

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, JANUARY 10, 2023**

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.

Boy Scout Troop 215 will present the flags and lead in the pledges.

2023-001 Martin Luther King, Jr. Day of Service Proclamation

2023-002 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.

2023-003 Consider and act upon minutes from the City Council meeting of December 13, 2022.

2023-004 Consider and act upon an agreement with Insituform Technologies, Inc. (Insituform) of Corinth, Texas for the 2022-2023 Manhole Rehabilitation Services at the Shady Grove trunk line utilizing the BuyBoard Purchasing Cooperative, for an estimated cost of \$224,985.50.

2023-005 Consider and act upon the replacement of the existing 4,000-gallon double wall split fuel tank with a 12,000-gallon double wall split tank through Carbon Environmental at a cost of \$217,100.00 with a ten-percent contingency for a total not to exceed amount of \$238,810.00 as approved in the FY 2022-23 budget.

2023-006 Consider and act upon a resolution authorizing the 2023 City of Midlothian Special Events hosted by the City of Midlothian, in the calendar year 2023, 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. SEP04-2023)

- 2023-007 Consider and act upon a resolution authorizing the Spring Wine, Arts & Craft Brew Festival, an event hosted by the Midlothian Chamber of Commerce, scheduled for Saturday, April 29, 2023, 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. SEP03-2023)

PUBLIC HEARINGS 6:00 P.M.

- 2023-008 Conduct a public hearing and consider and act upon an ordinance amending the Urban Village Planned Development zoning of +/- .309 acres being all of Lot 3R, Block 37, Original Town Midlothian, City of Midlothian, Ellis County, Texas in reference to amendments to the site plan. The property is generally located at 209 S. 5th Street. (Case No. Z50-2022-197)
- 2023-009 Conduct a public hearing and consider and act upon 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. Z03-2023-007).
- 2023-010 Conduct a public hearing and consider and act upon an ordinance amending the Planned Development zoning of +/- 2.509 acres situated in the John B. Garvin Survey, Abstract No. 402, Ellis County, Texas, and being all of Lot 3, Block 1, Harvest Hill Addition, an addition to the City of Midlothian, Ellis County, Texas in reference to amendments to the site plan. The property is generally located on Reindeer Drive west of Harvest Hill Drive. (Case No. Z49-2022-193) **APPLICANT REQUESTED CONTINUANCE TO FEBRUARY 14, 2023**
- 2023-011 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Subdivision Ordinance by amending Section 5.10 "Inspections", Section 4.11 "Plat Submittals" and Section 4.17 "Expiration of Plats". Case No. (OZ06-2022-199). **WITHDRAWAL REQUESTED BY APPLICANT**

REGULAR AGENDA

- 2023-012 Consider and act upon an Agreement for Professional Services with Kimley-Horn and Associates, Inc. for the design and other related professional services in association with Water and Sanitary Sewer Line Rehabilitation Projects in an amount not to exceed \$204,500.00.
- 2023-013 Consider and act upon the purchase of one Bobcat TL619 Telehandler through Bobcat of North Texas in an amount not to exceed \$95,948.00.
- 2023-014 Review, discuss and provide direction to staff on the Texas Department of Transportation proposal to close additional existing median openings along US Highway 287.
- 2023-015 Consider and act upon an ordinance adopting a revised parks, recreation, open space and trails master plan; repealing all ordinances in conflict; providing a severability clause; and providing for an effective date.
- 2023-016 Consider and act upon the approval of a Chapter 380 Agreement between the City of Midlothian and Sid Tool Co., Inc for a sales tax sharing agreement.
- 2023-017 Consider and act upon a recommendation from Midlothian Economic Development to approve the program and expenditures outlined in the Economic Development Performance Agreement with Sid Tool Co., Inc. for a sales tax sharing agreement.
- 2023-018 Consider and act upon a recommendation from Midlothian Community Development Corporation to approve the program and expenditures outlined in the Economic Development Performance Agreement with Sid Tool Co., Inc. for a sales tax sharing agreement.

- 2023-019 Consider and act upon a recommendation from Midlothian Economic Development to approve the program and expenditures outlined in the Economic Development Performance Agreement with SunOpta Grains and Foods Inc. not to exceed \$300,000.

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 appointment, employment, or duties, of a public officer or employee – Alternate Municipal Court Judge
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 2213 and Project 2301.

REGULAR AGENDA

- 2023-020 Action resulting from Executive Session, Item #1: Legal
- 2023-021 Action resulting from Executive Session, Item #2: Personnel Matters
- 2023-022 Action resulting from Executive Session, Item #3: Economic Development
- 2023-023 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 7th day of January, 2023 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.