

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, March 10, 2015  
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

2015-90 Announcements/Presentations

- a. Community Affairs calendar
- b. Administrative announcements related to personnel

2015-91 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.*

2015-92 Consider and act upon minutes from the City Council meeting of February 24, 2015.

2015-93 Consider and act upon a resolution authorizing the Midlothian Market, an event hosted by the Midlothian Downtown Business Association and scheduled on each Saturday beginning, May 2, 2015 through October 3, 2015, 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. SEP10-2014)

2015-94 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, March 28, 2015, 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. SEP11- 2014)

2015-95 Consider and act upon a resolution authorizing the Mockingbird Park Walk, an event hosted by the Parks & Recreation Department, scheduled for Saturday, March 21, 2015, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Case No. SEP12-2014)

2015-96 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant at 4150 Kimble Road for the Padera Lake Dam Project (Mountain Creek FRS 10 Rehabilitation project) and providing for procedures established by the Texas Local Government Code and City ordinance; providing for conditions and exemptions; and setting an effective date and termination date (Case No. RES03-2014-41)

2015-97 Consider and act upon a resolution authorizing and ratifying actions to develop the Midlothian Community Park and seek expedited release of same from the certificate of convenience and necessity of Mountain Peak Utility District

## PUBLIC HEARINGS

- 2015-98 Conduct a public hearing to consider and act upon an ordinance to rezone ± 3.668 acres being out of MidTexas International Center, Block 1, Lot 1, from the current Light Industrial (LI) District to Medium Industrial (MI) District (Case No. Z05-2014-27), being located on the east side of N. U.S. Highway 67, situated ± 850 feet east of N. U.S. Highway 67 service road and ± 2,250 feet west of N. Midlothian Parkway, in the City of Midlothian, Texas.
- 2015-99 Conduct a public hearing to consider and act upon an ordinance for a Specific Use Permit (SUP) (Case No. SUP02-2014-28) in a Medium Industrial (MI) District, on ± 3.668 acres being out of MidTexas International Center, Block 1, Lot 1, for metal stamping, welding, cutting, punching, and outdoor storage and assembly of pre-manufactured railroad track products; being located on the east side of N. U.S. Highway 67, situated ± 850 feet east of N. U.S. Highway 67 service road and ± 2,250 feet west of N. Midlothian Parkway, in the City of Midlothian, Texas.
- 2015-100 Consider and act upon an appeal to a driveway spacing variance for Creekbend Plaza Addition, Lot 1R-B, Block 2, (Chicken Express). Property containing ± 1.942 acres, zoned Planned Development 12 (PD-12) District, generally located at the southwest corner of George Hopper Road and East Main Street, in the City of Midlothian, Texas. (Case No. SP01-2014-33)
- 2015-101 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 3.5400 (Residential Landscaping, Streetscaping, and Amenity Standards) and Section 3.5600 (Residential Parking and Garages), incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ03-2013-79)
- 2015-102 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, by the addition of Section 11, Tree Preservation, including the incorporation of modifications to various articles, sections and subsections of the Zoning Ordinance pertaining to landscaping; establishing a Midlothian Tree Mitigation Fund; providing a conflicts clause; providing a severability clause, providing for the enforcement of said amendments, establishing a penalty for violations, and providing for an effective date. (Case No. OZ01-2014-01)

## REGULAR AGENDA

- 2015-103 Consider and act upon a Development Agreement between Vintage Development, Inc. (“Vintage”) and the City of Midlothian, Texas for participation in the construction of infrastructure and site improvements for an approximate +/- 30.29 acre single family development referred to as Parkside Estates (PD 63)
- 2015-104 Review and approve a draft agenda for the April 7th City Council Workshop 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**

- 2015-105 Action resulting from Executive Session, Item #1: Economic Development
- 2015-106 Action resulting from Executive Session, Item #2: Real Estate
- 2015-107 Action resulting from Executive Session, Item #3: ECOM
- 2015-108 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2015-109 Adjourn

I, Mary McDonald, 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 6th day of March, 2015 at or before 6:00 p.m.



Mary McDonald, 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.**