

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

**Tuesday, April 28, 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

2015-145 Announcements/Presentations

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

2015-146 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.*

2015-147 Consider and act upon minutes from the City Council meetings of April 7 and 14, 2015.

2015-148 Consider and act upon a resolution authorizing the Park Place East Block Party, located and hosted by property owners in a section of Park Place East, scheduled for Saturday, May 16, 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. SEP22-2014)

2015-149 Consider and act upon a resolution authorizing the Midlothian Prayer Walk hosted by the Midlothian Prayer Group and Keep Midlothian Beautiful scheduled for Saturday, May 30, 2015, in accordance with the zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (use Table) (Case No. SEP21-2014)

2015-150 Consider and act upon authorizing the City Manager to execute an addendum to the City's contract with Evoqua Water Technologies, LLC for supplying a second chlorine dioxide generator and associated chemicals, which will serve as a backup to the existing chlorine dioxide generator already in place and in use in the treatment process at Water Treatment Plant No. 2.

**PUBLIC HEARINGS**

2015-151 Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance No. 2013-24, as amended, by rezoning ± 195.716 acres from a Planned Development District (PD-15) to a Planned Development District (PD-77) for all uses allowed in the Single Family-1 (SF-1) District with a minimum lot size of one acre. Said acreage being situated in the E. B. Bryson Survey, Abstract 117, and the J. C. Crane Survey, Abstract 246, being located at the northeast corner of North Walnut Grove Road and West Shiloh Road, in the City of Midlothian, Texas. (Case No. Z06-2014-47)

- 2015-152 Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance (Ordinance 2013-24, as amended), Sections 3.100, 3.400, 3.500, 3.600, 3.700, and 3.5500. The primary purpose of these amendments is to increase the minimum square footage on residential dwelling units; incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date. (Case No. OZ02-2014-46)
- 2015-153 Conduct a public hearing to consider and act upon an ordinance amending Section 5.101 of the City of Midlothian Zoning Ordinance (Ordinance 2013-24, as amended). The primary purpose of the amendments is to revise the amenities required for residential planned developments; incorporating changes to various articles, sections, and subsections; providing for a conflicts clause; providing for a severability clause and providing for an effective date. (Case No. OZ03-2014-50)

### **REGULAR AGENDA**

- 2015-154 Consider and act upon a resolution authorizing the City Manager to enter into a contract with James and Elizabeth Prater to exchange two equally valued and sized tracts of land owned respectively by the City of Midlothian and James and Elizabeth Prater, located west of Oak Tree Lane and ±1,327 feet south of Mt. Zion, in the City of Midlothian, Texas (Case No. RES04-2014-42).
- 2015-155 Consider and act upon authorizing the City Manager to execute a contract with Reynolds Asphalt and Construction Company for pavement rehabilitation and resurfacing services throughout the City of Midlothian.
- 2015-156 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions.
- 2015-157 Consider and discuss potential topics for future City Council workshop sessions and direct staff accordingly.

### **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
5. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. 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), 551.076 (deployment/implementation of security personnel or devices) or 551.087 (economic development negotiations).*

### **REGULAR AGENDA**

- 2015-158 Action resulting from Executive Session, Item #1: Economic Development
- 2015-159 Action resulting from Executive Session, Item #2: Real Estate
- 2015-160 Action resulting from Executive Session, Item #3: ECOM
- 2015-161 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2015-162 Action resulting from Executive Session, Item #5: Personnel Matters
- 2015-163 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 24<sup>th</sup> day of April, 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.**