

**MINUTES
REGULAR COUNCIL MEETING
MARCH 8, 2016**

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:

Bill Houston	§	Mayor
Wayne Sibley	§	Councilmember Place 1
Mike Rodgers	§	Councilmember Place 2
Jimmie L. McClure	§	Councilmember Place 3
Joe Frizzell	§	Mayor Pro Tem Place 4
T. J. Henley	§	Councilmember Place 5
Ted Miller	§	Councilmember Place 6

REGULAR AGENDA

Mayor Houston called the meeting to order at 6:02 p.m. with notice of the meeting duly posted and a quorum present. Councilmember Henley gave the invocation and led in the pledges

2016-67 PROCLAMATION RECOGNIZING MARCH AS LEGACY DEMOLAY MONTH

Mayor Houston presented the proclamation to the local chapter of DeMolay

2016-68 CITIZENS TO BE HEARD

None to be heard

2016-69 RECEIVE A QUARTERLY UPDATE ON VARIOUS CITY BOARD AND COMMISSION MEETINGS AND ACTIVITIES

Councilmember Miller reported that the Planning and Zoning Commission is reviewing several large projects, and since the last update, two new P&Z Commissioners have been appointed. Councilmember McClure reported that the Parks Board and Parks Department hosted a very successful volunteer appreciation dinner on February 8, the Mayor's Winter Walk had a good turnout and the parking lot improvements at Jaycee Park are almost finished. Councilmember Henley reported that the Midlothian Economic Development is in the process of refurbishing their website and a temporary batch plant will be onsite at the Midlothian Business Park. Mayor pro tem Frizzell reported that Midlothian Community Development Corp. received grant requests at their last meeting.

CONSENT AGENDA

- 2016-70 CONSIDER AND ACT UPON MINUTES FROM THE CITY COUNCIL MEETING OF FEBRUARY 23, 2016.**
- 2016-71 CONSIDER AND ACT UPON AN ORDER CANCELLING THE MAY 7, 2016 CITY OF MIDLOTHIAN CITY COUNCIL GENERAL ELECTION.**
- 2016-72 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE CITY OF MIDLOTHIAN KIDS FISHING DERBY, AN ANNUAL EVENT HOSTED BY THE PARKS & RECREATION DEPARTMENT, SCHEDULED FOR SATURDAY, APRIL 9, 2016, IN ACCORDANCE WITH A SPECIAL EVENT PERMIT AS ESTABLISHED BY THE CITY OF MIDLOTHIAN ZONING ORDINANCE 2013-24 AS AMENDED, SECTION 2.04 (SEP04-2015).**
- 2016-73 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS ON BEHALF OF MIDLOTHIAN POLICE DEPARTMENT FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO BE UTILIZED FOR THE PURCHASE OF P25 COMPLIANT RADIO INFRASTRUCTURE FOR IMPROVED INTEROPERABILITY.**

- 2016-74 CONSIDER AND ACT UPON AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIDLOTHIAN, TEXAS AND MUNICIPALITIES PARTICIPATING IN THE SOUTHERN REGIONAL RESPONSE GROUP SPECIAL RESPONSE TEAM.**
- 2016-75 CONSIDER AND ACT UPON GRANTING PERMISSION TO MIDLOTHIAN ECONOMIC DEVELOPMENT FOR CLEARING APPROXIMATELY FIVE (5) ACRES OF CITY OWNED PROPERTY LOCATED EAST OF THE NAVARRO COLLEGE CAMPUS.**

Councilmember Sibley moved to approve the Consent Agenda as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (7-0).

