

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, April 8, 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  
2014-126 Announcements/Presentations  
    a. Community Affairs calendar  
    b. Administrative announcements related to personnel  
2014-127 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.*

- 2014-128 Consider and act upon minutes from City Council meeting of March 25, 2014  
2014-129 Consider and act upon a resolution authorizing the Heroes of Midlothian 5k Run and Festival benefitting Midlothian veterans and their families, hosted by the Heroes of Midlothian Foundation, scheduled for Saturday, May 17, 2014 in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP12-2013)  
2014-130 Consider and act upon a resolution authorizing the annual Head for the Hills Bicycle Rally routed through the City of Midlothian and hosted by the Cedar Hill Rotary Club on Saturday, May 10, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP16-2013)  
2014-131 Consider and act upon a resolution authorizing the Midlothian Downtown Farmers Market, an event hosted by the Midlothian Downtown Business Association and scheduled on each Saturday beginning, May 3, 2014 through October 4, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (Use Table) (Case No. SEP17-2013)  
2014-132 Consider and act upon a resolution authorizing an Annual Community Easter Egg Hunt. The event will be hosted by the City of Midlothian on Saturday, April 19, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (Use Table) (Case No. SEP18-2013)

**PUBLIC HEARINGS**

- 2014-133 Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 2013-24, as amended, to rezone  $\pm$  1.0 acres from the current Single Family Four (SF-4) District to an Urban Village Planned Development (UVPD) District for residential and professional office uses. Property is addressed as 508 South 9<sup>th</sup> Street, being located east of 9<sup>th</sup> Street and  $\pm$  1,025 feet north of George Hopper Road, in the City of Midlothian, Texas. (Case No.Z08-2013-41)

- 2014-134 Consider and act upon an ordinance amending Ordinance No. 2013-24 as amended, the Zoning Ordinance of the City of Midlothian, Texas, by rezoning ± 249.298 acres from Agricultural (A) District to a Planned Development (PD) District for all uses allowed in the Single Family – One (SF-1) District with amendments, said acreage being situated in the E.A. Braly Survey, Abstract 284, the J.P. Survey, Abstract 881, the J. Poindexter Survey, Abstract 882 and the E. Sullivan Survey, Abstract 1012, being located south of McAlpin Road and 950 feet west of Kolter Lane, in the City of Midlothian, Texas (Case No. Z09-2013-45)
- 2014-135 Conduct a public hearing 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
- 2014-136 Conduct a public hearing 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

### **REGULAR AGENDA**

- 2014-137 Consider and take action to award the banking services contract to Wells Fargo Bank, and authorize the City Manager to enter into a contract for three years, with two possible one-year extensions at the same cost
- 2014-138 Consider and act upon an extension of the initial period study for an additional 60 days with hotel developer, Gatehouse Capital, to develop financing structures and alternatives, residual and indirect economic impacts of the hotel, and investment structures and alternatives
- 2014-139 Consider and act upon a recommendation from the Midlothian Economic Development Board of Directors to accept the Third Addendum to Commercial Unimproved Property Earnest Money Contract for the purchase of property from Ellis 1270, LLC, where the Seller agrees to place \$100,000 in escrow with the title company at closing, as consideration, until certain easement releases are obtained
- 2014-140 Consider and act upon a recommendation from the Midlothian Economic Development Board of Directors to select Citizens National Bank of Texas to provide financing for the purchase of property from Ellis 1270, LLC and execute bank documents to secure the loan
- 2014-141 Review and approve a draft agenda for the May 6<sup>th</sup> City Council Workshop and direct staff as necessary
- 2014-142 Review as appropriate major issue areas as prioritized by the City Council at the April 1, 2014 Council workshop

### **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**

- 2014-143 Action resulting from Executive Session, Item #1: Economic Development
- 2014-144 Action resulting from Executive Session, Item #2: Real Estate
- 2014-145 Action resulting from Executive Session, Item #3: ECOM
- 2014-146 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2014-147 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 4<sup>th</sup> day of April, 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.**