

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, DECEMBER 11, 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

2018-421 Announcement of Southern Star Christmas Celebration parade winners

2018-422 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.*

2018-423 Consider and act upon minutes from the City Council meetings of November 13 and December 4, 2018 and the minutes from the Nomination Subcommittee meetings of November 26, 27 and 29, 2018.

2018-424 Consider and act upon a resolution authorizing the Cupid Shuffle 5K, an event hosted by the Reach Council of Ellis County, scheduled for Saturday, February 9, 2019, 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. SEP05-2019)

2018-425 Consider and act upon a resolution authorizing the Mayor's Winter Walk, an event hosted by the Midlothian Parks & Recreation Department, scheduled for Saturday, February 16, 2019, 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. SEP06-2019)

**PUBLIC HEARINGS**

2018-426 Conduct the first of two (2) public hearings for a proposed voluntary annexation and service plan for the provision of public services of properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as Lots 1-3, Block 1, of Plainview Acres and being approximately 15.5195 acres of land (Case No. AX01-2019-20).

2018-427 Conduct the second of two (2) public hearings for a proposed voluntary annexation and service plan for the provision of public services of properties currently located in the extraterritorial jurisdiction (ETJ) of the City of Midlothian and described as Lots 1-3, Block 1, of Plainview Acres and being approximately 15.5195 acres of land (Case No. AX01-2019-20).

2018-428 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 82 (PD-82), being ± 16.76 acres out of the Coleman Jenkins Survey, Abstract No. 55, generally located at 3080 Shady Grove Road. (Case No. Z02-2019-06).

- 2018-429 Conduct a public hearing and consider and act upon an ordinance amending and restating the development and use regulations of Planned Development District No. 109 (PD-109) of Ordinance No. 2018-18. The property is situated in the John B. Garvin Survey, Abstract No. 402 and is generally located to the west of the Harvest Hill Drive and Reindeer Drive intersection (Z03-2019-07).
- 2018-430 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 123.248± acres out of the J.T. Loper Survey, Abstract No. 1366, generally located approximately 445 feet north of Montgomery Road and on the west side of Joe Wilson Road by changing the zoning from an Agricultural (A) District to a Planned Development District for single-family residential uses (Case No. Z29-2018-145).
- 2018-431 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of ± 5.265 acres situated on Lot 14C of Cottonwood Acres, from Light Industrial (LI) District to a Planned Development District for Truck Parking Lot and Minor Truck Repair uses. The property is located at 2450 Miller Road, (Case No. Z04-2019-10).

### **REGULAR AGENDA**

- 2018-432 Consider and act upon a request to allow for direct residential driveway access onto FM 875 relating to the development of ±5.00 acres for a single-family residential use out of the Henry Taylor Survey, Abstract No. 1099. The property is located at 4301 E FM 875 (Case No. M02-2019-08).
- 2018-433 Consider and act upon authorizing the City Manager to execute an “Additional Party Raw Water Supply Contract – Municipal” between Tarrant Regional Water District and the City of Midlothian for raw water from Richland Chambers and Cedar Creek Reservoirs, with the effective date being retroactive to December 1, 2018.
- 2018-434 Consider and act upon Change Order No. 2 for the Ledgestone Lane Roadway Improvement Project with Circle H Contractors, LP in an additive amount of \$110,571, resulting in a revised contract amount of \$3,012,279.50.
- 2018-435 Consider and act upon a Development Agreement between Massey Meadows, L.L.C. and the City of Midlothian, Texas for participation in the construction of infrastructure and site improvements for an approximate ±130.546-acre single family development referred to as Massey Meadows Development (PD 98).
- 2018-436 Consider and act upon a request to participate with Methodist Hospitals of Dallas, dba Methodist Health System, in the construction of 8-foot-wide roadside trails along Don Floyd Drive and Silken Crossing in an amount not to exceed \$65,000.
- 2018-437 Consider and act upon an agreement with Insituform Technologies, Inc. of Corinth, Texas for the 2019 Manhole Rehabilitation Program using the SpectraShield multi-layered liner system, utilizing the BuyBoard Purchasing Cooperative, #555-18, in an amount not to exceed \$124,990.
- 2018-438 Consider and act upon an Agreement for Professional Services with Kimley-Horn and Associates, Inc. for the design and other related professional services in association with Water and Sanitary Sewer Line Rehabilitation Projects along Hillcrest Drive and S. 5th Street, W. Avenue K, and W. Avenue I and S. 9th Street (Old Town) Phase I, in an amount not to exceed \$77,000.
- 2018-439 Consider and act upon awarding an extension of contract with revisions to the contract terms with APSCO Supplies for the purchase of water and sewer maintenance supplies.