PUBLIC HEARINGS

- 2016-76 CONDUCT A PUBLIC HEARING TO CONSIDER AND ACT UPON AN ORDINANCE TO REZONE 5.844± ACRES FROM THE CURRENT SINGLE FAMILY-ONE (SF-1) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT NO. 82 (PD 82) FOR CLIFTON PLACE CONTAINING RESIDENTIAL USES AND COMMON SPACE. PROPERTY IS ADDRESSED AS 6440 F.M. 1387 SITUATED WITHIN DUSTIN MANOR, LOT 2 AND LOCATED ±140 FEET WEST OF BRANCHWOOD DRIVE (CASE NO. Z08-2015-40).**

Mayor Houston opened the Public Hearing and Kevin Lasher presented the Item. Council had discussion regarding the single point of access and exit from the proposed subdivision, the narrowness of some of the lot frontages, and potential drainage issues. Fire Chief McCaskill also answered Council questions regarding the width of street, turnaround ability for fire apparatus in the cul-de-sac, and potential emergency response issues. The applicant, Ed Harrison, also addressed Council inquiries regarding the proposed plat. Mayor pro tem Frizzell moved to close the public hearing. Motion was seconded by Councilmember Sibley and carried unanimously (7-0). Councilmember Henley moved to deny Item 2016-76 with prejudice. Motion was seconded by Councilmember McClure and carried by a vote of 6-1 with Councilmember Miller voting in opposition.

- 2016-77 CONDUCT A PUBLIC HEARING TO CONSIDER AND ACT UPON AN ORDINANCE TO REZONE 243.329± ACRES PARTIALLY SITUATED WITHIN THE HARRISON F. HINKLEY SURVEY, ABSTRACT NO. 459, AND THE GEORGE T. HOLMAN SURVEY, ABSTRACT NO. 460, CITY OF MIDLOTHIAN, ELLIS COUNTY, TEXAS, FROM LIGHT INDUSTRIAL (LI) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT NO. 81 (PD 81) FOR LAND USES PERMITTED WITHIN THE HEAVY INDUSTRIAL (HI) DISTRICT, WITH CERTAIN LAND USES PERMITTED IN THE HI DISTRICT BEING PROHIBITED; SAID ACREAGE BEING LOCATED AT THE MOST SOUTHEASTERN CORNER OF MIDLOTHIAN PARKWAY AND U.S. HIGHWAY – 67. (CASE NO. Z06-2015-33).**

Mayor Houston opened the Public Hearing and Kevin Lasher presented the Item. Randy Denton, speaking for the applicant, Texas Central Business Lines, Corp. ("TCBL"), and Mike Wright, legal counsel for TCBL, addressed Council regarding potential future uses for the property should the Heavy Industrial zoning be approved. Councilmember Miller moved to close the public hearing. Motion was seconded by Councilmember Henley and carried unanimously (7-0). Councilmember Miller moved to deny Item 2016-77 as presented. Motion was seconded by Councilmember McClure and carried unanimously (7-0).

2016-78 CONDUCT A PUBLIC HEARING TO CONSIDER AND ACT UPON AN AMENDMENT TO ORDINANCE NO. 2015-15, ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 77 FOR FOUR TREES ADDITION, CONTAINING ± 195.716 ACRES, BY ADDING ADDITIONAL REQUIREMENTS PERTAINING TO LANDSCAPING AND FENCING STANDARDS, THE ESTABLISHMENT OF A MANDATORY HOME OWNERS ASSOCIATION, AND THE ESTABLISHMENT OF A PUBLIC IMPROVEMENT DISTRICT. SAID ACREAGE BEING SITUATED IN THE E. BRYSON SURVEY, ABSTRACT 117, AND THE JOHN CRANE SURVEY, ABSTRACT 246, BEING LOCATED AT THE NORTHEAST CORNER OF FUTURE NORTH WALNUT GROVE ROAD AND WEST SHILOH ROAD, IN THE CITY OF MIDLOTHIAN, TEXAS. (CASE NO. Z09-2015-42)

Mayor Houston opened the Public Hearing and Kevin Lasher presented the Item. With no public input received, Mayor pro tem Frizzell moved to close the public hearing. Motion was seconded by Councilmember Sibley and carried unanimously (7-0). Councilmember Sibley moved to approve Item 2016-78 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (7-0).

