

**MINUTES OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, MARCH 12, 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:

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

Absent: Mayor Coffman and Councilmember Moorman

REGULAR AGENDA 6:00 P.M.

CALL TO ORDER, PLEDGES, AND INVOCATION

Mayor pro tem Wickliffe called the meeting to order at 6:00 p.m., with notice of the meeting duly posted and a quorum present. Councilmember Gardner gave the invocation.

2024-082 BOY SCOUT TROOP 512 COLOR GUARD AND APPRECIATION PRESENTATION.

Boy Scout Troop 512 presented the flags and led in the pledges. Troop 512 presented City Council with a signed troop photo in appreciation for the Boy Scout building parking lot renovation.

2024-083 STATE FIRE MARSHAL PRESENTATION

Representatives of the State Fire Marshal's office were present to recognize the City for achieving a Class 1 ISO rating.

2024-084 RECEIVE RACIAL PROFILING ANNUAL REPORT

Chief Smith presented the annual racial profiling report.

2024-085 CITIZENS TO BE HEARD

None to be heard.

CONSENT AGENDA

2024-086 CONSIDER AND ACT UPON MINUTES FROM THE CITY COUNCIL MEETING OF FEBRUARY 27, 2024.

2024-087 CONSIDER AND ACT UPON AN AMENDMENT TO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH WHITMAN LAND GROUP, LLC FOR ADDITIONAL EASEMENT ACQUISITIONS AND RELATED SERVICES ASSOCIATED WITH THE MOCKINGBIRD LANE ROADWAY CAPITAL IMPROVEMENT PROJECT IN THE AMOUNT OF \$8,920 AND AUTHORIZE THE CITY MANAGER TO SIGN SAID AMENDMENT.

2024-088 CONSIDER AND ACT UPON AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION CONTRACT (ICC) FOR THE FAILURE TO APPEAR (FTA) PROGRAM WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY (DPS).

- 2024-089** CONSIDER AND ACT UPON AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE TOWN OF WESTLAKE AND AUTHORIZE THE CITY MANAGER TO SIGN SAID AGREEMENT.
- 2024-090** CONSIDER AND ACT UPON AUTHORIZING THE CITY MANAGER TO ENTER INTO A JOINT GENERAL AND SPECIAL ELECTIONS CONTRACT FOR ELECTION SERVICES WITH THE ELLIS COUNTY ELECTIONS ADMINISTRATOR.
- 2024-091** CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE MIDLOTHIAN CLASSIC CAR SHOW, AN EVENT HOSTED BY THE MIDLOTHIAN CLASSIC WHEELS CAR CLUB SCHEDULED FOR SATURDAY, MAY 25, 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. SEP07-2024).

Councilmember Hammonds moved to approve the Consent Agenda as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (5-0).

PUBLIC HEARINGS

- 2024-092** CONDUCT A PUBLIC HEARING AND CONSIDER AND ACT UPON AN ORDINANCE FOR A SPECIFIC USE PERMIT (SUP) AUTHORIZING AN EXCEPTION TO PLANNED DEVELOPMENT NO. 69 (PD-69) TO ALLOW A BUILDING WALL SIGN ON THE FRONT FAÇADE OF THE BUILDING. THE PROPERTY IS PRESENTLY ZONED PD 69 DISTRICT. THE PROPERTY IS LOCATED ON ±70.537 ACRES, LOT 2, BLOCK A OF MIDLOTHIAN BUSINESS PARK (COMMONLY KNOWN AS 3201 CHALLENGER DRIVE). (CASE NO. SUP04-2024-008).

Mayor pro tem Wickliffe opened the Public Hearing and Mary Elliott presented the Item. With no public input received, Councilmember Gardner moved to close the Public Hearing. Motion was seconded by Councilmember Hartson and carried unanimously (5-0). Councilmember Gardner moved to approve Item 2024-092 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (5-0).

