

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, DECEMBER 13, 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](http://www.midlothian.tx.us/watchlive).

**REGULAR AGENDA 5:00 P.M.**

Call to Order, Invocation, and Pledge of Allegiance.

2022-548 Receive quarterly board liaison reports.

2022-549 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.*

2022-550 Consider and act upon minutes from the City Council meetings of November 1, 8, 15 and December 6, 2022.

2022-551 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Ferris 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.

2022-552 Consider and act upon the purchase of four (4) network switches to replace and upgrade the core and server network switches in the amount of \$92,631.94. The purchase is a part of the City's network maintenance program as approved in the FY 2022-23 Budget.

2022-553 Consider and act upon the purchase of two (2) Ford Police Interceptors from Rockdale Country Ford. This request is to amend previously approved agenda item 2022-034 to allow for additional funds to be spent. The request is for an additional amount not to exceed \$7,624.00.

2022-554 Consider and act upon the purchase of six (6) Ford Interceptors from Rockdale Country Ford. This request includes both the acquisition of the vehicles and required emergency equipment excluding radios, and internal "hot spots" which will be installed by Cap Fleet. The purchase also excludes in-car video and paint/graphics. The purchase price for all vehicles and associated emergency equipment is in an amount not to exceed \$404,230.00.

- 2022-555 Consider and act upon a resolution authorizing the Midlothian Police Department to apply for a public safety grant (Bullet-Resistant Shield Grant Program, FY2023) from the State of Texas, Office of the Governor, Public Safety Office and authorizing the City Manager to accept, reject, alter or terminate the grant.
- 2022-556 Consider and act upon authorizing the Mayor of the City of Midlothian to enter into an Interlocal Agreement (ILA) with Ellis County for Integrated Public Alert and Warning System (IPAWS) notification services.
- 2022-557 Consider and act upon the rejection of bids received on November 29, 2022 for the Midlothian Conference Center Carpet Replacement Project.
- 2022-558 Consider and act upon the Midlothian Chamber of Commerce's request to expend \$15,010 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2023 Wine, Arts & Craft Beer Festival, and approve the reimbursement to the City for liability insurance for the event in an estimated amount of \$1,950 from the Municipal Hotel/Motel Tax monies.
- 2022-559 Consider and act upon a recommendation from Midlothian Economic Development to approve the First Amendment to Economic Development Performance Agreement with Ellis Solar, LLC and Chaparral Steel Midlothian LP.
- 2022-560 Consider and act upon an amended Youth Sports Associations Facility Use Agreement for utilization of the City of Midlothian Parks and Recreation athletic fields by approved Youth Sports Associations.

<b>REGULAR AGENDA</b>
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- 2022-561 Consider and act upon an ordinance amending the FY 2022-2023 General Fund budget appropriations in the amount of \$672,087.41 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2021-2022 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.
- 2022-562 Consider and act upon an ordinance amending the FY 2022-2023 Utility Fund budget appropriations in the amount of \$371,700.94 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2021-2022 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.
- 2022-563 Consider and act upon an ordinance amending the FY 2022 - 2023 General Fund budget appropriations in the amount of \$776,671 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2021 - 2022 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.
- 2022-564 Consider and act upon an ordinance amending the FY 2022 - 2023 Utility Fund budget appropriations in the amount of \$973,863 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2021 - 2022 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.

- 2022-565 Consider and act upon the purchase and installation of two (2) additional, wired, microphones and one signal light timer for the City Hall Council Chambers from Infinity Sound, Ltd. at a cost of \$12,045.62.
- 2022-566 Consider and act upon a bid award to Circle H Contractors, L.P. for the S. Walnut Grove Road (US Highway 287 to FM 1387) Roadway Improvement Project in a base bid amount of \$12,384,684.50, plus alternate bids #1 and #2 in the amount of \$12,000 and \$730,280, respectively, for a total bid amount not to exceed \$13,126,964.50.
- 2022-567 Consider and act upon authorizing the City Manager to enter into an agreement with Red River Construction Company for the Tayman Water Treatment Plant Filter Upgrades Project in a base bid amount of \$623,520, plus bid add alternates A and B in the amounts of \$361,510 and \$142,000, respectively, for a total not to exceed cost of \$1,127,030.
- 2022-568 Consider and act upon a request authorizing the Midlothian Police Department to establish a standardized pay schedule for Lateral – Entry Police Officer candidates.
- 2022-569 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, Park Board, Midlothian Economic Development, AH Meadows Library Board, Historic Advisory Board, Planning and Zoning Commission, Utility Advisory Board, and Zoning Board of Adjustment.
- 2022-570 Consider and act upon detailed site plan for 73.29 acres out of the William W. Rawls Survey, Abstract No. 932. The property is located just east of 2724 Old Fort Worth Road and is zoned Planned Development-150 (SP01-2023-006).

<b>PUBLIC HEARINGS 6:00 P.M.</b>
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- 2022-571 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit for a residential subdivision sign located on .593 acres, being Lot C.A. 7 of Villages of Walnut Grove, Phase One (1), facing Walnut Grove Road, near the entrance of the Villages of Walnut Grove subdivision (Case No. SUP01-2023-002).
- 2022-572 Conduct a public hearing and consider and act upon an ordinance amending The City of Midlothian Comprehensive Plan and Thoroughfare Map by supporting the northern alignment for the future expansion of FM 1387 in the city's ETJ. (Case No. OZ01-2023-014).
- 2022-573 Conduct a public hearing and consider and act upon an ordinance amending the zoning from Residential Three (R-3) District to Commercial (C) District relating to the use and development of 1.171± acres of land being Lots 3-6 & Alley Majors, City of Midlothian, Ellis County, Texas. The property is located at 615/617 N. 7th Street. (Case No. Z01-2023-003).
- 2022-574 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for indoor storage relating to the use and development of 1.171± acres of land being Lots 3-6 & Alley Majors, City of Midlothian, Ellis County, Texas ("the Property"), which is located within the Commercial (C) District. The property is located at 615/617 N. 7th Street. (Case No. SUP02-2023-008).
- 2022-575 Conduct a public hearing and consider and act upon an ordinance amending ±3.048 acres from Agricultural (A) to Single Family One (SF-1) and Single Family Two (SF-2). The land is situated on Lot 3 of Duvall Place Addition. The property is generally located at 3831 Plainview Road. (Z02-2023-04)

- 2022-576 Conduct a public hearing and consider and act upon an ordinance amending the zoning of +/-46.329 acres being Lot 4, Block A of Midlothian Business Park and a portion of the Leeman Kelsey Survey, Abstract 593, from Planned Development District No. 69 (PD-69) and Agricultural (A) District to a new Planned Development District for Battery Storage and electricity substation uses, approving a site plan and landscape plan. The property is generally located on Highway 67, east of VV Jones Road. (Z04-2023-010)
- 2022-577 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of ±42.876 acres out of the Larkin Newton Survey, Abstract No. 729 and the J.T. Rawls Survey, Abstract No. 933, by changing the zoning from Planned Development No. 4 (PD-4) to Planned Development No. 165 (PD-165) for industrial uses. The property is generally located at 975 US Highway 67. (Case No. Z45-2022-177).

### 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 and duties of a public officer or employee – City Manager.
3. 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 2210, 2212 and 2213.

### REGULAR AGENDA

- 2022-578 Action resulting from Executive Session, Item #1: Legal
- 2022-579 Action resulting from Executive Session, Item #2: Personnel Matters
- 2022-580 Action resulting from Executive Session, Item #3: Economic Development
- 2022-581 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 10<sup>th</sup> day of December, 2022 at or before 5:00pm.

  
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.**