

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

Tuesday, October 22, 2013

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

2013-439 Announcements/Presentations

- a. Community Affairs calendar
- b. Proclamation recognizing November as National Hospice Month
- c. Proclamation recognizing Red Ribbon Week
- d. Introduction of 2013 Citizens Academy class
- e. Administrative announcements related to personnel

2013-440 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.

2013-441 Consider and act upon minutes from City Council meetings of October 1 and October 8, 2013

2013-442 Consider and act upon an amendment to Ordinance 2010-03, amending the City of Midlothian Parks Advisory Board Bylaws and the City of Midlothian Code of Ordinances, Section 1.08.032, Members (to decrease membership from nine (9) to seven (7) members); Section 1.08.033, Terms of Office (to decrease terms from three (3) years to two (2) years and providing for the staggering of existing terms to accomplish such terms lengths); and Section 1.08.035, Meetings and Quorums (to decrease quorum requirements from five (5) Board Members to four (4) Board Members), providing for the amendment of such ordinance; and providing a conflicts clause; providing a severability clause; and providing for an effective date

PUBLIC HEARINGS

2013-443 Continue a public hearing and act upon an amendment to the Zoning Ordinance to increase standards for residential development, specifically amending Sections 3.200 (Single Family One), 3.300 (Single Family Two), 3.400 (Single Family Three), 3.500 (Single Family Four), 3.5500 (Residential Masonry, Architecture, and Building Standards), 3.5600 (Residential Parking and Garage Standards) and Section 100 (Definitions) (Case No. OZ05-2012-85)

- 2013-444 Continue a public hearing and act upon an ordinance regarding amendments to the City's adopted Comprehensive Plan, Ordinance 2007-15, as amended, specifically amending the Thoroughfare Plan Map, including but not limited to: adding a new thoroughfare classification; (1) the realignment and reclassification of South 14th Street from Ashford Lane to FM 875; (2) the deletion of South 14th Street south of McAlpin Road to FM 875 and the addition of a new thoroughfare from McAlpin Road to FM 875; (3) the deletion of an east-west road connecting S. 14th Street and S. 9th Street; and, (4) the reclassification and realignment of a proposed east-west road south of FM1387 and west of Walnut Grove Road and any other revisions or deletions; providing a severability clause; and providing an effective date (Case No. CP03-2012-101)

REGULAR AGENDA

- 2013-445 Consider and act upon approval of a Commercial Unimproved Property Earnest Money Contract between Midlothian Economic Development as Buyer to purchase land, described as approximately 212 gross acres with approximately 160 net acres located on U. S. Highway 67 at the northwest corner of Miller Road, from Ellis 1270, LLC, a Texas Limited Liability Company, as Seller for the purpose of developing an industrial park, in the amount of \$2,060,000
- 2013-446 Consider and act upon a resolution of votes cast to elect directors for the Ellis Appraisal District for the years 2014-2015

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: Deliberate and consider the acquisition of real property and easements
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

- 2013-447 Action resulting from Executive Session, Item #1: Economic Development
- 2013-448 Action resulting from Executive Session, Item #2: Real Estate
- 2013-449 Action resulting from Executive Session, Item #3: ECOM
- 2013-450 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2013-451 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 18th day of October, 2013 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.**