

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, APRIL 12, 2022**

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 regular 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.

2022-140 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 act 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.

2022-141 Consider and act upon minutes from the City Council meeting of March 22, 2022.

2022-142 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 21, 2022, 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. SEP07-2022).

2022-143 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Copperas Cove, Texas.

2022-144 Consider and act upon a professional services agreement with BGE, Inc. for the East Lift Station Sanitary Sewer System Study in an amount not to exceed \$45,065.

2022-145 Consider and act upon a request from Atmos Energy Corporation for a public utility easement on City property for the permanent placement of an 8-inch-diameter high density polyethylene (HDPE) gas pipeline.

2022-146 Consider and act upon authorizing the City Manager to execute an Encroachment on Easement Agreement with Oncor Electric Delivery Company LLC for identified public improvements being installed as part of Westside Preserve.

- 2022-147 Consider and act upon an ordinance of the City of Midlothian, Texas amending the Code of Ordinances by amending Chapter 12 titled “Traffic and Vehicles” by amending Article 12.03 titled “Parking, Stopping and Standing” by amending Section 12.03.015 titled “No Parking, Stopping or Standing” by adding a new Subsection (2) to prohibit parking, stopping or standing on Hillstone Drive inside each of the three (3) traffic circles located between F.M. 663 and South 14th Street; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty of fine not to exceed the sum of two hundred dollars (\$200.00); and providing for an effective date.
- 2022-148 Consider and act upon the Ellis Countywide Radio System (ECRS) Software Update Agreement payment to the City of Fort Worth in the amount of \$70,232.90.

PUBLIC HEARINGS

- 2022-149 Conduct a public hearing and consider and act upon an ordinance amending Article 10.03 of the City of Midlothian Code of Ordinances titled “Impact Fees” by amending the definition of “impact fee study” to include the 2022 Water, Wastewater and Roadway Impact Fee Program Update (“2022 Impact Fee Study”); amending and updating land use assumptions, service areas and capital improvements plans for water, wastewater and roadway facilities; amending and updating land use equivalency tables; replacing impact fee Schedules 1 and 2 with new Schedules 1 and 2; providing a conflicts clause; providing a severability clause; and providing for an effective date.
- 2022-150 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) for a “secondary dwelling,” presently zoned Single-Family One (SF-1) District and Agricultural (A) District. The property is located on 14± acres on the east side of FM 663, between Coventry Drive and McAlpin Road (commonly known as 5880 FM 663) (Case No. SUP08-2022-071).
- 2022-151 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit to allow for a residential subdivision sign located adjacent to Onward Road near the entrance of the Parkside North subdivision on Lot 58, Block 1, Parkside North (commonly known as 3002 Holland Road) (Case No. SUP07-2022-059).
- 2022-152 Conduct a public hearing and consider and act upon an ordinance amending the zoning of +/-1.86 acres within the J.B. Littlepage Survey, Abstract No. 643 and the J. Sharkey Survey, Abstract No. 1085, from Community Retail (CR) District to Commercial (C) District. The property is located south of U.S Hwy 67 and west of Overlook Drive (located on the U.S Hwy 67 frontage road approximately +/-380 feet west of the Overlook Drive intersection) (Case No. Z21-2022-077).
- 2022-153 Conduct a public hearing and consider and act upon an ordinance for a Specific Use Permit (SUP) to allow for a collision center (Motor Vehicle Repair Garage, major) of +/-1.86 acres within the J.B. Littlepage Survey, Abstract No. 643 and the J. Sharkey Survey, Abstract No. 1085, presently zoned Commercial (C) District. The property is located south of U.S Hwy 67 and west of Overlook Drive (located on the U.S Hwy 67 frontage road approximately +/-380 feet west of the Overlook Drive intersection) (SUP09-2022-078).

- 2022-154 Conduct a public hearing and consider and act upon an ordinance amending the zoning of +/-2.73 acres situated in the L.D. Ledbetter Survey, Abstract No. 631, from Agricultural (A) District and Single Family Four (SF-4) District to a new Urban Village Planned Development District (UVPD) to allow for General Professional (GP) District uses, including senior assisted living (nursing care). The property is located at 736 Tower Road. (Z19-2022-072).
- 2022-155 Conduct a public hearing and consider and act upon an ordinance relating to the use and development of 21.59± acres out of the William W. Rawls Survey, Abstract No. 915, generally depicted in Exhibit “A” hereto, by changing the zoning from Agricultural (A) District and Single Family-One (SF-1) District to Planned Development District No. 153 (PD-153) for Single-Family Residential uses and Community Retail (CR) uses; adopting development and use regulations for PD-153. The property is generally located at the southwest corner of FM 663 and Autumn Run Drive (Case No. Z16-2022-055).
- 2022-156 Conduct a public hearing and consider and act upon an ordinance relating to the development and use regulations of 167.3± acres in the A. Reeves Survey, Abstract No. 939 and the H. Woodward Survey, Abstract No. 1131, from Agricultural (A) District to Planned Development District No. 151 (PD-151) for commercial and heavy industrial uses. The property is generally located on the southeast corner of Quarry Road and Gifco Road intersection, and directly west of the Fort Worth and N.O. Railroad line (Case No. Z03-2022-011). **WITHDRAWN BY APPLICANT**

REGULAR AGENDA

- 2022-157 Consider and act upon a request to allow for direct residential driveway access from FM 663 on ±0.95 acres, out of the M Brenan Survey, Abstract No. 43. The property is generally located at the Northwest Corner of FM 663 and Apple Lane (Case No. M10-2022-074).
- 2022-158 Consider and act upon a request for a special exception, being, Section 6.14.3 of the Subdivision Ordinance to allow for drive access onto a minor arterial (McAlpin Road) for a 13.0± acres tract located on N.N., J.J., & B.L. Edwards Survey, Abstract No. 340. The property is located to the east of McAlpin Road, between Seeton Lane and FM 875 (Case No. M09-2022-068).
- 2022-159 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 8 titled “Offenses and Nuisances” by adding a new Article 8.08 titled “Aggressive Panhandling”; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty clause of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; and providing for an effective date.
- 2022-160 Consider and act upon the updated pay plan for General Government for FY 2021-2022 to reflect the upgrade of the Geographic Information System (GIS) position.
- 2022-161 Consider and act upon the purchase of ten insulated sectional doors from Top Notch Door Services to be installed at Fire Stations No. 2 and No. 3 at a cost of \$156,238.04.

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. Midlothian Business Park, Lot 3a, Block A.

REGULAR AGENDA

- 2022-162 Action resulting from Executive Session, Item #1: Legal
2022-163 Action resulting from Executive Session, Item #2: Real Estate
2022-164 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 8th day of April, 2022 at or before 6:00pm.


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.