

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, January 24, 2017**

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

2017-21 Recognition of Police Department Personnel

2017-22 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.

2017-23 Consider and act upon minutes from the City Council meeting of January 10, 2017.

2017-24 Consider and act upon a resolution providing for an election to be held to elect a mayor and two councilmembers in the City of Midlothian; defining the term of office; designating the polling location; designating the election judge and providing for clerical personnel; designating the time and place; providing for a run-off election; and providing for the filing of applications for the official ballots for said election.

2017-25 Consider and act upon a Joint Election Agreement with the Midlothian Independent School District.

2017-26 Consider and act upon a resolution authorizing Bark for Life, an event hosted by the American Cancer Society, scheduled for Saturday, April 1, 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. SEP09-2017)

PUBLIC HEARINGS

2017-27 Conduct a public hearing to consider an ordinance amending the use and development regulations of Planned Development No. 4 (PD-4) to allow the construction of fences using alternative fencing materials on lots adjacent to Lot 1, Block 4X, Skyview Addition, generally located along the west side of Walter Stephenson Road near Sierra Vista Court. (Case No. Z11-2017-36). **CASE WILL NOT BE HEARD – WITHDRAWN BY APPLICANT**

2017-28 Continue a public hearing to consider and act upon an ordinance to rezone ± 812.4 acres out of the M.E.P.& P.R.R. Co. Survey, Abstract No. 761, the Allen Reeves Survey Abstract 939, the B.F. Berry Survey, Abstract No. 157, the Joseph Stewart Survey, Abstract No. 961, and the J. Jones Survey, Abstract No. 583, from Agricultural (A) District, Single Family One (SF-1), and Planned Development 11 (PD-11), to a Planned Development District with a base zoning of Single Family Two (SF-2), Community Retail (CR), and General Professional (GP) and adopting development regulations, a site plan, a fencing and screening plan, a landscaping and amenity plan, and sign regulations, being located north of the intersection of US Highway 287 and Kimble Road (Case No. Z11-2014-88). **CASE WILL NOT BE HEARD – WITHDRAWN BY APPLICANT**

- 2017-29 Conduct a public hearing to consider and act upon an Ordinance designating a certain area as a reinvestment zone for commercial-industrial tax abatement in the City of Midlothian, Texas to be known as the Texas Commercial-Industrial Tax Abatement Reinvestment Zone No. 12, City of Midlothian, Texas; establishing the boundaries thereof; and providing for an effective date.

REGULAR AGENDA

- 2017-30 Consider and act upon a resolution authorizing execution of an Ad Valorem Tax Abatement Agreement with Chemtrade Solutions LLC.
- 2017-31 Consider and act upon a Loan Agreement between Chemtrade Solutions, LLC and Midlothian Economic Development amounting to \$275,000, with a seven (7) year term, and with one-seventh (1/7th) of the original loan amount being forgiven yearly, up to the loan maturity date, provided certain criteria are certified as met, yearly, by the company.
- 2017-32 Consider and act upon a resolution nominating Chemtrade Solutions, LLC (“Chemtrade”) to the Office of the Governor Economic Development & Tourism (“EDT”) through the Economic Development Bank (“Bank”) as an Enterprise Project (“Project”); and designating a liaison for overseeing Enterprise Projects and communicating with interested parties.
- 2017-33 Consider and act upon a bid award to Felix Construction Company for the Lawson Farms Lift Station Expansion, which is a component of the FM 663 Sanitary Sewer Corridor Improvement Project, in a base bid amount of \$680,980, plus contingency funds in the amount of \$50,000, for a total project amount not to exceed \$730,980.
- 2017-34 Consider and act upon a request to authorize the expenditure of grant funds received from the Office of the Governor, Criminal Justice Division for the purchase of a major incident response vehicle.
- 2017-35 Consider and act upon an ordinance of the city of Midlothian, Texas amending the code of Ordinances by amending Chapter 2 titled “Animal Control” amending Article 2.01 titled General Provisions to provide for the definition and the keeping of Backyard Chickens; by amending and providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed Two Thousand Dollars (\$2000.00) and providing an effective date.
- 2017-36 Consider and act upon an agreement with JC Commercial, Inc. for the Midlothian Senior Citizen Center Expansion Project in an amount of \$1,097,777, along with a five percent contingency of \$54,889, and authorizing the City Manager to execute the agreement for a total project amount not to exceed \$1,152,666.
- 2017-37 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas consenting to the creation of the “Midlothian Municipal Management District No. 3”.
- 2017-38 Receive a presentation from One Windsor Hills, LP regarding the creation of “Windsor Hills Public Improvement District of Midlothian” and a potential development agreement for the reimbursement of impact fees and direct staff accordingly.
- 2017-39 Consider and act upon a resolution officially finding and declaring the number of inhabitants residing within the City’s incorporated limits as of January 1, 2017 to exceed 25,000.

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
3. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
 - a. Planning Director
 - b. Planning Manager

REGULAR AGENDA

- 2017-40 Action resulting from Executive Session, Item #1: Legal
- 2017-41 Action resulting from Executive Session, Item #2: Real Estate
 - a. 14th Street Right-of-Way
- 2017-42 Action resulting from Executive Session, Item #2: Real Estate
 - b. Ledgestone Lane Right-of-Way
- 2017-43 Action resulting from Executive Session, Item #3: Personnel
 - a. Planning Director
- 2017-44 Action resulting from Executive Session, Item #3: Personnel
 - b. Planning Manager
- 2017-45 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 20th day of January, 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.**