

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

**Tuesday, October 23, 2012
6:00 p.m.**

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

Call to Order, Invocation and Pledge of Allegiance

2012-395 Announcements/Presentations

- a. Community Affairs calendar
- b. Ethan Hallmark Day proclamation
- c. Midlothian Fire Department "Pink Out" presentation
- d. Vision North Texas presentation by North Central Texas Council of Governments
- e. Administrative announcements related to personnel

PUBLIC HEARINGS

2012-396 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 89-13, as amended, amending Section 7.4-2, Political Signs, and Section 7.4-20, Definitions, incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a penalty clause; providing for a severability clause, and providing for an effective date (Case No. OZ01-2011-40)

2012-397 Consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 89-13, as amended, Section 7.5 (Parking Regulations), and, incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date. (Case No. OZ04-2011-62)

REGULAR AGENDA

2012-398 Citizens to be heard

2012-399 Receive an update on various City Board and Commission meetings and activities

2012-400 Consider and act upon minutes from City Council meeting of October 9, 2012

2012-401 Consider and act upon a proposed resolution in support of a Phase 1 and Phase 2 list of parks and recreation improvement projects

2012-402 Consider and act upon an ordinance authorizing the issuance and sale of City of Midlothian, Texas Tax Notes, Series 2012, in the principal amount of \$2,100,000; approving the sale of the notes; and ordaining other matters related thereto, including immediate effectiveness

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 and easements necessary for roadway, utility 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
6. Section 551.074 Personnel: Deliberate the duties of the City Manager

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

- 2012-403 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-404 Action resulting from Executive Session, Item #2: Economic Development
- 2012-405 Action resulting from Executive Session, Item #3: Real Estate
- 2012-406 Action resulting from Executive Session, Item #4: Denton
- 2012-407 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2012-408 Action resulting from Executive Session, Item #6: City Manager
- 2012-409 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 19th day of October, 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.**