

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, February 28, 2012**

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 and Administrative Conference Room of City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2012-55 Announcements/Presentations
- a. Community Affairs calendar
 - b. Presentation of City's financial audit for FY 2010-11 from representatives of Weaver & Tidwell, LLP
 - c. Receive Mockingbird Park update from representatives of Texas Master Naturalist Society
 - d. Receive racial profiling report
 - e. 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.

- 2012-56 Consider and act upon minutes from City Council meetings of February 7 and 14, 2012
- 2012-57 Consider and act upon approval of a cooperative purchasing agreement with the City of Coppell, Texas in order to gain access to contracts previously bid out for uniforms and other items required for daily operations throughout the City

PUBLIC HEARINGS

- 2012-58 Conduct a public hearing to consider and act upon an ordinance amending Ordinance 2007-15, as amended, the Comprehensive Plan for the City of Midlothian, Texas, a revision to the Parks, Recreation and Open Space Master Plan, repealing all sections of said plan and map elements and replacing them as appropriate; providing a severability clause; and providing an effective date
- 2012-59 Conduct a public hearing to consider and act upon an Ordinance to rezone 114 South 5th Street (Original Town Lot 7 and Part of Lot 8, Block 29) from its current Residential Three (R3) District to a proposed Urban Village Planned Development (UVPD) District for professional office uses. Property contains ± 0.29757 acres and is located east of South 5th Street and ± 122 feet south of West Main Street, in the City of Midlothian, Texas. (Case No. Z01-2011-10)

REGULAR AGENDA

- 2012-60 Citizens to be heard
- 2012-61 Consider and act upon approval of a concept plan for the Midlothian Community Park that will help guide the design and engineering of the new Community Park
- 2012-62 Consider and act upon a resolution supporting GS Midlothian, LP, for affordable rental senior housing development in the City of Midlothian, Texas, to be located within the proposed Woodbridge Development of Midlothian.(Case No. RES03-2011-15)

- 2012-63 Consider and act upon a resolution amending the previously adopted Resolution 2010-12 guidelines and criteria for tax abatement under Texas Tax Code Chapter 312
- 2012-64 Consider and act upon a Resolution of the City of Midlothian, Ellis County, Texas, establishing a Target Area for Community Revitalization and providing an effective date (Case No. RES04-2011-16)
- 2012-65 Consider and act upon an ordinance establishing requirements for the placement of mailbox assemblies within public rights-of-way in the City of Midlothian, attached hereto as Exhibit "A"; providing that this Ordinance shall be cumulative of all ordinances; providing for a severability clause; providing for a penalty that any violation of the terms of this Ordinance is declared to be a misdemeanor, and any person found to be guilty thereof shall be punishable by a fine not to exceed one thousand dollars (\$1,000), and each day that such violation continues shall constitute a separate offense and shall be punishable accordingly; and providing for an effective date
- 2012-66 Consider and act upon Modification No. 1 to an Engineering Services Agreement with Schrickel, Rollins and Associates, Inc. for Phase I design on Water Treatment Plant No. 2 in an amount not to exceed \$140,000
- 2012-67 Consider and act upon appointments to various City boards and commissions

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 551.087 Deliberation regarding economic development negotiations
4. 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
5. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment or duties of a City Secretary for the City of Midlothian
6. Section 551.074 Personnel Matters: (a)(1) to deliberate the duties of the City Attorney for the City of Midlothian
7. Section 551.074 Personnel Matters: (a)(1) to deliberate the duties of the City Manager for the City of Midlothian
8. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
9. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property

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

- 2012-68 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2012-69 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2012-70 Action resulting from Executive Session, Item #3: Economic Development

- 2012-71 Action resulting from Executive Session, Item #4: Personnel – Economic Development Executive Director
- 2012-72 Action resulting from Executive Session, Item #5: Personnel – City Secretary
- 2012-73 Action resulting from Executive Session, Item #6: Personnel – City Attorney
- 2012-74 Action resulting from Executive Session, Item #7: Personnel – City Manager
- 2012-75 Action resulting from Executive Session, Item #8: Real Estate
- 2012-76 Action resulting from Executive Session, Item #9: Real Estate
- 2012-77 Action resulting from Executive Session related to Section 551.071(2)
- 2012-78 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 24th day of February, 2012 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.**