- 2024-093** CONDUCT A PUBLIC HEARING AND CONSIDER AND ACT UPON AN ORDINANCE CHANGING THE ZONING OF 19.937+ ACRES IN THE GEORGE F. HOLMAN SURVEY, ABSTRACT NO. 460, AND THE H.F. HINCKLEY SURVEY, ABSTRACT NO. 459, FROM PLANNED DEVELOPMENT DISTRICT NO. 76 (PD-76) FOR MIXED-USE RETAIL AND COMMERCIAL USES, TO PLANNED DEVELOPMENT DISTRICT NO 176 (PD-176) FOR COMMERCIAL (C) USES; ADOPTING DEVELOPMENT AND USE REGULATIONS, A CONCEPTUAL SITE PLAN, LANDSCAPING PLAN, AND BUILDING ELEVATIONS. THE PROPERTY IS GENERALLY LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 67, AND SITUATED ABOUT 370 FEET NORTH OF CHURCH STREET. (CASE NO. Z02-2024-006) REQUEST FOR CONTINUANCE TO MARCH 26, 2024 CITY COUNCIL MEETING

The Item was continued to the March 26, 2024 City Council meeting.

2024-094 CONDUCT A PUBLIC HEARING AND CONSIDER AND ACT UPON AN ORDINANCE RELATING TO THE USE AND DEVELOPMENT OF 20.849+/- ACRES OF LAND SITUATED IN THE J POWERS SURVEY, ABSTRACT 838 AMENDING THE REGULATIONS OF PLANNED DEVELOPMENT 98 (PD-98) TO ALLOW ADDITIONAL USES INCLUDING BUT NOT LIMITED TO A GROCERY STORE, CONVENIENCE STORE WITH FUEL PUMPS, MINI-WAREHOUSE, RESTAURANTS OVER 1,000 SQUARE FEET, AND OTHER USES WITH DRIVE THRU SERVICE; ADOPTING DEVELOPMENT REGULATIONS INCLUDING A CONCEPTUAL SITE PLAN, SIGN ELEVATIONS, OUTDOOR DISPLAY, LANDSCAPE PLAN AND ELEVATION/FAÇADE PLAN. THE PROPERTY IS GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH WALNUT GROVE ROAD AND FM 1387. (Z36-2023-135)

Mayor pro tem Wickliffe opened the Public Hearing and Brian Guenzel presented the Item. Speakers in support were Steve Massey, Dan Altman and Jack Freeman. Douglas Jorgensen spoke in opposition. Non-speakers in support were: Stewart Carlton, Robin Kelly, Rhonda Kelly, Lashawn Kelly, Byron Wright, Christy Atterberry, Jenny Wright, Tiffany Roberson, Tiffani Owensby, Jennifer Knapp, Chelley Johnson, Emily Cole, Dora Trillo, William Hudson, Brittney Craven, Quintan Riddle, Taylor Dobbie, Cory Roseborough, Kathy Tutt, Barto Dooley, Paige Dobbie, Carl Britton, Keith and Tonya Stanton, Ben Fallis, Brad and Shannon Miller, Judy McGraw, Carter Wilks, Kristin Jones, Tara Kling, Mike and Wanda Wilkerson, Peggy Hobbs, Jeniffer Pena, Linda Jumper, Mike Flower, Angela Merrick, Brandee Escalante, Robert Sisco, Whitney Aguirre, Shea Dowell, Glenda Oliver, Kim Sisco, Steven Ladart, Jerry and Patsy Massey, Ken and Jenny Ott, Nikki Robinson, Andrea Massey, Dennis DeWeerd, Rickey Kelly, Mike Varrichio and Jeff Massey. Non-speaker in opposition was Ann Artkop. With no further public input received, Councilmember Rodgers moved to close the Public Hearing. Motion was seconded by Councilmember Hammonds and carried unanimously (5-0). Councilmember Gardner moved to table the Item until the ordinance is drafted and brought back for review. Motion died for lack of second. Councilmember Hartson moved to approve Item 2024-094 as presented, subject to the following stipulations:

- Installation of landscaping prior to the issuance of any Certificate of Occupancy by lot
- Installation of two northbound right turn deceleration lanes along the eastern side of Walnut Grove Road
- Traffic signal optimization report for Walnut Grove Road and FM 1387 traffic signal
- Static signage for Electric Vehicle charging stations
- The two “by-right” drive-thru windows may have any allowable use within Community Retail (CR) zoning
- Allow two 15’ tall signs
- Allow 280’ driveway spacing on Walnut Grove Road
- File Property Management Declarations in lieu of Property Owners Association
- Allow front parking on Walnut Grove Road

Motion was seconded by Councilmember Rodgers and carried unanimously (5-0).

