

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, AUGUST 27, 2019**

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

2019-294 Constitution Week Proclamation

2019-295 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 meeting. Speakers are limited to 3 minutes. In accordance with the Texas Open meetings Act, the City Council cannot take action 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.*

**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.*

2019-296 Consider and act upon minutes from the City Council meeting of August 13, 2019.

2019-297 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for 14th Street Public Right of Way for the purpose of completing the paving of public roads 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. M38-2019-138).

2019-298 Consider and act upon an ordinance approving the negotiated rate settlement with Atmos resolving the 2019 Rate Review Mechanism ("RRM") filing, and implementing the change.

2019-299 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Addison, Texas.

**PUBLIC HEARINGS**

2019-300 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance, By Amending Section 3.01 "Residential District Regulations Table (Quick Reference)", by amending various areas to be consistent with the associated sections in the Zoning Ordinance; amending Section 3.101 "Agricultural (A) District Regulations & Standards", Section 3.201 "Single-Family One (SF-1) District Regulations & Standards", Section 3.301 "Single-Family Two (SF-2) District

- 2019-300 Cont'd. Regulations & Standards”, Section 3.401 “Single-Family Three (SF-3) District Regulations & Standards”, Section 3.501 “Single-Family Four (SF-4) District Regulations & Standards”, Section 3.601 “Residential 2.5 (R-2.5) District Regulations & Standards”, Section 3.701 “Residential Three (R-3) District Regulations & Standards”, by amending various categories in each aforementioned sections to include but not limited to the minimum lot size, minimum garage size, maximum garage orientation, minimum house size, maximum lot coverage and maximum density; amending Section 3.5602 “Garage Requirements” amending The Development Regulations and Requirements for a Garage; amending Section 3.5604 “Residential Parking Ratios” by amending the “Apartment/Multifamily Dwelling” minimum spaces requirements; amending Section 100.1 “General Definitions”, by amending the definitions of “Garage”, “Front-Entry Garage”, “J-Swing Garage”, “Rear-Entry Garage”, “Side-Entry Garage” (OZ15-2019-124).
- 2019-301 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Comprehensive Plan Chapter 5 “Land Use” deleting references to minimum lot sizes in the Rural Module, Country Module, Suburban (Low Density) Module, Suburban (Medium Density) Module, Suburban (High Density) Module, and Urban (Low Density) Module (OZ16-2019-140).
- 2019-302 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance, specifically amending Section 100.1 “General Definitions” by deleting the definition “Brewery Or Distillery” and adding definitions for “Brewery,” “Brewpub,” “Distillery,” and “Microbrewery”; amending Section 2.04 “Use Tables,” Subsection (g) “Retail & Service Types” by adding the use “Brewpub”, amending Subsection (k) “Industrial Uses Processes” by adding the use “Microbrewery”; amending Section 4.502 “North 8th Street District (N8) Allowed Uses” by amending Subsection (b) to add “Brewpub”; amending Section 4.5606 “Parking Ratios” by amending subsection E) to add “Brewpub” (OZ11-2019-103).
- 2019-303 Conduct a public hearing regarding the proposed FY 2019-2020 tax rate, and schedule and announce the date, time and place of the meeting to adopt the tax rate.
- 2019-304 Conduct a public hearing regarding the proposed FY 2019-2020 Annual Operating Budgets for the City of Midlothian.

#### **REGULAR AGENDA**

- 2019-305 Consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 47 (PD-47) by adopting an amended site plan and conforming text amendments. The property is generally located on Walter Stephenson Road, west of Jenni Drive and east of U.S. Highway 287 (Case No. Z16-2019-116). *A Public Hearing for this item was conducted on August 13, 2019.*
- 2019-306 Consider and act upon a Development Agreement between the City of Midlothian and One Windsor Hills L.P.
- 2019-307 Consider and act upon an agreement between the City of Midlothian & Ellis County Children’s Advocacy Center beginning October 01, 2019 through September 30, 2020 for a total payment of Thirty Thousand Five Hundred Dollars (\$30,500) for services rendered throughout the term of the agreement.

- 2019-308 Consider and act upon an agreement with D & W Towing & Recovery, Inc. for Citywide Wrecker and Towing Services.
- 2019-309 Consider and act upon a awarding a bid for the Midlothian Police Department and Need Center Remodel Project and authorizing the City Manager to enter into an agreement with JM Construction Solutions in the base bid amount of \$244,607.00 and the additional Change Order No. 1 in the amount of \$35,700.00 for a total bid amount of \$280,307.00 and also consider the addition of \$150,000.00 to the current project funding of \$433,300.00 for a total revised project cost of \$583,300.00.
- 2019-310 Consider and act upon a Discretionary Service Agreement with Oncor Electric Delivery Company LLC for burying facilities along South 14th Street in an amount not to exceed \$171,007.11.
- 2019-311 Consider and act upon an ordinance amending the FY 2018-2019 General Fund budget appropriations in the amount of \$171,007 from the General Fund unreserved fund balance for expenditures related to Oncor Electric Delivery Company LLC burying facilities along South 14th Street; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing 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 sale, exchange, or value of real property – South Walnut Grove Road right-of-way.

**REGULAR AGENDA**

- 2019-312 Action resulting from Executive Session, Item #1: Legal
- 2019-313 Action resulting from Executive Session, Item #2: Real Estate
- 2019-314 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 23<sup>rd</sup> day of August, 2019 at or before 5:00 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.**