

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, October 11, 2011**

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 Council Chambers of City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2011-405 Announcements/Presentations
- a. Community Affairs calendar
 - b. Proclamation recognizing Breast Cancer Awareness Month
 - c. Fire Department presentation of Pink Out Challenge
 - d. Administrative announcements related to personnel

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.

- 2011-406 Consider and act upon minutes from City Council meeting of September 27, 2011
- 2011-407 Consider and act upon a resolution authorizing the Family Fun Circus to operate a circus on property west of the Midlothian Conference Center on Tuesday, November 22, 2011, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 89-13 as amended, Section 4.4 (Case No. RES01-2011-01)

PUBLIC HEARING

- 2011-408 Conduct a public hearing and act upon an ordinance to tax tangible personal property in transit which would otherwise be exempt from taxation pursuant to Texas Tax Code, Section 11.253

REGULAR AGENDA

- 2011-409 Citizens to be heard
- 2011-410 Consider and act upon the purchase of a Ford F150 pickup truck, from Waxahachie Autoplex Ford of Waxahachie, Texas in an amount not to exceed \$24,990
- 2011-411 Consider and act upon a resolution authorizing the Mayor to execute a Pipeline Crossing Agreement with the Union Pacific Railroad Company for replacement of a sanitary sewer line serving the Northridge Addition
- 2011-412 Consider and act upon approving an auction to sell miscellaneous items that are outdated, broken or beyond economical repair
- 2011-413 Consider and act upon the appointment of Janet Goad as Human Resources Director for the City of Midlothian

EXECUTIVE SESSION

Executive Session items are discussed in closed session but any and all action is taken in regular open session. Executive Session is not open to the public because there is a compelling need of confidentiality (e.g., certain real estate, litigation, or personnel matters).

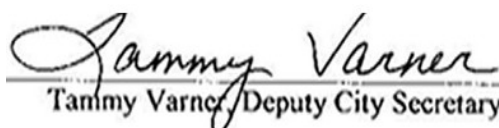
1. Section 551.071 Legal: Consultation with attorney regarding City of Midlothian v. Randall Denton, MidTexas International Center, Inc., Texas Properties Trust and Trade Zone Operations, Inc.
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
3. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3:10-cv-01521-K, Paul Nichols v. City of Midlothian
4. Section 551.087 Deliberation regarding economic development negotiations
5. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
6. Section 551.071 Legal: Consultation with attorney regarding Cause No. 74,681; City of Midlothian v. Corgan Associates, et al
7. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment or duties of a Human Resources Director for the City of Midlothian
8. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
9. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment or duties of an Economic Development Executive Director for the City of Midlothian

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

REGULAR AGENDA

- 2011-414 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2011-415 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2011-416 Action resulting from Executive Session, Item #3: Paul Nichols
- 2011-417 Action resulting from Executive Session, Item #4: Economic Development
- 2011-418 Action resulting from Executive Session, Item #5: ECOM
- 2011-419 Action resulting from Executive Session, Item #6: Corgan
- 2011-420 Action resulting from Executive Session, Item #7: Personnel – HR Director
- 2011-421 Action resulting from Executive Session, Item #8: Real Estate
- 2011-422 Action resulting from Executive Session, Item #9: Personnel – Economic Development Executive Director
- 2011-423 Action resulting from Executive Session related to Section 551.071(2)
- 2011-424 Adjourn

I, Tammy Varner, 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 7th day of October, 2011 at or before 5:00 p.m.


 Tammy Varner, 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.**