

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, MARCH 9, 2021**

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) 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. Whether registering to speak during the meeting or submitting comments to be included in the record, **all Citizen Participation Forms must be submitted to the City Secretary no less than five minutes prior to the start of the meeting** in order to avoid disrupting the proceedings

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.”

2021-096 Receive racial profiling and juvenile curfew annual reports

2021-097 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 no less than five minutes prior to the start of 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

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.

2021-098 Consider and act upon minutes from the City Council meeting of February 23, 2021.

2021-099 Consider and act upon a resolution authorizing a grant in the amount of \$90,000.00 be awarded by the Midlothian Community Development Corporation (MCDC or 4B) to Manna House for the purchase of pre-packaged school supplies for the Back to School Bash.

- 2021-100 Consider and act upon a resolution authorizing an expenditure from the Midlothian Community Development Corporation in the amount of \$17,000 to fund an Agreement for Professional Services for a Sports Park Update Design Plan between Teague, Nall & Perkins and the City of Midlothian to provide design services for the Sports Park project.
- 2021-101 Consider and act upon a resolution authorizing the Heroes of Midlothian 5K, an event hosted by the Heroes of Midlothian Foundation and scheduled for Saturday, May 15, 2021, 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. SEP07-2021).
- 2021-102 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Lewisville, Texas.
- 2021-103 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Glenn Heights, Texas
- 2021-104 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Sherman, Texas.
- 2021-105 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Mansfield, Texas.
- 2021-106 Consider and act upon awarding a contract to Legacy Contracting, LP, dba Control Specialist Services, LP, for providing services related to the Maintenance of Equipment Associated with Potable Water Production and Pumping Services at the City's Water Treatment Plants on an as needed basis.

PUBLIC HEARINGS

- 2021-107 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 9.74± acres in the M. Brenan Survey, Abstract No. 43 described in Exhibit "A" hereto by changing the zoning from Agricultural (A) Zoning District to Planned Development District No. 141 (PD-141) for single-family residential uses. The property is generally located at 1120 Apple Lane (Case No. Z17-2021-071).
- 2021-108 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 8.739± acres in the Martha Brenan Survey, Abstract No. 43 described in Exhibit "A" hereto by changing the zoning from Agricultural (A) Zoning District to Planned Development District No. 143 (PD-143) to allow for a "Commercial Communication Tower, Type 2" use. The property is generally located at 751 Apple Lane (Case No. Z13-2021-062).
WITHDRAWN BY APPLICANT
- 2021-109 Conduct a public hearing and consider and act upon an ordinance relating to the development and use of Lots 17 and 18, Block 1, Ludewick Addition (commonly known as 818 North 9th Street) presently located in a Residential Three (R3) Zoning District by rezoning said property to Urban Village Planned Development District No. 139 (UVPD-139) for a place of worship (Case No. Z03-2021-034).
- 2021-110 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of property generally described as Lot 1, Block 1, Fields Addition (commonly known as 1600 Chuckwagon Drive), as depicted and shown in Exhibit A, by changing the zoning from Single-Family Residential Two (SF-2) District and Planned Development District No. 4 (PD-4) to solely Single-Family Residential Two (SF-2) District (Case No. Z20-2021-079).

