

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, APRIL 27, 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. The meeting may be viewed online at www.midlothian.tx.us/watchlive.

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation, and Pledge of Allegiance.

2021-187 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. Citizens not attending in person may submit comments on our website at www.midlothian.tx.us/Participate.*

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.

2021-188 Consider and act upon minutes from the City Council meeting of April 13, 2021.

2021-189 Consider and act upon a recommendation from Midlothian Economic Development Corporation (MED) authorizing participation in the TexPool Investment Pools (TexPool Prime) as an additional investment pool and designating authorized representatives.

2021-190 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Ennis to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.

2021-191 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Garrett to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system

2021-192 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Maypearl to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.

- 2021-193 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the City of Palmer to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.
- 2021-194 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Ellis County Emergency Services District 6 (ESD6) to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.
- 2021-195 Consider and act upon an Ellis Countywide Radio System (ECRS) User Agreement between the City of Midlothian and the Maypearl Independent School District to enable them to participate in the ECRS and reimburse Midlothian for their portion of the operation and maintenance of the expanded public safety radio system.
- 2021-196 Consider and act upon authorizing the City Manager to execute a Utility Relocation Agreement with the Midlothian Development Authority and Mountain Peak Special Utility District for the relocation of an existing water line and abandonment of a segment of water line easement along V.V. Jones Road.
- 2021-197 Consider and act upon a resolution authorizing Evening of Jazz, an outdoor concert hosted by the Midlothian High School Jazz Band scheduled for Friday, May 14, 2021, in accordance with zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP11-2021)

PUBLIC HEARINGS

- 2021-198 Conduct a Public Hearing and consider and act upon an ordinance designating a geographic area within the city as a Tax Increment Reinvestment Zone (TIRZ) pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone No. 3; establishing the boundaries of the zone; creating a board of directors for the zone and appointing members of the board; establishing a tax increment fund (TIRZ fund) for the zone; containing findings related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date.
- 2021-199 Conduct a public hearing and consider and act upon an ordinance granting a Specific Use Permit (SUP) for a drive-through establishment on 0.558± acres in the W.M. Hawkins Survey, Abstract No. 465 and the B.F. Hawkins Survey, Abstract No. 464 and being a portion of Lot 2RC, Block 1, Creekbend Plaza Addition, presently zoned Commercial (C) District; adopting conditions for development and use of the property. The property directly abuts George Hopper Road to the south, between East Main Street and future Weaver Way (Case No. SUP17-2021-110).
- 2021-200 Conduct a public hearing and consider and act upon an ordinance changing the zoning of 1.573± acres, being Lot 1, Block 1 of Lighthouse Addition, described in Exhibit "A" hereto from General Professional (GP) and Commercial (C) District to Planned Development District No. 46 (PD-46) for General Professional (GP) District uses; adopting development and use regulations; adopting a site plan and elevations. The property is generally located at 1400 N 9th Street. (Case No. Z24-2021-106).

2021-201 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 Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 16; approximately +30 acres situated in the Williams Mullen Survey, Abstract No. 748 and located at the southeast corner of Power Way and Brookhollow Drive being part of Lot 3A Block 3 of the RailPort Business Park Addition, an addition to the City of Midlothian, Ellis County, Texas according to the plat recorded as Instrument No. 1309167 on April 19, 2013 in the Plat Records of Ellis County, Texas; establishing the boundaries thereof; and providing for an effective date.

REGULAR AGENDA

- 2021-202 Consider and act upon a resolution authorizing the execution of the City of Midlothian Tax Abatement Agreement with SunOpta Grains and Foods, Inc.
- 2021-203 Consider and act upon a recommendation from Midlothian Economic Development to approve an Economic Development Performance Agreement with SunOpta Grains and Foods Inc. to provide a possible incentive of up to \$200,000 for a project related to the creation or retention of primary jobs.
- 2021-204 Consider and act upon a recommendation from Midlothian Economic Development granting a permanent sanitary sewer easement, permanent access easement, permanent electrical easement and temporary construction easement within the Midlothian Business Park to Trinity River Authority of Texas.
- 2021-205 Consider and act upon a recommendation from Midlothian Economic Development granting an easement and right-of-way within the Midlothian Business Park to Oncor Electric Delivery Company.
- 2021-206 Consider and act upon a request for a special exception from the standard construction details in accordance with Section 6.16 of the Subdivision Ordinance for “Improvement Standard and Requirements” standards on Lot 4, 5, & 6, Block 3 of Milligan Addition. The property is located at 511 N. 9th Street (Case No. M11-2021-083).
- 2021-207 Consider and act upon adoption of the FY 2021-2026 Strategic Plan as a planning document for the City of Midlothian to include personnel and capital equipment for the General Fund, Utility Fund, Conference Center and Senior Citizen Center.
- 2021-208 Review and discuss the Phase 1 City of Midlothian Americans With Disabilities Act (ADA) Transition Plan and direct staff as necessary.
- 2021-209 Consider and discuss the possible addition of a traffic control device at the intersection of North 8th Street and West Avenue F in downtown Midlothian 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. S. 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.

REGULAR AGENDA

- 2021-210 Action resulting from Executive Session, Item #1: Legal
- 2021-211 Action resulting from Executive Session, Item #2: Real Estate
- 2021-212 Action resulting from Executive Session, Item #3: Real Estate
- 2021-213 Action resulting from Executive Session, Item #4: Real Estate
- 2021-214 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 23rd day of April, 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 972-775-3481 for further information.