agreement for Detention Services between Ellis County and the City of Midlothian.

2022-439 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Ellis County Emergency Services District 8 (ESD8) to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.

2022-440 Consider and act upon the purchase of one ExaGrid EX52-SEC backup storage unit in an amount not to exceed \$79,467.20 as part of the City's Storage expansion program approved in the FY 2022-23 Budget.

- 2022-441 Consider and act upon the purchase of two (2) Palo Alto firewalls in an amount not to exceed \$52,471.00 as part of the City's Cyber Security expansion program approved in the FY 2022-23 Budget.
- 2022-442 Consider and act upon authorizing the Mayor to execute a Project Funding Agreement with the Midlothian Development Authority for the partial funding of the City's Auger Water Treatment Plant Expansion to 24 MGD Project.

<b>PUBLIC HEARINGS 6:00 P.M.</b>
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- 2022-443 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit on Lot 1, Block A, Wind Ridge Phase 1 to allow for a residential subdivision sign located facing Mockingbird Lane, near the entrance of Wind Ridge Phase 1 subdivision (Case No. SUP21-2022-163).
- 2022-444 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a water well, relating to the use and development of 30.9± acres of land located in R. Hosford Survey, Abstract 533, J Liok Survey, Abstract 620 and J. Powers Survey, Abstract 838, located in Agricultural (A) Zoning District (Case No. SUP20-2022-156).
- 2022-445 Conduct a public hearing and consider and act upon a request for a Specific Use Permit for an existing mini-warehouse (self-storage) facility and construction of a new building on the subject property. The property is currently zoned Commercial (C) District. The property is located at 200 E Ridgeway. (Case No. SUP22-2022-171).
- 2022-446 Conduct a public hearing and consider and act upon an ordinance accepting a petition for voluntary annexation and annexing into the corporate limits of the City of Midlothian, Texas, ±4.96 acres of land situated in the Leeman Kelsey Survey, Abstract No. 593, and within the Extra Territorial Jurisdiction of the City Of Midlothian, Ellis County, Texas, as further described and depicted in Exhibit "A" attached hereto; extending the boundary limits of the city to include said annexed property within the city's limits; granting all inhabitants and owners of the annexed property all of the rights and privileges of other citizens; binding the inhabitants of the annexed property by all the acts, ordinances and regulations of the city; adopting a service plan for the annexed property. The Subject property is located on the east side of VV Jones Road, north of Highway 67. Case No. AX01-2022-172).
- 2022-447 Conduct a public hearing and consider and act upon an ordinance to change the zoning of .33 acres situated in the Robert Horton Survey, Abstract 508 (commonly known as 403 South 6th Street) and presently located in a Residential Three (R3) Zoning District by rezoning said property to Urban Village Planned Development District No. 160 (UVPD-160) for medium density/duplex uses (Case No. Z37-2022-145).
- 2022-448 Conduct a public hearing and consider and act upon an ordinance to rezone Lot 1 and Lot 2 and the South 30' of Lot 3, Block 34, Original Town City of Midlothian Section 3 (commonly known as 501 W Avenue F) from Residential Three (R3) District to Urban Village Planned Development District No. 160 (UVPD-160) for general professional uses. (Case No. Z43-2022-168).
- 2022-449 Conduct a public hearing to consider and act upon an ordinance amending the use and development regulations of Planned Development No. 106 to allow for the construction of a new data center building. The property is generally located at Lot 1, Block 1, Sharka MDN Addition. Located off of U.S. Highway 67, between RailPort Parkway and V.V. Jones Road. (Case No. Z40-2022-157).

- 2022-450 Conduct a public hearing and consider and act upon an ordinance amending the zoning of +/-167.3 acres out of the A. Reeves Survey, Abstract No. 939; and the H. Woodward Survey, Abstract No. 1131 from Agricultural (A) District to a new Planned Development District for Heavy Industrial (HI) uses including warehouse/office distribution uses. The property is generally located on the southeast corner of Quarry Road and Gifco Road intersection, and directly west of the Fort Worth and N.O. Railroad line (Case No. Z42-2022-161).
- 2022-451 Conduct a public hearing to consider and act upon an ordinance relating to the use and development of 13.974± acres out of the JD Enlow Survey, Abstract 346 and the Amasa Howell Survey, Abstract 525, commonly known as 5880 FM 663, by changing the zoning from Single Family One (SF-1) District and Agricultural (A) District to an Urban Village Planned Development District for residential and non-residential uses. (Case No. Z39-2022-155).

