

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, FEBRUARY 14, 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](http://www.midlothian.tx.us/watchlive).

**REGULAR AGENDA 6:00 P.M.**

Call to Order, Invocation, and Pledge of Allegiance.

2023-041 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.*

- 2023-042 Consider and act upon minutes from the City Council meeting of January 24, 2023.
- 2023-043 Consider and act upon a resolution authorizing the Midlothian High School Class of 2023 Street Dance, scheduled for Saturday, April 1, 2023, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Case No. SEP05-2023).
- 2023-044 Consider and act upon an Impact Fee Credit Agreement between Velocis Midlothian JV, LP and the City of Midlothian, Texas for participation in the construction of infrastructure for an approximate 29± acre light industrial development at the corner of Shiloh Road and US Highway 67, referred to as KBC.
- 2023-045 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**

- 2023-046 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit for a residential subdivision sign on Common Area Lot 7 of Villages of Walnut Grove, Phase One (1), facing Walnut Grove Road, near the entrance of the subdivision (Case No. SUP30-2022-209).
- 2023-047 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit, for a residential subdivision sign on Common Area Lot 4 of Massey Meadows located on .039 acres, facing F.M. 1387, near the entrance of the subdivision (Case No. SUP29-2022-205).

- 2023-048 Conduct a public hearing to consider and act upon an ordinance amending the zoning of Planned Development No. 24 +/-27.71 acres being all of Lot 1, Block A, Walmart Addition, City of Midlothian, Ellis County, Texas in reference to a proposed expansion of the building. The property is generally located at 400 S. Highway 67 (Case No. Z52-2022-207)
- 2023-049 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 MARCH 14, 2023**

#### REGULAR AGENDA

- 2023-050 Consider and act upon a First Amendment to an Agreement for Professional Services for design and related professional services for the S. Walnut Grove Road (US Highway 287 to FM 1387) Roadway Improvement Project with Freese and Nichols, Inc. in an amount not to exceed \$46,370.
- 2023-051 Consider and act upon an agreement with B & F Construction to replace the carpet in the Conference Center in the amount of \$103,592.19.
- 2023-052 Consider and act upon an ordinance amending the Code of Ordinances by amending Chapter 4 titled "Business Regulations" by amending Article 4.03 titled "Peddlers, Solicitors and Itinerant Merchants" by amending, retitling and renumbering various sections and subsections; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00); and providing for an effective date.

#### 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 within the city of Midlothian.

#### REGULAR AGENDA

- 2023-053 Action resulting from Executive Session, Item #1: Legal
- 2023-054 Action resulting from Executive Session, Item #2: Real Estate
- 2023-055 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 11<sup>th</sup> day of February, 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.