

**MINUTES
REGULAR COUNCIL MEETING
FEBRUARY 25, 2014**

The City Council of the City of Midlothian convened in a Regular Meeting in the Council Chambers of City Hall, 104 West Avenue E, with the meeting open to the public and notice of said meeting posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present to-wit:

Bill Houston	§	Mayor
Wayne Sibley	§	Councilmember Place 1
Mike Rodgers	§	Councilmember Place 2
Jimmie L. McClure	§	Councilmember Place 3
Joe Frizzell	§	Mayor Pro Tem Place 4
T. J. Henley	§	Councilmember Place 5
Ted Miller	§	Councilmember Place 6

REGULAR AGENDA

Mayor Houston called the meeting to order at 6:00 p.m. with notice of the meeting duly posted and a quorum present. Mayor pro tem Frizzell gave the invocation and led in the pledges.

2014-63 ANNOUNCEMENTS/PRESENTATIONS

a. Community Affairs calendar

Early voting for the March 4, 2014 Primary Election ends on February 28th
Midlothian's Got Talent & Art Show at the MHS Auditorium on February 28th and March 1st at 7pm

b. Recognition of Fire and Police Department by citizen Grady Lloyd

Mr. Lloyd recognized Fire and Police personnel and expressed his appreciation for medical assistance received on Aug. 2, 2013

c. Fire Department badge pinning ceremony

Badge pinning ceremony conducted for Fire Marshal Kevin Lucia and Deputy Chief Dale McCaskill

d. Proclamation recognizing Captain Don Cole upon his retirement

Proclamation presented to Police Captain Don Cole for 26 years of service

e. Receive racial profiling report

Annual Report presented by Police Chief Carl Smith

f. Administrative announcements related to personnel

None were received

2014-64 Citizens to be heard

None were received

CONSENT AGENDA

2014-65 CONSIDER AND ACT UPON MINUTES FROM CITY COUNCIL MEETINGS OF FEBRUARY 4, 11, AND 18, 2014

2014-66 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE 5K 4KIDS FUN RUN HOSTED BY THE MIDLOTHIAN INDEPENDENT SCHOOL DISTRICT EDUCATION FOUNDATION (MISDEF) SCHEDULED FOR SATURDAY, APRIL 26, 2014, 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. SEP09-2013)

Councilmember Sibley moved to approve the Consent Agenda as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (7-0).

REGULAR AGENDA

2014-67 CONSIDER AND ACT UPON AN AGREEMENT WITH KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS FOR THE PURCHASE AND INSTALLATION OF TEN (10) CUSTOM HANGING CANTILEVER SHADE STRUCTURES TO BE INSTALLED ON ALL BLEACHERS AT JAYCEE PARK, IN AN AMOUNT NOT TO EXCEED \$88,385.00 TO BE FUNDED BY THE CITY OF MIDLOTHIAN AND THE MIDLOTHIAN COMMUNITY DEVELOPMENT CORPORATION ON A 50-50 COST SHARE BASIS.

Billy King reported that the Item originated as a grant request from Midlothian Amateur Baseball Association to the MCDC at its November, 2013 meeting. MCDC approved the grant request subject to a 50% funding commitment by the City of Midlothian. Mayor pro tem Frizzell moved to approve the Item as presented. Motion was seconded by Councilmember Sibley and carried unanimously (7-0). It was also noted that the action taken included Council approval of the expenditure of funds by MCDC, pursuant to MCDC bylaws.

2014-68 CONSIDER AND ACT UPON AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MIDLOTHIAN, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$17,000,000; AND ORDAINING OTHER MATTERS RELATED THERETO, INCLUDING IMMEDIATE EFFECTIVENESS.

Chris Dick gave a brief overview of the parameter sale, noting the terms that must be met prior to bond issuance. Mark McLiney of Southwest Securities, Inc. provided Council with a Summary of Proposed Refunding and answered questions. Councilmember Henley moved to approve Item 2014-68 as presented. Motion was seconded by Councilmember McClure and carried unanimously (7-0).

2014-69 REVIEW AND DISCUSS STATUS OF MAJOR WORK PROJECTS AND DIRECT STAFF AS NECESSARY.

The Item was not discussed.

Council moved to Executive Session at 6:52 p.m. for the purpose of discussing Items 4 and 5 with the following present: Mayor Houston, Mayor pro tem Frizzell, Councilmembers Sibley, Rodgers, McClure, Henley, Miller; City Manager, Assistant City Manager, City Attorney, Planning Director, City Engineer and City Secretary (each for their respective Items).

EXECUTIVE SESSION

- 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 PERSONNEL MATTERS: (A)(1) CITY SECRETARY ANNUAL
551.074 PERFORMANCE EVALUATION**

Council reconvened in Regular Session at 7:38 p.m. with no action taken in Executive Session.

REGULAR AGENDA

**2014-70 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #1:
ECONOMIC DEVELOPMENT**

The Item was not discussed in Executive Session.

**2014-71 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #2: REAL
ESTATE**

The Item was not discussed in Executive Session.

2014-72 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #3: ECOM

The Item was not discussed in Executive Session.

**2014-73 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #4:
CONTEMPLATED LITIGATION**

There was no action taken following Executive Session.

**2014-74 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #5: CITY
SECRETARY EVALUATION**

Councilmember McClure moved to approve a 2% annual salary increase for the City Secretary. Motion was seconded by Councilmember Sibley and carried unanimously (7-0).

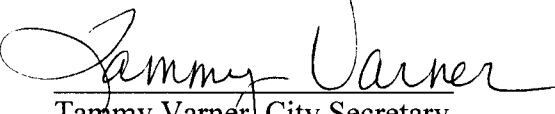
2014-75 ADJOURN

With there being no further business to discuss, Mayor Houston adjourned the meeting at 7:40 p.m.



Bill Houston, Mayor

ATTEST:



Tammy Varner, City Secretary