- 2021-111 Conduct a public hearing and consider and act upon an ordinance amending and restating the development and use regulations of Planned Development District No. 74 (PD-74) as set forth in Section 3 of Ordinance No. 2015-03. The property is generally located south of McAlpin Road, and northeast of FM 875 (Case No. Z15-2021-067).
- 2021-112 Conduct a public hearing and consider and act upon an ordinance amending the use and development regulations of Planned Development District No. 98 (PD-98), as amended, by reapportioning the amount of open space, common area, and residential uses; by amending the site plan. The property is generally located on the northeast corner of Walnut Grove Road and FM 1387 (Case No. Z14-2021-063).
- 2021-113 Conduct a public hearing to consider and act upon an ordinance amending the regulations relating to the development and use of 13.5468± acres out of the John Crane Survey, Abstract No. 246 described in Exhibit "A" hereto by changing the zoning from Agricultural (A) District to Planned Development District No. 140 (PD-140) for residential uses. The property is generally located on the west side of Shiloh Road north of Shiloh Court. (Case No. Z16-2021-068).
- 2021-114 Conduct a public hearing and consider and act upon an ordinance changing the zoning of 6.320± acres out of the J.B. Littlepage Survey, Abstract No. 643, and the J. Sharkey Survey, Abstract No. 1065, described in Exhibit "A" hereto from Community Retail (CR) District to Planned Development District No. 142 (PD-142) for Community Retail (CR) District uses; adopting development and use regulations; granting a specific use permit for mini-warehouse storage (self-storage) uses. The property is generally located on U.S. Highway 67 and approximately 400 feet west of Overlook Drive (Case No. Z18-2021-072).

REGULAR AGENDA

- 2021-115 Consider and act upon a request for a waiver from Section 13.03.003 of the City of Midlothian Code of Ordinances to not be required to connect to the city's sanitary sewer system on 6.320± acres out of the J.B. Littlepage Survey, Abstract No. 643, and the J. Sharkey Survey, Abstract No. 1065, depicted in Attachment "1", presently zoned Community Retail (CR) District. The property is generally located on U.S. Highway 67 and approximately 400 feet west of Overlook Drive (Case No. M12-2021-093).
- 2021-116 Consider and act upon a request for a special exception to Section 4.5602 (Off-Street Parking Requirements) to allow for additional parking spaces over the maximum number permitted, for a new development for medical offices including an optical center and urgent care facility. The property is on 1.683± acres of land situated on Lot 1A-R, Block 1, of Messiah Lutheran Church. The property is located on the northwest corner of FM 663 and Roundabout Drive. (Case No. M10-2021-70).
- 2021-117 Consider and act upon a resolution approving the form and authorizing the distribution of preliminary limited offering memoranda for City of Midlothian, Texas, Special Assessment Revenue Bonds, Series 2021 (Redden Farms Public Improvement District Improvement Areas #1-2 Project) and City of Midlothian, Texas, Special Assessment Revenue Bonds, Series 2021 (Redden Farms Public Improvement District Major Improvement Area Project)
- 2021-118 Consider and act upon the expenditure of funds for pavement resurfacing services on various roads within Northridge Subdivision, and all of the asphaltic sections of N. 7th St. from Avenue E to the north end to Donelson Construction Company, LLC in an amount not to exceed \$244,909.60.

- 2021-119 Consider and act upon amending the contract with Texas Bit for a package of eight (8) Roadway Asphalt Rehabilitation Projects in a base bid amount of \$2,229,179.25 plus a 5% contingency of \$111,458.96 for a total project amount not to exceed \$2,340,638.21.
- 2021-120 Consider and act upon an Agreement for Specialized Professional Ambulance Billing Services and Addendum A for hardware and software purchase with Emergicon, LLC., utilizing an Interlocal Agreement with the City of Desoto, Texas.
- 2021-121 Receive an update on the Request for Proposal process for city property located at 211 and 301 W. Main Street and direct staff as necessary.

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. South Walnut Grove Road Right-of-Way.
3. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. McAlpin Road Right-of-Way.
4. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property. Hawkins Run Road Right-of-Way.
5. Section 551.072 Real Estate: Deliberation regarding real property – to deliberate the purchase, exchange, lease or value of real property by MED in Midlothian Business Park where deliberation in open session will have a detrimental effect on the position of negotiations with third parties. Project #2103.

REGULAR AGENDA

- 2021-122 Action resulting from Executive Session, Item #1: Legal
- 2021-123 Action resulting from Executive Session, Item #2: Real Estate
- 2021-124 Action resulting from Executive Session, Item #3: Real Estate
- 2021-125 Action resulting from Executive Session, Item #4: Real Estate
- 2021-126 Action resulting from Executive Session, Item #5: Real Estate
- 2021-127 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 5th day of March, 2021 at or before 6pm.


 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.