

**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, FEBRUARY 27, 2024**

The City Council of the City of Midlothian convened in a Regular Meeting in the Council Chambers of City Hall, 104 West Avenue E, with the meeting open to the public and notice of said meeting posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present to-wit:

Justin Coffman	§	Mayor	
Allen Moorman	§	Councilmember Place 1	
Mike Rodgers	§	Councilmember Place 2	
Anna Hammonds	§	Councilmember Place 3	
Clark Wickliffe	§	Mayor Pro Tem	
Ed Gardner	§	Councilmember Place 5	
Hud Hartson	§	Councilmember Place 6	<i>Absent for 4 p.m. Executive Session; present for 6 p.m. Regular Meeting</i>

EXECUTIVE SESSION 4:00 PM

CALL TO ORDER

Mayor Coffman called the meeting to order at 4:10 p.m. with notice of the meeting duly posted and a quorum present.

Council moved to Executive Session at 4:10 p.m. for the purpose of discussing Item 2 with the following present: Mayor Coffman, Mayor pro tem Wickliffe, Councilmembers Moorman, Rodgers, Hammonds, and Gardner; City Manager and City Attorney.

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| 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 DUTIES OF A PUBLIC OFFICER OR EMPLOYEE – CITY MANAGER |
| 3. SECTION 551.071(2) | LEGAL: CONSULTATION WITH CITY ATTORNEY REGARDING THE PROVISION OF SERVICES IN THE CITY'S CCN. |

Council reconvened into Regular Session at 5:33 p.m. with no action taken in Executive Session.

REGULAR AGENDA

2024-078 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #1: LEGAL

The Item was not discussed during Executive Session.

2024-079 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #2: PERSONNEL

No action taken following Executive Session.

2024-080 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #3: LEGAL

The Item was not discussed during Executive Session.

With there being no further business to discuss Mayor Coffman adjourned the meeting at 5:33 p.m.

REGULAR AGENDA 6:00 p.m.

CALL TO ORDER, PLEDGES, AND INVOCATION

Mayor Coffman called the meeting to order at 6:00 p.m. with notice of the meeting duly posted and a quorum present. Councilmember Hammonds gave the invocation and led in the pledges.

2024-061 PROCLAMATION HONORING COMMISSIONER PAUL PERRY

Mayor Coffman presented the proclamation to Rebecca Perry.

2024-062 MIDLOTHIAN CHAMBER OF COMMERCE PRESENTATION

Chamber president Melissa Shook presented an award honoring the City's 35-year membership in the Chamber of Commerce.

2024-063 CITY COUNCIL REPORT ON ITEMS OF COMMUNITY INTEREST.

No reports were provided.

2024-064 CITIZENS TO BE HEARD

None to be heard.

CONSENT AGENDA

- 2024-065 CONSIDER AND ACT UPON MINUTES FROM THE CITY COUNCIL MEETING OF FEBRUARY 13, 2024.**
- 2024-066 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE GOOD FRIDAY WORSHIP NIGHT, AN EVENT HOSTED BY CREEKSIDE CHURCH AND SCHEDULED FOR FRIDAY, MARCH 29, 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. SEP05-2024).**
- 2024-067 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE MIDLOTHIAN FARMERS MARKET, AN EVENT HOSTED BY THE MIDLOTHIAN DOWNTOWN BUSINESS ASSOCIATION, TO BE HELD EVERY SATURDAY FROM APRIL 13, 2024 UNTIL NOVEMBER 2, 2024 EXCLUDING JUNE 29, 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. SEP06-2024).**
- 2024-068 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.**
- 2024-069 CONSIDER AND ACT UPON AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELLIS COUNTYWIDE RADIO SYSTEM (ECRS) USER AGREEMENT BETWEEN THE CITY OF MIDLOTHIAN AND THE CITY OF BARDWELL 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.**
- 2024-070 CONSIDER AND ACT UPON AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF WYLIE AND AUTHORIZE THE CITY MANAGER TO SIGN SAID AGREEMENT.**

Mayor pro tem Wickliffe moved to approve the Consent Agenda as presented. Motion was seconded by Councilmember Hammonds and carried unanimously (7-0).

REGULAR AGENDA

The following Item was taken out of order as a courtesy to those in attendance.

- 2024-077 CONSIDER AND ACT UPON AN ORDINANCE OUTLAWING ABORTION, DECLARING MIDLOTHIAN A SANCTUARY CITY FOR THE UNBORN, MAKING VARIOUS PROVISIONS AND FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

The following speakers addressed Council in support of the Item:

Dan Altman, Mark Dickson, Duane Charles, Max Ross, Blain Craig, Hugh Reynolds and Pete Lewiston.

The following speakers addressed Council in opposition to the Item:

Randy Hajovsky, Francis Bishop, Tiffany Carra, Larry Pool, Dannion McLendon, Dana Rowe, Jennifer Brummell, Daphne Hajovsky and Linda Dennis.

Non-Speakers in support were:

Ronald Nailer, John and Elizabeth Hamaker, Christopher Van Rijsbergen, Ronald Mailer, Ronnie Morris, Dolores Hammer, E. Robak, Thomas and Theresa Blubaugh, Phil Daskocil and Steve Daskocil, Joseph and Jeanne McGowan, and Gary Crawford.

