

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, September 26, 2017
6:00 p.m.**

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

REGULAR AGENDA

Call to Order, Invocation and Pledge of Allegiance

2017-361 National Night Out Proclamation

2017-362 Citizens to be heard

2017-363 Receive a quarterly update on various City Board and Commission meetings and activities

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.

2017-364 Consider and act upon minutes from the City Council meetings of September 5 and 12, 2017.

2017-365 Consider and act upon a request authorizing the Midlothian Police Department to apply for funds from the Office of the Governor, Criminal Justice Division Grant (the "Grant") and authorizing the City Manager to accept, reject, alter, terminate and expend funds from said Grant.

2017-366 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for Dove Creek Phase One B (1B), for the purpose of completion of paving the roads in Dove Creek and providing for procedures established by the Texas Local Government Code and City Ordinance; providing for conditions and exemptions; and setting an effective date and termination date (Case No. M32-2017-170).

2017-367 Consider and act upon a resolution authorizing the annual Midlothian Downtown Trick or Treat, an event hosted by the Midlothian Downtown Business Association and the City of Midlothian and scheduled for Tuesday, October 31, 2017, 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. SEP30-2017)

2017-368 Consider and act upon an Interlocal Cooperative Purchasing Agreement with Ellis County, Texas.

REGULAR AGENDA

2017-369 Consider and act upon an annexation agreement between the City of Midlothian, Texas and TXI Operations, LP, doing business as Martin Marietta on properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as being approximately 3,080.29 acres of land, situated in the A. Forbes Survey, B. Canfield Survey, W. F. Belt Survey, T. J. Moss Survey, J. L. W. Forbes Survey, James Ball Survey, M. Cook Survey, A. James Survey, W. M. Mullens Survey, J. E. Hawkins Survey, J. F. Burks Survey, J. S. Shaver Survey, C. Maxwell Survey, E. H. Belcher Survey, E. W. Bedford Survey, T. M. Archer Survey, L. Newton Survey, J. W. Kizziar Survey, J. E. Haden Survey, H. Jacobs Survey, and the N. Phillips Survey and more generally described in Exhibits A & B in the associated development agreement.

- 2017-370 Consider and act upon a voluntary annexation petition initiating proceedings to annex 3,080.29 acres of land, situated in the A. Forbes Survey, B. Canfield Survey, W. F. Belt Survey, T. J. Moss Survey, J. L. W. Forbes Survey, James Ball Survey, M. Cook Survey, A. James Survey, W. M. Mullens Survey, J. E. Hawkins Survey, J. F. Burks Survey, J. S. Shaver Survey, C. Maxwell Survey, E. H. Belcher Survey, E. W. Bedford Survey, T. M. Archer Survey, L. Newton Survey, J. W. Kizziar Survey, J. E. Haden Survey, H. Jacobs Survey, and the N. Phillips Survey and more generally described in Exhibit A in the associated voluntary annexation petition. (Case No. AX03-2017-171)

PUBLIC HEARINGS

- 2017-371 Conduct the first of two (2) public hearings for a proposed annexation and service plan for the provision of public services for properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as being approximately 3,080.29 acres of land, situated in the A. Forbes Survey, B. Canfield Survey, W. F. Belt Survey, T. J. Moss Survey, J. L. W. Forbes Survey, James Ball Survey, M. Cook Survey, A. James Survey, W. M. Mullens Survey, J. E. Hawkins Survey, J. F. Burks Survey, J. S. Shaver Survey, C. Maxwell Survey, E. H. Belcher Survey, E. W. Bedford Survey, T. M. Archer Survey, L. Newton Survey, J. W. Kizziar Survey, J. E. Haden Survey, H. Jacobs Survey, and the N. Phillips Survey (Case No. AX03-2017-171).
- 2017-372 Conduct the second of two (2) public hearings for a proposed annexation and service plan for the provision of public services for properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as being approximately 3,080.29 acres of land, situated in the A. Forbes Survey, B. Canfield Survey, W. F. Belt Survey, T. J. Moss Survey, J. L. W. Forbes Survey, James Ball Survey, M. Cook Survey, A. James Survey, W. M. Mullens Survey, J. E. Hawkins Survey, J. F. Burks Survey, J. S. Shaver Survey, C. Maxwell Survey, E. H. Belcher Survey, E. W. Bedford Survey, T. M. Archer Survey, L. Newton Survey, J. W. Kizziar Survey, J. E. Haden Survey, H. Jacobs Survey, and the N. Phillips Survey (Case No. AX03-2017-171).
- 2017-373 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a secondary dwelling to be located on 0.63+/- acres of land located at 2211 Somerfield Dr., Estates of Somercrest. (Case No. SUP20-2017-160).
- 2017-374 Conduct a public hearing and consider and act upon an ordinance rezoning approximately 300+/- acres of Planned Development District No. 48 (PD-48), generally located on FM 1387 immediately west of Heritage High School, to a Planned Development District with Single-family Residential, General Professional, Community Retail and Light Industrial uses, (Case No. Z39-2017-161).

REGULAR AGENDA

- 2017-375 Consider and act upon the rejection of bids received August 17, 2017 for Public Works Water and Sewer Maintenance Supplies with agreement to re-bid. HD Supply Waterworks is the current water and sewer supplier for Public Works.
- 2017-376 Consider and act upon a Second Amendment to the 1991 Tarrant Regional Water District and Trinity River Authority of Texas - Raw Water Supply Contract and 1991 Trinity River Authority of Texas - Ellis County Regional Water Supply Project Contract between the City of Midlothian, Tarrant Regional Water District and Trinity River Authority of Texas.
- 2017-377 Consider and act upon a Fourth Amendment to the Raw Water Supply Contract Between the Trinity River Authority of Texas and the City of Midlothian.
- 2017-378 Consider and act upon a contract with Evoqua Water Technologies for the purchase of AKTA KLOR (Sodium Chlorite 25%) for the generation of chlorine dioxide used in the treatment process for Water Treatment Plant's One and Two.

- 2017-379 Consider and act upon the utilization of an Interlocal Cooperative Purchasing Agreement with the City of Baytown to secure a contract with DataProse for processing the City’s monthly utility bills.
- 2017-380 Consider and act upon a resolution amending the Master Fee Schedule previously approved effective 09/01/2017.
- 2017-381 Consider and act upon modifying the billing of EMS services by Intermedix for Emergency Services District (ESD) citizens.
- 2017-382 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 12 titled “Traffic and Vehicles”, Section 12.05.002, repealing provisions relating to the use of a portable wireless communications device by the operator of a motor vehicle to read, write or send an electronic message, due to preemption by House Bill 62, which is effective September 1, 2017; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed 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 – South 14th Street Right-of-Way

REGULAR AGENDA

- 2017-383 Action resulting from Executive Session, Item #1: Legal
- 2017-384 Action resulting from Executive Session, Item #2: Real Estate
- 2017-385 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 22nd day of September, 2017 at or before 6:00 p.m.


 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 775-3481 for further information.**