

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, SEPTEMBER 22, 2020**

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

**Although our City Council meetings are open to the public, space is limited and citizens are encouraged to watch the meetings online ([www.midlothian.tx.us/watchlive](http://www.midlothian.tx.us/watchlive)) rather than in person due to concerns related to the spread of COVID-19. Citizens attending in person are asked to maintain a distance of at least six (6) feet from other members of the public, City Council and City staff. Citizens not attending in person, but wishing to address the City Council, may submit comments on any topic or agenda item electronically by utilizing the Citizen Participation Form on our website at [www.midlothian.tx.us/Participate](http://www.midlothian.tx.us/Participate). All forms must be received by 5:00 p.m. on the date of the meeting and will be provided for the record.**

**REGULAR AGENDA 6:00 p.m.**

Call to Order, Invocation, Pledge of Allegiance and the Preamble to the U.S. Constitution.

*“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”*

2020-337 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**

2020-338 Consider and act upon minutes from the City Council meeting of September 8, 2020.

2020-339 Consider and act upon a Joint Election Contract for Election Services with the Ellis County Elections Administrator.

2020-340 Consider and act upon a resolution authorizing an eighteen (18) month extension to the five-year sunset clause of a grant initially awarded by the Midlothian Community Development Corporation (“MCDC” or “4B”) to assist in the funding of the Founders Row Project, located in the 300 block of E. Avenue G, Midlothian, Texas.

**PUBLIC HEARINGS**

2020-341 Conduct a public hearing and consider and act upon a resolution authorizing the creation of the Redden Farms Public Improvement District within the City of Midlothian pursuant to Chapter 372, Texas Local Government Code and authorizing the public improvements as outlined.

- 2020-342 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a restaurant exceeding 1,000 square feet in size (Papa John's Pizza), relating to the use and development of ±0.804 acres of land located on Lot 1BR, Midtown Plaza Addition (commonly known as 1011 East Main Street), and presently zoned Planned Development District No. 2 (PD-2) (Case No. SUP11-2020-118) (P&Z Agenda Item No. 2020-008, September 15, 2020).
- 2020-343 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of ±52.35 acres Martha Brenan Survey, Abstract No. 43 of Ellis County, Texas and being part of that certain 44.08 acre tract of land conveyed by deed to Cassandra Marshall Smart, generally located at the intersection of 14th Street and Ashford Lane by changing the zoning from Agricultural (A) District to Planned Development District No. 133 (PD-133) (Ridgepoint Subdivision) for residential uses (Case No. Z27-2020-106) (P&Z Agenda Item No. 2020-012, September 15, 2020).
- 2020-344 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 966.35± acres out of the Robert Hosford Survey, Abstract No. 533, JL Blanton Survey, Abstract No 1284, Jourdan Powers Survey, Abstract No 838, William Lick Survey, Abstract 620, John Early Survey Abstract No 3473, Joseph Witherspoon Survey, Abstract No. 1137, Isaac Cooper Survey, Abstract No 226, Elizabeth Rice Survey, Abstract No. 929, AR Newton Survey, Abstract 807, West Wilkins Survey, Abstract No 1162, J Kyser Survey, Abstract No 597, Z Heath Survey, Abstract No 455, Puerta Irrigation Company Survey, Abstract No 1240 and the James P. Neill Survey, Abstract No 1387, by changing the zoning from Planned Development District No. 75 (PD-75) to a new Planned Development District (PD) for a mixed-use development which includes residential, commercial and industrial uses. The property is generally located north of U.S. Highway 287, between South Walnut Grove Road and Rex Odom Drive (Case No. Z21-2019-141) (P&Z Agenda Item No. 2020-013, September 15, 2020).
- 2020-345 Conduct a public hearing and consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance by amending Section 2.04 "Use Tables," Subsection (k) "Industrial Uses & Processes" by authorizing "Temporary Batch Plant" use as a permitted use in all districts subject to conditions (Case No. OZ04-2020-077) (P&Z Agenda Item No. 2020-014, September 15, 2020).

