

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, April 24, 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 of City Hall, 104 West Avenue E, Midlothian, Texas

WORKSHOP – 5:00 P.M.

- 2012-143 Discuss strategic plan for annexation and related procedures
- 2012-144 Discuss items listed on the April 24, 2012 City Council agenda
- 2012-145 Discuss format of future Council meetings, including workshop frequency and start times

REGULAR AGENDA – 6:30 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2012-146 Announcements/Presentations
 - a. Community Affairs calendar
 - b. Proclamation recognizing May as Motorcycle Safety Month
 - c. Administer Oath of Honor to new Police Department personnel
 - 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.

- 2012-147 Consider and act upon minutes from City Council meeting of April 10, 2012
- 2012-148 Consider and act upon a request to acknowledge acquisitions to the Police Department fleet through vehicles and equipment acquired through the Defense Logistics Agency 1033 Program

PUBLIC HEARINGS

- 2012-149 Conduct a public hearing to consider and act upon an ordinance establishing a Historic Preservation Overlay (H) Designation for the Larkin Newton Cabin, located in Heritage Park; this historical landmark designation is intended to protect, enhance and perpetuate the historical landmark, which represents or reflects distinctive and important elements of the City. (Case No. Z03-2011-25)
- 2012-150 Conduct a public hearing to consider and act upon an ordinance establishing a Historic Preservation Overlay (H) Designation for the Old Fire House, located south of Avenue F and west of Plaza Drive; this historical landmark designation is intended to protect, enhance and perpetuate the historical landmark, which represents or reflects distinctive and important elements of the City. (Case No. Z02-2011-26)
- 2012-151 Conduct a public hearing to consider and act upon an ordinance establishing a Historic Preservation Overlay (H) Designation for Kimmel Park, located north of Avenue F and east of 1st Street; this historical landmark designation is intended to protect, enhance and perpetuate this historical landmark, which represents or reflects distinctive and important elements of the City. (Case No. Z05-2011-27)

REGULAR AGENDA

- 2012-152 Citizens to be heard
- 2012-153 Consider and act upon a request for approval of a tax abatement agreement between the Corporation for the Economic Development of Midlothian and Ash Grove Texas, L.P. for property located at 900 Gifco Road (Ash Grove Addition, Block 1, Lot 1R), in the Northwest Tax Abatement Reinvestment Zone Number 1, located in the City of Midlothian, Texas
- 2012-154 Consider and act upon the site plan, elevations and landscape plan for The Terrace at MidTowne; property commonly known as MidTowne Phase 5, containing 8.655 acres and generally located south of George Hopper Road and west of Abigail Way, in the City of Midlothian, Texas (Case No. SP01-2011-26)
- 2012-155 Consider and act upon a resolution authorizing the Midway Regional Airport Board Chairman to execute on behalf of the City of Midlothian, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the state of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the Apron Expansion Project at Midway Regional Airport
- 2012-156 Consider and act upon approving the expenditure of funds for pavement pulverization and resurfacing services for McAlpin Road with Reynolds Asphalt and Construction Company in an amount not to exceed \$139,838.20
- 2012-157 Consider and act upon an engineering services agreement for design and related professional services for the FM 1387-High School No. 2 Gravity Sanitary Sewer Main with Kimley-Horn and Associates, Inc., (KHA), in an amount not to exceed \$46,700
- 2012-158 Consider and act upon an amendment to the adopted City Council “Policy on Governance Process” to revise the procedure for Council appointment to 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 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
5. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
6. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (construction contract)

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

- 2012-159 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2012-160 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2012-161 Action resulting from Executive Session, Item #3: Economic Development
- 2012-162 Action resulting from Executive Session, Item #4: Real Estate
- 2012-163 Action resulting from Executive Session, Item #5: Real Estate
- 2012-164 Action resulting from Executive Session, Item #6: Contemplated litigation (construction)
- 2012-165 Action resulting from Executive Session related to Section 551.071(2)
- 2012-166 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 19th day of April, 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.**