

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, JANUARY 9, 2024**

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, Pledges, and Invocation

2024-001 Martin Luther King, Jr. Day Proclamation

2024-002 Presentation of a Texas Recreation and Park Society Excellence in Programming award to the Parks Department.

2024-003 City Council report on items of community interest.

2024-004 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.*

2024-005 Consider and act upon minutes from the City Council meeting of December 12, 2023.

2024-006 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 6, 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. SEP04-2024)

2024-007 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 1 titled "General Provisions" by amending Article 1.03 titled "Boards, Commissions and Committees" by repealing Division 8 titled "Keep Midlothian Beautiful Advisory Board" in its entirety, and reserving Division 8, Sections 1.03.251 through 1.03.280, for future use; providing a repealing clause; providing a severability clause; and providing for an effective date.

**PUBLIC HEARINGS**

2024-008 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).

- 2024-009 Continue 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) CASE CONTINUED FROM 12/12/2023 CITY COUNCIL MEETING
- 2024-010 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 and accessory structures relating to the 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. Z34-2023-127).
- 2024-011 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 71.737+ acres in the J. Sharkey Survey, Abstract No. 1065, J.T. Rawls Survey, Abstract No. 933, and the W.P. Kerr Survey, Abstract No. 609 by changing the zoning from Planned Development No. 94 (PD-94) and Light Industrial (LI) District, to Planned Development District No. 171 (PD-171) for Community Retail (CR) adopting development regulations including a Conceptual Site Plan, Sign Elevations, Outdoor Display and Storage Plan, Landscape Plan, and Elevation/Façade Plan. The property is generally located on the south side of West Main Street, east of Highway 67 and north of State Spur 73. (Case No. Z24-2023-075).
- 2024-012 Conduct a public hearing and consider and act upon an ordinance to change the zoning on +/-29.001 acres and presently zoned Single Family One (SF-1) Zoning District by rezoning said property to a new Planned Development District for Nonresidential uses. The property is generally located on U.S. Highway 67, east of South Wyatt Road. (Case No. Z28-2023-90) **REQUEST FOR CONTINUANCE TO JANUARY 23, 2024 CITY COUNCIL MEETING.**
- 2024-013 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a “group home”, presently zoned Single Family Two (SF-2) District. The property is located on ±.454 acres, being Lot 4 of the Fox Run Addition, commonly known as 1710 Sage Drive. (Case No. SUP17-2023-98). **CASE WITHDRAWN BY APPLICANT.**

#### REGULAR AGENDA

- 2024-014 Consider and act upon the adoption of a revised Joint Airport Agreement with the City of Waxahachie for the operation of Mid-Way Regional Airport.
- 2024-015 Consider and act upon authorizing the City Manager to enter into a Professional Services Agreement with Parkhill in the amount of \$388,250 for design and engineering costs associated with the Heritage Park expansion and downtown design improvements.
- 2024-016 Consider and act upon a bid award to Texas Standard Construction, LTD for the S. 14th Street and Hawkins Run Road Traffic Signal Installation Project in a total bid amount of \$516,952.45, plus contingency in the amount of \$25,000, for a total project amount not to exceed \$541,952.45 and authorize the City Manager to execute an agreement for this project.
- 2024-017 Consider and act upon authorizing the City Manager to execute a Pipeline License Agreement with the Ellis County Rural Rail Transportation District (District) for the City’s sanitary sewer main crossing of the District’s right-of-way near VV Jones Road.
- 2024-018 Consider and act upon authorizing the City Manager to enter into a Memorandum of Understanding between the Midlothian Police Department, and the Jensen Project, Inc. (TJP), a 501 (c) (3) nonprofit to fund an investigative position with the North Texas Trafficking Task Force (NTTTF), and allow MPD to backfill the vacant investigator position for a period of three years.

- 2024-019 Consider and act upon authorizing the Midlothian Police Department to increase the employee count allowing the backfill of a police sergeant position to replace the sergeant assigned to the Tri-County Auto Theft Task Force for FY 2023-2024 per the Interlocal Agreement.
- 2024-020 Consider and act upon a request to increase Midlothian Police Department fulltime employee count to include an additional fulltime peace officer position for the Crisis Intervention Unit Program with funding from JAG Award # 4800-701.
- 2024-021 Consider and act upon a request to increase the Midlothian Police Department part-time employee count to include an additional Crime Victims Advocate position with funding from the General Victim Assistance Grant Program Victims of Crime Act (VOCA) (application 4712401, FY 2023-2024).

### 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 located within the city limits of Midlothian, Texas.
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 – generally located along the Highway 287 Bypass.
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 2401
5. Section 551.071(2) Legal: Consultation with city attorney regarding the provision of services in the City's CCN.

### REGULAR AGENDA

- 2024-022 Action resulting from Executive Session, Item #1: Legal
- 2024-023 Action resulting from Executive Session, Item #2: Real Estate
- 2024-024 Action resulting from Executive Session, Item #3: Economic Development
- 2024-025 Action resulting from Executive Session, Item #4: Economic Development
- 2024-026 Action resulting from Executive Session, Item #5: Legal
- 2024-027 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 6<sup>th</sup> day of January, 2024 at or before 6:00 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.