

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, AUGUST 14, 2018**

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 6:00 p.m.

Call to Order, Invocation and Pledge of Allegiance

2018-259 Constitution Week Proclamation

2018-260 Citizens to be heard

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.

2018-261 Consider and act upon minutes from the City Council meetings of July 24, 27, 31 and August 3, 2018.

2018-262 Consider and act upon a request to remove all existing speed humps located on Creek Bend Drive within Creek Bend Estates.

2018-263 Consider and act upon a resolution authorizing the Midlothian Chamber of Commerce Fall Festival & 5K, scheduled for Saturday, October 20, 2018, 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. SEP26-2018)

2018-264 Consider and act upon the Midlothian Chamber of Commerce's request to expend \$3,785.00 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2018 Fall Festival.

2018-265 Consider and act upon an Interlocal Cooperation Agreement for Facilities Usage with Midlothian Independent School District in an amount not to exceed \$939,600.

2018-266 Consider and act upon an Interlocal Agreement between the Midlothian Independent School District (MISD) and the City of Midlothian, Texas for the assignment of a police sergeant and five police officers to MISD for the 2018-19 school year.

2018-267 Consider and act upon a request to purchase a 2018 Ford Police Interceptor SUV in an amount not to exceed \$61,350.00 approved in the 2017/2018 Police Department Budget.

PUBLIC HEARINGS

2018-268 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance, by adding a new use titled "Food Pantry/Book Exchange Kiosks" to Section 2.04 "Use Tables", Subsection (c) "Utility, Accessory & Incidental" to be permitted by Special Exception in all zoning districts; amending Section 100 "Definitions" by adding a new definition for "Food Pantry/Book Exchange Kiosks"; adding development regulations for "Food Pantry/Book Exchange Kiosks" to Section 3.03 "Special Area, Height, And Use Regulations" and Section 4.5100 "Accessory Building Standards" (Case No. OZ07-2018-114).

- 2018-269 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for Love’s Travel Shop to increase the maximum building area of the existing truck tire shop, allow for shipping container storage, and provide for new building elevations, said lot being located at 1501 W. Main Street (Business 287) (SUP10-2018-108).
- 2018-270 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 99 (PD-99) by amending the development regulations relating to signs on 23.14± acres, Lots 1-7, Block 1 of the Stonegate Addition (commonly known as 4025 East U.S. Highway 287 (Case No. Z24-2018-123).
- 2018-271 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit for 3.34± acres, Lot 2R-A, Block 1, Walnut Grove Center South Addition, to allow for a Multi-Tenant Monument Sign to exceed the maximum size requirements, said property being located at 4470 East U.S. Hwy 287 (Case No. SUP12-2018-118).

REGULAR AGENDA

- 2018-272 Consider and act upon a request for a special exception to Section 4.5502 of the Midlothian Zoning Ordinance to allow construction of an office/warehouse building not meeting the minimum masonry requirements and standards in the Light Industrial (LI) zoning district. The property contains ±4.987 acres of land situated in Lot 1A, Block 1 of the McCowan Addition, said property located south of Tayman Road 1,400 feet, between U.S. Hwy 67 and Old Hwy 67 (M15-2018-117).
- 2018-273 Consider and act upon approving the Chapter 380 Economic Development Performance Agreement between the City of Midlothian and Methodist Health System for the development of a hospital and related medical uses.
- 2018-274 Consider and act upon approving the MED and MCDC Economic Development Performance Agreement between Midlothian Economic Development, Midlothian Community Development Corporation, and Methodist Health System for the development of a hospital and related medical uses.
- 2018-275 Consider, discuss and take a record vote to propose an ad valorem tax rate of \$0.708244 and schedule two public hearings regarding the proposed ad valorem tax rate for August 28, 2018 and September 4, 2018.
- 2018-276 Consider and act upon an ordinance authorizing the issuance and sale of City of Midlothian, Texas General Obligation Bonds, Series 2018, in the aggregate principal amount of \$19,020,000; and ordaining other matters related thereto, including immediate effectiveness.
- 2018-277 Consider and act upon an ordinance authorizing the issuance and sale of City of Midlothian, Texas General Obligation Refunding Bonds, Series 2018, in an aggregate principal amount not to exceed \$14,500,000; and ordaining other matters related thereto, including immediate effectiveness.
- 2018-278 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” by amending and restating Article 12.04 titled “Truck Routes” by renumbering all sections; by amending Section 12.04.002 titled “Restrictions on Certain Streets” to include an additional street; by adding a new Section 12.04.003 titled “Streets Prohibited to Certain Vehicles”; by deleting old Section 12.04.006 titled “Exclusions” in its entirety; by adding a new Section 12.04.005 titled “Exceptions”; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of five hundred dollars (\$500.00); and providing for an effective date.

- 2018-279 Consider and act upon an agreement with Capco for the installation of aerial fiber between City Hall and the new Fire Station 1 property.
- 2018-280 Consider and act upon a proposal from Ford Audio Visual to upgrade the Council Chambers audio system.
- 2018-281 Consider and act upon an agreement with Day Services for the North 9th Street sanitary sewer line improvement project in a base bid amount of \$92,318.75, plus 15% contingency for a total not to exceed amount of \$106,166.57.

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 acquisition of right-of-way for South 14th Street.
3. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the acquisition of right-of-way for South Walnut Grove Road.

REGULAR AGENDA

- 2018-282 Action resulting from Executive Session, Item #1: Legal
- 2018-283 Action resulting from Executive Session, Item #2: Real Estate
- 2018-284 Action resulting from Executive Session, Item #3: Real Estate
- 2018-285 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 10th day of August, 2018 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.**