

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, March 11, 2014
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 City Council Chambers at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA

Call to Order, Invocation and Pledge of Allegiance

2014-82 Announcements/Presentations

- a. Community Affairs calendar
- b. Proclamation recognizing March as Legacy DeMolay Month
- c. Administrative announcements related to personnel

2014-83 Citizens to be heard

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.

2014-84 Consider and act upon minutes from City Council meetings of February 24, February 25, February 28 and March 1, 2014

2014-85 Consider and act upon cancelling the May 10, 2014 City of Midlothian City Council election

2014-86 Consider and act upon a resolution authorizing the City of Midlothian Kids Fishing Derby, an annual event hosted by Park & Recreation Department, and scheduled on Saturday, April 12, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (SEP11-2013)

2014-87 Consider and act upon a resolution authorizing the City of Midlothian Movies In The Park, an event hosted by the Park & Recreation Department, and scheduled on Saturdays, May 10, June 14, July 12, and August 9, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (SEP14-2013)

PUBLIC HEARINGS

2014-88 Conduct a public hearing to receive public input and consider and act upon an ordinance amending Article 15, Impact Fees, of the City of Midlothian, as established by Ordinance No. 99-12, as amended, specifically Impact Fee Schedule 2, Residential Roadway Facilities, by increasing the impact fee assessment amount for residential roadway impact fees from \$123.67 to \$332.59 per equivalent service unit (Case No. M06-2013-38)

2014-89 Conduct a public hearing and act upon an ordinance for a Specific Use Permit (SUP) to allow a veterinary clinic for domestic animals at 4470 East Hwy 287, Suite 600. Property is currently zoned Commercial (C) District, and is located south of Hwy 287 and 1,725 feet southeast of Bryan Place, in the City of Midlothian, Texas (Case No. SUP03-2013-36)

- 2014-90 Conduct a public hearing to consider and act upon an ordinance amending the Zoning Ordinance of the City of Midlothian, Texas, specifically Ordinance No. 2013-24, as amended, extending the boundaries and adopted regulations of PD-61, approved under Ordinance 2013-40 and rezone ±12.195 acres from the current Agricultural (A) District to PD-61; Said ± 12.195 acres being situated in the W. W. Rawls Survey, Abstract No. 915 and located west of FM 663 and ± 2,200 feet south of Harvest Hill, in the City of Midlothian, Texas (Case No. Z07-2013-35)

REGULAR AGENDA

- 2014-91 Consider and act upon an agreement with Insituform Technologies, Inc. of Corinth, Texas for the 2014 Manhole Rehabilitation Program using the SpectraShield multi-layered liner system, in an amount not to exceed \$63,650
- 2014-92 Consider and act upon an ordinance amending Ordinance 2013-34, Section 2 - Levy of Fees for Garbage/Refuse and Recycling Collection Service, by increasing Garbage and Refuse Collection Service Fees from \$13.41 (inclusive of tax) to \$13.52 (inclusive of tax) and increasing Recycling Collection Service Fees from \$2.13 (inclusive of tax) to \$2.14 (inclusive of tax); amendments include rates increases for commercial hand load, front load and roll-off services equating to an overall increase of 0.86%; providing that this ordinance shall be cumulative of all ordinances; providing for a severability clause; and setting an effective date
- 2014-93 Consider and act upon a Communications Facilities License Agreement with Dallas MTA, L.P. d/b/a Verizon Wireless, for the installation of antenna facilities and equipment compound at the City's Water Tower, located at 1510 S. 9th Street
- 2014-94 Consider and act upon the an ordinance repealing the current Uniform Housing Code and adopting the International Property Maintenance Code to ensure the safety of residents and constitute minimum standards for premises and structures; to ensure public health, safety and welfare insofar as they are affected by the occupancy and maintenance of structures and premises
- 2014-95 Consider and act upon an ordinance amending Chapter 3 Building Regulations by adding provisions for the Municipal Court regarding substandard buildings; to establish hearing procedures for the repair, rehabilitation, vacation, securing or demolition as related to substandard structures
- 2014-96 Review, discuss and prioritize major issue areas as identified by Council at the March 1, 2014 Council Retreat; prioritize work projects as desired; and direct staff as necessary.

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 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
3. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
4. 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), 551.076 (deployment/implementation of security personnel or devices) or 551.087 (economic development negotiations).

REGULAR AGENDA

- 2014-97 Action resulting from Executive Session, Item #1: Economic Development
- 2014-98 Action resulting from Executive Session, Item #2: Real Estate
- 2014-99 Action resulting from Executive Session, Item #3: ECOM
- 2014-100 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2014-101 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 7TH day of March, 2014 at or before 6:00 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.**