#### **REGULAR AGENDA**

- 2020-346 Consider and act upon an ordinance amending the City of Midlothian Code of Ordinances, Chapter six (6), "Health and Sanitation", to adopt the permitting process and set the standards for location and operation of a temporary batch plant (Case No. OZ04-2020-077) (P&Z Agenda Item No. 2020-014, September 15, 2020).
- 2020-347 Consider and act upon an ordinance amending the Code of Ordinances by amending Chapter 12 titled "Traffic and Vehicles" by amending Article 12.06 titled "Speed Limits" by amending Section 12.06.002 titled "Maximum Limits on Specific Streets" by amending Subsection (b) titled "Streets Designated" to amend the maximum prima facie speed limits on portions of Silken Crossing, Don Floyd Drive, Methodist Way and Sunbeam Lane and by amending Section 12.06.003 titled "Maximum Limits in School Zones Generally" by amending Subsection (d) titled "Designated Streets" to amend the maximum speed limit on portions of Silken Crossing and Sunbeam Lane.

- 2020-348 Consider and act upon a Second Amendment to a Development Agreement between The Grove E.C., LTD and the City of Midlothian, Texas for participation in the construction of off-site sanitary sewer line improvements for an approximate ±174.188 acre planned development referred to as The Grove (PD-62A).
- 2020-349 Consider and act upon awarding a contract to NG Painting, LP, out of Kerrville, Texas, for the Mockingbird Lane Two Million Gallon Elevated Storage Tank Improvement Project in a base bid amount of \$202,900.12, along with contingency in the amount of \$25,000, for a total amount not to exceed \$227,900.12.
- 2020-350 Consider and act upon a Pro Rata Repayment Agreement between the City of Midlothian and Mote Development Company, LLC for the installation of an off-site water line and other related water system improvements along the east side of the US Highway 67 access road to serve the Oncor electrical transmission and repair facility.
- 2020-351 Consider and act upon an Agreement for Professional Services for design and related professional services for the Hawkins Run Road Extension (S. 14th Street to Midlothian Parkway) Roadway Improvement Project with Kimley-Horn and Associates, Inc. in an amount not to exceed \$483,700.
- 2020-352 Consider and act upon an Agreement for Professional Services for design and related professional services for the Mt. Zion Road Realignment at S. 14th Street Roadway Improvement Project with Kimley-Horn and Associates, Inc. in an amount not to exceed \$126,600.
- 2020-353 Consider and act upon a proposal from Siemens Industry, Inc. for upgrading the existing Siemens Robicon variable frequency drive on pump number 4 at the raw water pump station located on Joe Pool Lake in an amount not to exceed \$120,525.00.
- 2020-354 Consider and act upon a reimbursement agreement between the City of Midlothian and Westside Preserve for the cost incurred related to the creation of a Public Improvement District.
- 2020-355 Consider and act upon an engagement letter with P3-Works to aid the City in the creation of the Westside Preserve Public Improvement District.
- 2020-356 Consider and act upon renewing policies with Travelers Insurance Group to provide property & casualty coverages for the City of Midlothian effective October 1, 2020 with a total premium amount of \$420,051.

### **EXECUTIVE SESSION**

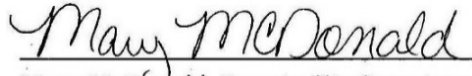
*The City Council will convene into executive session pursuant to the following sections of the Texas Government Code. Executive Session items are discussed in closed session but any and all action is taken in regular open session.*

1. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.
2. Section 551.074 Personnel Matters: (a)(1) to deliberate the evaluation and duties of a public officer or employee – City Manager, City Secretary & Municipal Court Judge

### **REGULAR AGENDA**

- 2020-357 Action resulting from Executive Session, Item #1: Legal
- 2020-358 Action resulting from Executive Session, Item #2: Personnel Matters
- 2020-359 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 18<sup>th</sup> day of September, 2020 at or before 6pm.

A handwritten signature in cursive script that reads "Mary McDonald".

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.**