

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

**Tuesday, November 12, 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

2013-457 Announcements/Presentations

- a. Community Affairs calendar
- b. Salvation Army Red Kettle campaign kick-off
- c. Administrative announcements related to personnel

2013-458 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.

2013-459 Consider and act upon minutes from City Council meeting of October 22, 2013

2013-460 Consider and act upon cancelling the November 26, 2013 and December 24, 2013 Regular City Council meetings

2013-461 Consider and act upon a resolution authorizing the Ellis County Toy Run (Motorcycle Parade). The event will be hosted by the Gryphon Motorcycle Club of Ellis County on Sunday, December 8th, 2013, in accordance with 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. SEP05-2013)

2013-462 Consider and act upon a resolution authorizing the Southern Star Christmas Celebration and Parade hosted by the Midlothian Downtown Business Association, Midlothian Rotary Club and the City of Midlothian on Saturday, December 7, 2013 (if cancelled due to inclement weather, the event will be rescheduled to the following Saturday, December 14, 2013), in accordance with 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. SEP05-2013)

2013-463 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant located south of the current FM 1387 and on the construction site of the new Midlothian Heritage High School for the purpose of the rerouting reconstruction of FM 1387 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. RES02-2013-15)

2013-464 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant in Kensington Park North, Phase One, for the purpose of developing a new subdivision of single-family homes, including streets, within a residential district 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. RES01-2013-01)

- 2013-465 Consider and take action to approve an Interlocal Assistance Agreement for Fire and Explosion Investigations with the Tarrant County Arson Task Force
- 2013-466 Consider and take action to approve an Interlocal Agreement with the North Central Texas Council of Governments (COG) to participate in a Texas Division of Emergency Management Grant project to develop a Hazard Mitigation Action Plan for six (6) counties, including Ellis County and the cities therein

PUBLIC HEARINGS

- 2013-467 Conduct a public hearing to consider and act upon an ordinance to rezone \pm 154 acres from the current Agricultural (A) District and Single Family One (SF-1) to a Planned Development District (PD) for mixed use of residential (lot sizes ranging from 6,000 to 9,000 + square feet) and opportunity sites consisting of community retail, general professional, medical, institutional and commercial uses. Property is generally located south of Mt Zion Road and east of FM 663, in the City of Midlothian, Texas (Case No. Z14-2012-94)
- 2013-468 Conduct a public hearing to consider and act upon an ordinance to amend Section 4.5800 (Non-residential Signage Regulations) of the City's Zoning Ordinance, specifically amending electronic message signs, incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ01-2013-01)

REGULAR AGENDA

- 2013-469 Consider and act upon a thirty-six (36) month fair market value lease with Dell Computers for 13 laptops and 47 desktops. The lease is part of the City's computer replacement program as approved in the Capital Equipment Program and the FY 2013-2014 Budget
- 2013-470 Consider and act upon a request from Leon Thompson to waive the interest accrued on an existing Privileged Lien (under Ordinance 86-33, as amended)) for property described as Lot 12 of Block 1, Bryant's Addition as recorded in Volume 520, Page 257, Deed Records of Ellis County, Texas, in an amount not to exceed \$2,997.69 (RES03-2013-16)
- 2013-471 Consider and act upon to approve an amendment to the current agreement between the City and Intermedix Technologies, Inc., for rescue ambulance billing and related professional services that will effect a reduction in our fee
- 2013-472 Consider and act upon an ordinance of the City of Midlothian, Texas that repeals Ordinance No. 2004-19 in its entirety and establishes Standard Construction Details for the City of Midlothian, including amendments, additions and changes to said details; providing that this ordinance shall be cumulative of all ordinances; providing for a repealer clause; providing for a penalty that any violation of the terms of this ordinance is declared to be a misdemeanor, and any person found to be guilty thereof shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00); each day that such violation continues shall constitute a separate offense and shall be punishable accordingly; providing for a severability clause; and setting an effective date

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).

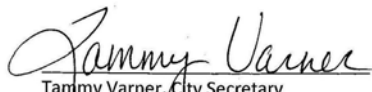
1. Section 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property and easements
3. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate 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

- 2013-473 Action resulting from Executive Session, Item #1: Economic Development
- 2013-474 Action resulting from Executive Session, Item #2: Real Estate
- 2013-475 Action resulting from Executive Session, Item #3: ECOM
- 2013-476 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2013-477 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 8th day of November, 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.**