

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, March 13, 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

- 2012-79 Announcements/Presentations
- a. Community Affairs calendar
 - b. Draw for order of candidate names on May 12 City Council election ballot
 - c. Presentation of DeMolay proclamation
 - 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.

2012-80 Consider and act upon minutes from City Council meeting of February 28, 2012

2012-81 Consider and act upon a resolution requesting that the Texas Department of Transportation declare property located out of the John Chamblee Survey, Abstract 192, Ellis County, Texas, being a portion of old U.S. Highway 287, more specifically described in Exhibit “A” and shown in Exhibit “B”, as surplus and execute a quitclaim deed to the City of Midlothian; and providing for an effective date

PUBLIC HEARINGS

2012-82 Continuing 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

2012-83 Citizens to be heard

2012-84 Consider and act upon an Interlocal Agreement with the Midlothian Independent School District (“MISD”) for the installation of certain public improvements and facilities for MISD’s property located at the intersection of FM 1387 and Walnut Grove Road, known as the “High School No. 2 Property”

2012-85 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

- 2012-86 Consider and act upon a resolution to approve the City of Midlothian and the Economic Development of Midlothian (CEDM), Commercial/Retail Area Infrastructure Investments Strategies Program (Case # RES07-2011-23)
- 2012-87 Consider and act upon a comprehensive compensation and benefits study to be performed by Ray & Associates

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 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
7. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
8. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (construction contract)
9. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (real estate transaction)

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

- 2012-88 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2012-89 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2012-90 Action resulting from Executive Session, Item #3: Economic Development
- 2012-91 Action resulting from Executive Session, Item #4: Personnel – Economic Development Executive Director
- 2012-92 Action resulting from Executive Session, Item #5: Personnel – City Secretary
- 2012-93 Action resulting from Executive Session, Item #6: Real Estate
- 2012-94 Action resulting from Executive Session, Item #7: Real Estate
- 2012-95 Action resulting from Executive Session, Item #8: Contemplated litigation (construction)
- 2012-96 Action resulting from Executive Session, Item #9: Contemplated litigation (real estate)
- 2012-97 Action resulting from Executive Session related to Section 551.071(2)
- 2012-98 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 9th day of March, 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.**