

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, DECEMBER 12, 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 4:00 P.M.**

Call to Order, Pledges, and Invocation

2023-481 City Council report on items of community interest.

2023-482 City Council quarterly board liaison update

2023-483 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 prior to the item being opened for discussion. 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.*

2023-484 Consider and act upon minutes from the City Council meetings of November 8 and 14 and December 5, 2023.

2023-485 Consider and act upon a resolution authorizing a grant in the amount of \$35,000 to be awarded by the Midlothian Community Development Corporation ("MCDC" or "Type B") to Midlothian Chamber of Commerce to provide promotional funds for sponsorship of the 2024 Wine, Art & Craft Brew Festival.

2023-486 Consider and act upon a two-year Regulatory Services Contract with the Trinity River Authority of Texas (TRA) for industrial inspection services, industrial sampling services and analytical services in an amount not to exceed \$90,000

2023-487 Consider and act upon a resolution authorizing the 2024 City of Midlothian Special Events hosted by the City of Midlothian, in the calendar year 2024, 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. SEP03-2024)

2023-488 Consider and act upon the Midlothian Chamber of Commerce request to expend \$15,010.00 of Municipal Hotel/Motel Tax monies for advertising and event expenses for the April 2024 Wine, Art & Craft Brew Festival.

2023-489 Consider and act upon awarding a contract to Mesotech International Inc. for the Automated Weather Observation System III with Present Weather Sensor and Thunder Strike Alert. (AWOS III PT).

## PUBLIC HEARINGS

- 2023-490 Conduct a public hearing to consider and act upon an ordinance relating to the use and development of .78± acres of land situated in the J.B. Garvin Survey, Abstract 402, by changing the zoning from Planned Development No. 14 (PD-14) District to Urban Village Planned Development (UVPD) District for nursing care. The property is generally located at the northwest intersection of FM 663 and Lena Lane, commonly known as 1111 S. 9th Street. (Case No. Z29-2023-112). **REQUEST FOR CONTINUANCE TO JANUARY 9, 2024 CITY COUNCIL MEETING.**
- 2023-491 Continue a public hearing and consider and act upon an ordinance amending the zoning of Planned Development-28 (PD-28) to change the use and development regulations for the residential development. The property is generally located north of Mt. Zion Road and +/- 1500 feet east of Sudith Lane. (Case No. Z27-2023-85).
- 2023-492 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 9.808± acre of land located on Lot 15 of Honeysuckle Ridge, Phase Four (4), commonly known as 1011 Ashford Lane, located in Agricultural (A) Zoning District (Case No. SUP16-2023-97).
- 2023-493 Conduct a public hearing to consider and act upon an ordinance for a Specific Use Permit (SUP) for a solar farm for 678+ acres out of the John Chamblee Survey, Abstract No. 192 and the S.D. Sutton Survey, Abstract 1015, presently zoned Single-Family One (SF-1) District. Including property parcel numbers 201487, 181191, 181167, 181149, 191218, 181260, 181168, 238841, and 181089. The property is generally located to the north of U.S. Highway 67, between Ward Road and South Weatherford Road and extending north of South Wyatt Road, City of Midlothian, Ellis County, Texas. (Case No. SUP22-2023-109)
- 2023-494 Conduct a public hearing to consider and act upon an ordinance amending the development regulations to allow temporary storage containers in Planned Development-24, being ±27.71 acres of Lot 1, Block A, Walmart Addition, City of Midlothian, Ellis County, Texas. The property is generally located at 400 S. Highway 67 (Case No. Z31-2023-114)
- 2023-495 Conduct a public hearing and consider and act upon an ordinance for a Planned Development Amendment (PD), amending the development regulations of Planned Development-149 (PD-149) to allow additional industrial manufacturing uses and outside storage for the development, being Lot 1 and Lot 2, Block 1 of McCowan Addition-Rev., City of Midlothian, Ellis County, Texas. The property is located at 4521 N. US Highway 67. (Case No. Z30-2023-113).