#### **REGULAR AGENDA**

- 2022-452 Consider and act upon authorizing the City Manager to enter into an agreement with BAR Constructors, Inc. based upon receipt of competitive sealed proposals for the Auger Water Treatment Plant Expansion to 24 MGD Project in a base contract amount of \$18,436,510, plus total alternate contract amount of \$559,600, for a total project amount of \$18,996,110, plus contingency in the amount of \$500,000, for a total not to exceed cost of \$19,496,110.
- 2022-453 Consider and act upon a Public Improvement Participation Agreement between the City of Midlothian and Midlothian South TRS, Inc., a Delaware corporation, for the upsizing of the Ward Road Water Line (US Highway 67 to Old Fort Worth Road) in an amount not to exceed \$1,800,000.
- 2022-454 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2022 - 2023 Utility Fund Budget Appropriations by decreasing the Utility Fund unreserved fund balance in the amount of \$8,500,000 for the Auger Water Treatment Plant Expansion to 24 MGD Project, 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.
- 2022-455 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2022 - 2023 General Fund Budget Appropriations in the amount of \$908,500 from the Unreserved Fund Balance for the real property acquisition of an approximately 87,120 sq. ft (2 acres) tract of land located at 3891 Shady Grove Road and closing costs for the property for future Fire Station # 4, 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.
- 2022-456 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2022 - 2023 General Fund Budget Appropriations in the amount of \$34,000 from the Unreserved Fund Balance for the acquisition of real property located at the corner of N. 9th Street and Highway 67 and associated closing costs for a portion of the property required to complete the construction of the future Police Department Headquarters facility, 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.

- 2022-457 Consider and act upon awarding a contract in the amount of \$56,764 to Castro Roofing for Roof Repair at the Senior Center and authorize the City Manager to execute said contract.
- 2022-458 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2022 - 2023 Senior Citizen's Center Budget Appropriations in the amount of \$25,000 from the Unreserved Fund Balance for the Senior Citizen's Center Roof Repair being done by Castro Roofing, 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.
- 2022-459 Consider and act upon a service contract between the City of Midlothian and Pape Air Conditioning to provide maintenance and minor repair services for Heating, Ventilation and Air Conditioning (HVAC) equipment citywide.
- 2022-460 Consider and act upon a resolution approving a grant in the amount of \$400,000 to be awarded by the Midlothian Community Development Corporation ("MCDC" or "4B") to Stephen Hidlebaugh doing business as Leasing Impressions Commercial, LLC, to assist in the funding of the relocation and restoration of the Anderson Farm House as part of the Founders Row Project, located in the 300 block of E. Avenue G, Midlothian, Texas.
- 2022-461 Consider and act upon a recommendation from Midlothian Economic Development to approve the MED Policy Manual.
- 2022-462 Consider and act upon drafting a letter to TxDOT in support of the northern alignment for the FM 1387 widening and realignment 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 generally located within the City of Midlothian.
3. Section 551.074 Personnel Matters: (a)(1) to deliberate the evaluation and duties of a public officer or employee – City Manager & Municipal Court Judge
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 2207
5. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. – HR Director

#### **REGULAR AGENDA**

- 2022-463 Action resulting from Executive Session, Item #1: Legal
- 2022-464 Action resulting from Executive Session, Item #2: Real Estate
- 2022-465 Action resulting from Executive Session, Item #3: Personnel Matters
- 2022-466 Action resulting from Executive Session, Item #4: Economic Development
- 2022-467 Action resulting from Executive Session, Item #5: Personnel Matters

2022-468 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 8<sup>th</sup> day of October, 2022 at or before 6:00pm.

  
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.**