- 2018-440 Consider and act upon the purchase, installation and programming of equipment necessary to upgrade the existing filter monitoring and control system at the City's Tayman Water Treatment Plant with Wheco Controls, a division of Wheco Electric, Inc., in an amount not to exceed \$248,347.
- 2018-441 Consider and act upon an agreement with NextLink for the installation of fiber between City Hall and the Ninth Street Water Tower and between the Community Park and Fire Station 3 with a bid amount of \$100,000 and a contingency of 10% for a total not to exceed \$110,000.
- 2018-442 Consider and act upon a thirty-six (36) month fair market value lease with Dell Computers for 28 laptops and 43 desktops. The Lease is part of the City's computer replacement program as approved in the Capital Equipment Program and the FY 2018-2019 Budget.
- 2018-443 Consider and act upon payment compensation to the Ellis County Emergency Service District #2 in an amount equal to annexed territory's pro rata share of the district's bonded and other indebtedness as per section 775.022 of the Texas Health and Safety Code.
- 2018-444 Consider and act upon an ordinance amending the FY 2018-2019 General Fund budget appropriations in the amount of \$804,537.04 from the General fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2017-2018 General Fund budget; in accordance with Chapter 102, Local Government Code; and appropriating various amounts thereof.
- 2018-445 Consider and act upon an ordinance amending the FY 2018-2019 Utility Fund budget appropriations in the amount of \$1,120,302.25 from the Utility Fund unreserved fund balance for expenditures encumbered but not yet expended from the FY 2017-2018 Utility Fund budget; in accordance with Chapter 102, Local Government Code; and appropriating various amounts thereof.
- 2018-446 Consider and act upon an ordinance amending the FY 2018-2019 General Fund budget appropriations in the amount of \$688,431 from the General Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2017-2018 General Fund budget; in accordance with Chapter 102, Local Government Code; and appropriating various amounts thereof.
- 2018-447 Consider and act upon an ordinance amending the FY 2018-2019 Utility Fund budget appropriations in the amount of \$749,244 from the Utility Fund unreserved fund balance for expenditures not encumbered nor expended from the FY 2017-2018 Utility Fund budget; in accordance with Chapter 102, Local Government Code; and appropriating various amounts thereof.
- 2018-448 Consider and act upon an ordinance amending the FY 2018-2019 Midlothian Conference Center budget appropriations in the amount of \$11,704 from the Midlothian Conference Center unreserved fund balance for expenditures not encumbered nor expended from the FY 2017-2018 Midlothian Conference Center budget; in accordance with Chapter 102, Local Government Code; and appropriating various amounts thereof.

2018-449 Consider and act upon appointments to the various City boards and commissions including A.H. Meadows Library Board, Mid-Way Regional Airport Board, Historic Advisory Board, Industrial Development Corporation/Midlothian Housing Authority, Midlothian Community Development Corporation, Midlothian Development Authority, Midlothian Economic Development, Planning and Zoning Commission, Park Board, Utility Advisory Board, and Zoning Board of Adjustment; Council subcommittees including Planning, Economic Development, Transportation, Public Safety, Utility and Nomination; and Council board liaison positions.

### 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 – 14th Street right-of-way.
3. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property – Walnut Grove Road right-of-way.
4. Section 551.087 Economic Development: Deliberation regarding economic development negotiations and incentives – Mid-Way Regional Airport tenant.

### REGULAR AGENDA

- 2018-450 Action resulting from Executive Session, Item #1: Legal  
2018-451 Action resulting from Executive Session, Item #2: Real Estate – 14<sup>th</sup> Street  
2018-452 Action resulting from Executive Session, Item #3: Real Estate – Walnut Grove Road  
2018-453 Action resulting from Executive Session, Item #4: Economic Development  
2018-454 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 7<sup>th</sup> day of December, 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.**