## REGULAR AGENDA

- 2023-496 Consider and act upon an ordinance designating the area within the Midlothian city limits, including extra-territorial jurisdiction as a qualified Media Production Development Zone.
- 2023-497 Consider and act upon an ordinance nominating the real property at 8291 & 8281 Baucum Road, Midlothian, Texas, 76065 as a Qualified Media Production Location.
- 2023-498 Consider and act upon an ordinance appointing directors for Midlothian Municipal Management District No. 3; confirming no known defaults and the enforceability of consent application and development agreements for said district; approving of said district's issuance of bonds; approval of a 5-year capital improvement budget for said district; and providing an effective date
- 2023-499 Consider and act upon a resolution authorizing an expenditure in the amount of \$150,720.90 by the Midlothian Community Development Corporation (MCDC) to the City of Midlothian Information Technology Department for costs associated with the expansion of the City fiber network to Hawkins Spring Park.

- 2023-500 Consider and act upon a resolution authorizing an expenditure in the amount of \$82,953.98 by the Midlothian Community Development Corporation (MCDC) to the Midlothian Police Department for costs associated with a park and event security grant request to include radios, ATV's and a trailer.
- 2023-501 Consider and act upon authorizing the City Manager to enter into an agreement with Precision Flow Engineering (PFE) for Testing, Adjusting, and Balancing (TAB) at the City Hall/Library facility at cost not to exceed \$40,400.00
- 2023-502 Consider and act upon authorizing the City Manager to enter into an agreement with Precision Flow Engineering (PFE) for Testing, Adjusting, and Balancing (TAB) at the Public Safety/Court facility at cost not to exceed \$79,900.00
- 2023-503 Consider and act upon authorizing the City Manager to enter into an agreement with Network Cabling Services (NCS) to migrate the City's Municipal Area Network (MAN) fiber from current City Hall to the new City Hall Facility for \$81,662.62 plus a 10% contingency of \$8,166.26 for an amount not to exceed \$89,828.88.
- 2023-504 Consider and act upon authorizing the City Manager to enter into an agreement with Network Cabling Services (NCS) to migrate the City's Municipal Area Network (MAN) fiber from the current Police Department to the new Public Safety Facility for \$89,959.21 plus a 10% contingency of \$8,995.92 in an amount not to exceed \$98,955.13.
- 2023-505 Consider and act upon authorizing the City Manager to execute a "Communications Facilities License Agreement" with New Cingular Wireless PCS, LLC (an AT&T Mobility Corporation), for the installation of antenna facilities and equipment shelter at the City's water tower located at 3232 Mockingbird Lane.
- 2023-506 Consider and act upon nominations for appointment/reappointments to the Historic Advisory Board, Midlothian Community Development Corporation, Park Board, Midlothian Economic Development, Midlothian Development Authority, Planning & Zoning Commission, Zoning Board of Adjustment and Utility Advisory Board.
- 2023-507 Consider and act upon an ordinance amending the FY 2023-2024 Conference Center budget appropriations in the amount of \$26,698.60 from the Conference Center unreserved fund balance for expenditures encumbered but not yet expended from the FY 2022-2023 Conference Center 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.
- 2023-508 Consider and act upon an ordinance amending the FY 2023-2024 General Fund budget appropriations in the amount of \$925,445.91 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2022-2023 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.
- 2023-509 Consider and act upon an ordinance amending the FY 2023-2024 Utility Fund budget appropriations in the amount of \$1,827,604.23 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2022-2023 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.
- 2023-510 Consider and act upon an ordinance amending the FY 2023 - 2024 General Fund budget appropriations in the amount of \$863,704 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2022 - 2023 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.

- 2023-511 Consider and act upon an ordinance amending the FY 2023 - 2024 Utility Fund budget appropriations in the amount of \$130,707 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2022 - 2023 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.

### 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 – generally located along the Highway 287 Bypass.

### REGULAR AGENDA

2023-512 Action resulting from Executive Session, Item #1: Legal

2023-513 Action resulting from Executive Session, Item #2: Economic Development

2023-514 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 9<sup>th</sup> day of December, 2023 at or before 4:00 pm.

  
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.**