

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, October 11, 2016**

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

2016-305 Red Ribbon Week Proclamation

2016-306 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.

2016-307 Consider and act upon minutes from the City Council meeting of September 27, 2016.

2016-308 Consider and act upon a one-year contract with Ellis County Emergency Services District No. 2 (ESD) to provide fire and EMS response.

2016-309 Consider and act upon a staff recommendation to reject all bids received for the Mockingbird Lane at North Prong Creek and Plainview Road at Waxahachie Creek Bridge Widening projects.

2016-310 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for The Grove, Phase Two, situated in the J.B. Allen Survey, Abstract No. 30, for the purpose of completion of paving roads in The Grove, Phase Two, 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. M02-2017-05).

2016-311 Consider and act upon a resolution authorizing the I Run This Town 5K and Health Festival, an event hosted by Tarleton State University and scheduled for Saturday, October 22, 2016, 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. SEP02-2017)

PUBLIC HEARINGS

2016-312 Conduct the second of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately \pm 20 acres of land out of the Asa R. Newton Survey, Abstract No. 793, and Lot 1 of the H. E. Redden Estates, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being near the corner of Bryson Road and Lone Star Way. (Case No. AX01-2015-111).

2016-313 Conduct the second of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately \pm 51 acres of land out of the K. L. Lowenstein Survey, Abstract No. 663, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along the east side of Onward Road north of Mockingbird Lane (Case No. AX02-2015-112).

- 2016-314 Conduct the second of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 440 acres of land out of the A. Forbes Survey, Abstract No. 369; the E. W. Bynum Survey, Abstract No. 186; the W. M. Belt Survey, Abstract No. 1256; the W. L. Kizziar Survey, Abstract No. 1222; the Asa Newton Survey, Abstract No. 803; the J. H. Singleton Survey, Abstract No. 960; the E.S. Culbertson Survey, Abstract No. 269; Springbrook Estates, Blocks 1-3; and Pleasant Ridge Estates Lots 1-12, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along Springbrook Road and Waterworks Road (Case No. AX03-2015-113).
- 2016-315 Conduct the second of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 211 acres of land out of the E. Bryson Survey, Abstract No. 117; the J. V. Emerson Survey, Abstract No. 1208; and the J. Crane Survey, Abstract No. 246, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along Tar Road and Onward Road (Case No. AX04-2015-114).
- 2016-316 Conduct a public hearing and act upon an ordinance to rezone ± 0.5968 acres of land located in the Hawkins Addition, Lots 6-13, Block 4, from its current Community Retail (CR) District to an Urban Village Planned Development District (UVPD) for Community Retail (CR) uses, generally located at 311 and 323 W Avenue G. (Case No. Z21-2015-124).
- 2016-317 Conduct a public hearing and act upon an ordinance to rezone ± 0.317 acres of land from its current Residential Three (R3) District to a Planned Development District for Medium Density Two (MD-2) uses to convert a single family dwelling, with an adjacent accessory dwelling, into a triplex living unit, being generally addressed as 308 W. Avenue E, located on Lots 14-15, Block 20 of the Old Town of Midlothian. (Case No. Z24-2015-129).

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- 2016-318 Consider and act upon a service agreement with Advanced Data Processing (Subsidiary of Intermedix) to obtain additional revenue through the Texas Ambulance Supplemental Payment Program.
- 2016-319 Consider and act upon an ordinance of the City of Midlothian, Texas, amending Ordinance No. 2016-02 passed, adopted and approved by the City Council on January 12, 2016, by amending Exhibit "A" titled "Utility User Fee Policy and Provisions" by amending and restating Appendix "A" titled "Utility User Fee Schedule Utility Billing" by providing new rates for residential waste disposal; providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date.
- 2016-320 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 13 titled "Utilities" by amending article 13.06 titled "Solid Waste" by amending Subsection 13.06.001 titled "Establishing Rules and Regulations" Subsection 13.06.003 titled "Type of Collection" and Subsection 13.06.006 titled "Levy of Fees for Garbage/Refuse and Recycling Collection Service"; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed two thousand dollars (\$2,000.00); and providing for an effective date.
- 2016-321 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2016-2017 General Fund Budget Appropriations in an amount not to exceed \$250,000.00 from the Unreserved Fund Balance for the additional funding of the Sr. Citizen Center expansion project 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 purchase, exchange, lease or value of real property
 - a. 14th Street Right-of-Way
 - b. Ledgestone Lane Right-of-Way

REGULAR AGENDA

- 2016-322 Action resulting from Executive Session, Item #1: Legal
- 2016-323 Action resulting from Executive Session, Item #2: Real Estate (a.) 14th Street Right-of-Way
- 2016-324 Action resulting from Executive Session, Item #2: Real Estate (b.) Ledgestone Lane Right-of-Way
- 2016-325 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 7th day of October, 2016 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 (972) 775-3481 for further information.