

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, August 14, 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

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

2012-299 Announcements/Presentations

- a. Community Affairs calendar
- b. Presentation of the Gold Leadership Circle Award and Distinguished Budget Presentation Award to Finance Department
- c. Administrative announcements related to personnel

WORKSHOP: BUDGET

2012-300 Review and discuss City of Midlothian Draft Budget for FY 2012-2013

- a. Agency Budget Presentations and funding requests
- b. Draft FY 2012-2013 annual operating budgets and related financial matters

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.

2012-301 Consider and act upon minutes from City Council meetings of July 24 and 27, August 3 and 7, 2012

2012-302 Consider and act upon an ordinance to vacate and abandon a portion of 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”, declaring that such surplus property is unnecessary for use by the public; authorizing the Mayor of the City of Midlothian, Texas to execute a Quitclaim Deed releasing public ownership, interest or control of said right-of-way to the abutting fee simple property owner; providing for engrossment and enrollment and providing for an effective date

2012-303 Consider and act upon 2012 property tax abatements for Target and Ennis Business Forms

2012-304 Consider and act upon authorizing the mayor to execute a lease agreement between the City of Midlothian and Boy Scout Troop 512 for property located at S. 5th Street and U.S. Business 67 (Spur 73)

PUBLIC HEARINGS

2012-305 Conduct a public hearing to consider and act upon an ordinance to establish a Historic Preservation Overlay (H) designation for the Newton Cemetery, located at the end of Walter Stephenson Road. This Historical Landmark Designation is intended to protect, enhance and perpetuate historical landmarks which represent or reflect distinctive and important elements of the City. (Case No. Z07-2011-56)

- 2012-306 Conduct a public hearing to consider and act upon an ordinance to establish a Historic Preservation Overlay (H) designation for the Midlothian Cemetery, located west of 9th Street and ± 500 feet south of Main Street. This Historical Landmark Designation is intended to protect, enhance and perpetuate historical landmarks which represent or reflect distinctive and important elements of the City. (Case No. Z02-2011-24)

REGULAR AGENDA

- 2012-307 Citizens to be heard
- 2012-308 Receive an update on various City Board and Commission meetings and activities
- 2012-309 Consider and act upon changing the name of the organization from “Corporation for the Economic Development of the City of Midlothian, Texas” to “Midlothian Economic Development”, changing the registered agent name for the corporation, and submitting appropriate paperwork to the office of the Texas Secretary of State
- 2012-310 Consider and act upon a resolution to approve the Amended Tax Abatement Agreement between the City of Midlothian and Quik’ N Tasty Foods, Inc.
- 2012-311 Consider and act upon an ordinance amending Section 7.4-8.3 (Signs Located in the General Professional (GP), Community Retail (CR) or Commercial (C) District), specifically amending electronic sign messages, incorporating changes to various, articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ03-2011-60)

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 Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
2. Section 551.087 Deliberation regarding economic development negotiations
3. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
4. 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.
5. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into Executive Session on any of the above posted agenda items in accordance with the Sections 551.071 (litigation and certain consultation with attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations) or 551.076 (deployment/implementation of security personnel or devices).

REGULAR AGENDA

- 2012-312 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-313 Action resulting from Executive Session, Item #2: Economic Development
- 2012-314 Action resulting from Executive Session, Item #3: Real Estate
- 2012-315 Action resulting from Executive Session, Item #4: Denton
- 2012-316 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2012-317 Adjourn

I, Tammy Varner, 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 10th day of August, 2012 at or before 5:00 p.m.


Tammy Varner, 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.**