REGULAR AGENDA

2016-79 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE SPRING WINE & ARTS FESTIVAL HOSTED BY THE MIDLOTHIAN CHAMBER OF COMMERCE SCHEDULED FOR SATURDAY, MAY 7, 2016, IN ACCORDANCE WITH THE ZONING REQUIREMENTS FOR SPECIAL EVENTS AS ESTABLISHED BY THE CITY OF MIDLOTHIAN ZONING ORDINANCE 2013-24, AS AMENDED, SECTION 2.04 (USE TABLE) (CASE NO. SEP01-2015)

Cammy Jackson, Midlothian Chamber of Commerce representative, addressed Council regarding the past success of the event. Councilmember Miller moved to approve Item 2016-79 as presented. Motion was seconded by Councilmember McClure and carried by a vote of 5-2, with Mayor Houston and Councilmember Sibley voting in opposition.

2016-80 CONSIDER AND ACT UPON A FIVE (5) YEAR EXTENSION OF OUR CURRENT CONTRACT WITH DOCUMENTATION FOR THE UPGRADE, MAINTENANCE AND SUPPLIES FOR 16 RICOH COPIERS.

Mike Weiss, IT Director, presented the Item. Mayor pro tem Frizzell moved to approve Item 2016-80 as presented. Motion was seconded by Councilmember Henley and carried unanimously (7-0).

2016-81 CONSIDER AND ACT UPON AN AGREEMENT WITH MUSCO SPORTS LIGHTING, LLC (MUSCO) FOR THE INSTALLATION OF SOCCER FIELD LIGHTING AT HAWKINS SPRING PARK IN AN AMOUNT NOT TO EXCEED \$996,723.00

Billy King, Parks Manager, presented the Item, noting that due to some unanticipated administrative issues with Oncor Electric, start of the project has been delayed. All such issues have been addressed with Oncor and staff is now ready to proceed with the project. Councilmember Sibley moved to approve Item 2016-81 as presented. Motion was seconded by Councilmember Henley and carried unanimously (7-0).

Council moved to Executive Session at 7:52 p.m. for the purpose of discussing Item 3 with the following present: Mayor Houston, Mayor pro tem Frizzell, Councilmembers Sibley, Rodgers, McClure, Henley, Miller; City Manager, City Attorney, and Midlothian Economic Development President, Larry Barnett.

EXECUTIVE SESSION

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| 1. | SECTION 551.072 | REAL ESTATE: DELIBERATION REGARDING REAL PROPERTY - TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY |
| 2. | SECTION 551.071(2) | LEGAL: CONSULTATION WITH CITY ATTORNEY ON ANY AGENDA ITEM LISTED HEREIN. |
| 3. | SECTION 551.087 | DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: PROJECT QUINN |

Council reconvened in Regular Session at 8:15 p.m. with no action taken in Executive Session

REGULAR AGENDA

2016-82 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #1: REAL ESTATE

The Item was not discussed during Executive Session.

2016-83 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #2: LEGAL

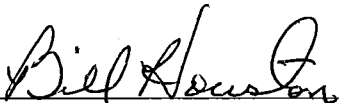
The Item was not discussed during Executive Session.

2016-84 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #3: ECONOMIC DEVELOPMENT

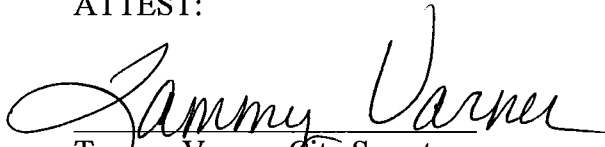
No action taken following Executive Session.

2016-85 ADJOURN

With there being no further business to discuss, Mayor Houston adjourned the meeting at 8:15 p.m.


Bill Houston, Mayor

ATTEST:


Tammy Varner, City Secretary