Non-Speakers in opposition were:

Melissa Hall, Riley Plante, George and Marjorie Procter-Smith, Linda Baker, Katherine Pederson, Bill and Mary Ann O'Donnell, Shawn, Khristy and Caitlin Hullett, Jenny Sanders, Jeanette Fuentes, Rhonda Gilbert, Charlene Furt, Mark and Jane Voisard, Christina Apple, Cora Lansdowne, Gene and Deborah Engel, Carolyn Kistner, Marie Medina, Lynda Begnaud, Gregory Hellings, Lindsay Landin, Kathryn Altman, Robin Garcia, Laura Hunt, Kelly Blackburn, Jackie McDonald, Amanda Boggs, Ted Miller.

Council moved into Executive Session under Section 551.071(2) for legal consultation at 7:07 p.m. Council reconvened into Regular Session at 7:53 p.m. with no action taken during Executive Session. Following discussion, Mayor pro tem Wickliffe moved to deny Item 2024-077 as presented with the condition that a Resolution be drafted in lieu of an ordinance. Motion failed by a vote of 2-5, with Mayor Coffman and Councilmembers Rodgers, Hammonds, Gardner and Hartson voting in opposition. Council moved into Executive Session under Section 551.071(2) for legal consultation at 9:00 p.m. Council reconvened into Regular Session at 9:08 p.m. with no action taken during Executive Session. Councilmember Gardner moved to approve Item 2024-077 as presented. Motion was seconded by Councilmember Hartson and carried by a vote of 5-2, with Mayor pro tem Wickliffe and Councilmember Moorman voting in opposition.

2024-071 CONSIDER AND ACT UPON AN ORDINANCE AMENDING THE RETIREE INSURANCE ORDINANCE BY ADDING VISION INSURANCE TO THE BENEFITS PLAN OPTIONS AVAILABLE FOR RETIREES AND THE PREMIUM SUBSIDY TO BE APPLIED TO ALL LEVELS OF COVERAGE.

The Item was presented by Stephanie Dye. Councilmember Moorman moved to approve Item 2024-071 as presented. Motion was seconded by Councilmember Hammonds and carried unanimously (7-0).

2024-072 CONSIDER AND ACT UPON A RESOLUTION AMENDING THE MASTER FEE SCHEDULE EFFECTIVE FEBRUARY 27, 2024, TO ADD CERTAIN FEES FOR PARKS AND RECREATION.

The Item was presented by Ann Honza. Councilmember Moorman moved to approve Item 2024-072 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (7-0).

2024-073 CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MIDLOTHIAN, TEXAS, PROVIDING FOR A ONE HUNDRED AND FIFTY THOUSAND DOLLAR (\$150,000) RESIDENTIAL HOMESTEAD EXEMPTION FOR PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER AND DISABLED PERSONS FROM ALL AD VALOREM TAXES HEREAFTER LEVIED; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; INCLUDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

The Item was presented by Chris Dick. Jennifer Zarate and Max Ross addressed Council in support of the Item. Councilmember Gardner moved to approve Item 2024-073 as presented. Motion was seconded by Councilmember Moorman and carried unanimously (7-0).

2024-074 CONSIDER AND ACT UPON A REQUEST FOR A WAIVER FROM SECTION 13.03.003 "UTILITIES" OF THE CODE OF ORDINANCES FROM HAVING TO CONNECT TO THE SANITY SEWER SYSTEM AND A SPECIAL EXCEPTION FROM THE SUBDIVISION ORDINANCE SECTION 6.16 "IMPROVEMENT STANDARDS AND REQUIREMENTS" PERTAINING TO THE USE OF AN ALTERNATIVE PAVING MATERIAL FOR A DROP YARD, BEING +/-30.535 ACRES OF LAND, SITUATED IN THE MEP AND P RAILROAD COMPANY SURVEY, ABSTRACT 758. THE PROPERTY IS COMMONLY KNOWN AS 1800 DOVE LANE. (M02-2024-10)

The Item was presented by Brian Guenzel. Ray Oujesky addressed Council in support of the Item. Mayor Coffman moved to approve Item 2024-074 as presented, subject to the Planning & Zoning Commission's condition that the gravel waiver only apply to the Phase 1 area shown in the red box on the Conceptual Plan. Motion was seconded by Councilmember Rodgers and carried by a vote of 6-1, with Mayor pro tem Wickliffe voting in opposition.

2024-075 DISCUSS THE CITY ASSUMING MAINTENANCE AND OPERATIONS OF THE MIDLOTHIAN HISTORIC GYMNASIUM (OLD GYM) LOCATED AT 700 W. AVENUE H AND PROVIDE DIRECTION TO STAFF.

The Item was presented by Heather Dowell. Mayor Coffman moved to table Item 2024-075, until the Item can be discussed in a joint workshop with Midlothian Community Development Corporation board. Motion was seconded by Councilmember Gardner and carried unanimously (7-0).

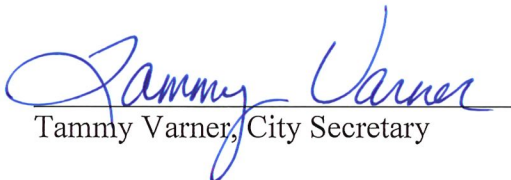
2024-076 CONSIDER AND ACT UPON A PROPOSAL TO RENAME A PORTION OF OLD FT WORTH ROAD BETWEEN US HWY 287 AND WARD ROAD.


The Item was presented by Clyde Melick. Councilmember Councilmember Hammonds moved to approve Item 2024-076 as presented. Motion was seconded by Councilmember Hartson and carried by a vote of 4-3, with Mayor pro tem Wickliffe and Councilmembers Moorman and Gardner voting in opposition.

2024-081 ADJOURN

With there being no further business to discuss, Mayor Coffman adjourned the meeting at 10:17 p.m.

ATTEST:


Tammy Varner, City Secretary


Justin Coffman, Mayor