REGULAR AGENDA

2024-095 CONSIDER AND ACT UPON AUTHORIZING THE MIDLOTHIAN COMMUNITY DEVELOPMENT CORPORATION (MCDC) TO ENTER INTO AN AGREEMENT WITH GRANTMATCH, INC. FOR GRANT IDENTIFICATION, STRATEGY, WRITING, AND REPORTING SERVICES.

The Item was presented by MeLissa Boler. Councilmember Hammonds moved to approve Item 2024-095 as presented, subject to City Council approval of all grant applications prior to submittal to GrantMatch, Inc. Motion was seconded by Mayor pro tem Wickliffe and carried by a vote of 4-1, with Councilmember Gardner voting in opposition.

2024-096 CONSIDER AND ACT UPON AUTHORIZING THE CITY MANAGER TO IMPLEMENT A REVISED LATERAL ENTRY POLICY FOR THE FIREFIGHTER AND POLICE OFFICER POSITIONS.

The Item was presented by Stephanie Dye. Councilmember Hartson moved to approve Item 2024-096 as presented. Motion was seconded by Councilmember Hammonds and carried 5-0.

2024-097 CONSIDER AND ACT UPON AUTHORIZING THE CITY MANAGER TO ADJUST THE PAY OF CURRENT POLICE OFFICER AND FIREFIGHTER EMPLOYEES IN ALIGNMENT WITH THE REVISED LATERAL ENTRY POLICY FOR THESE POSITIONS

The Item was presented by Stephanie Dye. Councilmember Gardner moved to approve Item 2024-097 as presented. Motion was seconded by Councilmember Hartson and carried unanimously (5-0).

2024-098 REVIEW, DISCUSS AND PROVIDE DIRECTION TO STAFF ON A REQUEST FROM THE CITY OF GRAND PRAIRIE PERTAINING TO MIDLOTHIAN PROVIDING WATER SERVICE TO PROPERTIES CURRENTLY LOCATED WITHIN GRAND PRAIRIE'S EXTRA-TERRITORIAL JURISDICTION BUT WITHIN MIDLOTHIAN'S EXISTING DUALY CERTIFICATED WATER SERVICE AREA.

The Item was presented by Mike Adams. Following discussion, it was the consensus of Council to table the Item to the March 26, 2024 Council meeting.

With no business to discuss, Executive Session was not held.

EXECUTIVE SESSION

- | | |
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| 1. SECTION | LEGAL: CONSULTATION WITH CITY ATTORNEY ON ANY |
| 551.071(2) | AGENDA ITEM LISTED HEREIN. |

REGULAR AGENDA

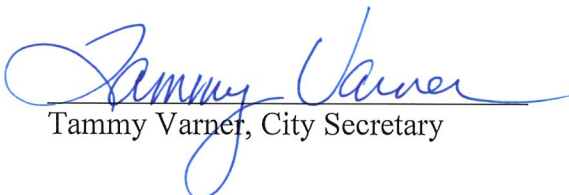
2024-099 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #1: LEGAL

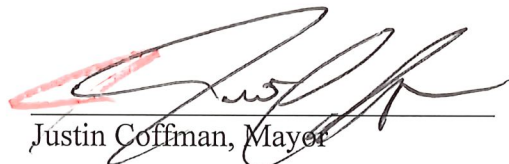
Executive Session was not held.

2024-100 ADJOURN

With there being no further business to discuss, Mayor pro tem Wickliffe adjourned the meeting at 9:23 p.m.

ATTEST:


Tammy Varner, City Secretary


Justin Coffman, Mayor