

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, February 24, 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

2015-73 Announcements/Presentations

- a. Community Affairs calendar
- b. Presentation of City's financial audit for FY 2013-14 from representatives of Weaver & Tidwell, LLP
- c. Receive racial profiling annual report
- d. Receive juvenile curfew annual report
- e. Administer Oath of Honor to Police Department personnel
- f. Administrative announcements related to personnel
- g. Proclamation for the 100<sup>th</sup> Birthday of Kimmel Park

2015-74 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.*

2015-75 Consider and act upon minutes from the City Council meetings of February 3 and February 10, 2015.

2015-76 Consider and act upon a resolution authorizing the Bark For Life event hosted by the American Cancer Society scheduled for Saturday, May 2, 2015 from 12:00 pm to 4:00 pm at Civic Center Park, 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. SEP07-2014)

2015-77 Consider and act upon a resolution authorizing the City of Midlothian Kids Fishing Derby, an annual event hosted by the Parks & Recreation Department, scheduled for Saturday, April 11, 2015, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (SEP09-2014)

2015-78 Consider and act upon a resolution authorizing the Heroes of Midlothian 5K Run & Festival benefitting Midlothian veterans and their families, hosted by the Heroes of Midlothian Foundation, 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. SEP08-2014)

2015-79 Consider and act upon a five (5) year agreement with CBS Stations Group of Texas (CBS) to place a SkyCam on the PD Communications Tower.

### **PUBLIC HEARINGS**

2015-80 Conduct a public hearing to consider and act upon an ordinance to rezone ± 35 acres out of the H.F. Hinkley Survey, Abstract 459 and G.F. Holman Survey, Abstract 460 from the current Single Family Four (SF-4) District to a Planned Development (PD) District for mixed-use retail and commercial uses with a special events center (wedding venue), including live-work businesses and neighborhood retail uses within an architecturally controlled district composed of historically themed buildings; being located on the west side of U.S. Highway 67, situated ± 370 feet north of Church Street, in the City of Midlothian, Texas. (Case #Z04-2014-25)

2015-81 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.

2015-82 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.

### **REGULAR AGENDA**

2015-83 Review and approve draft agendas for the March 3rd and April 7<sup>th</sup> City Council Workshops and direct staff as necessary

2015-84 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions

### **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**

- 2015-85 Action resulting from Executive Session, Item #1: Economic Development
- 2015-86 Action resulting from Executive Session, Item #2: Real Estate
- 2015-87 Action resulting from Executive Session, Item #3: ECOM
- 2015-88 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2015-89 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 20th day of February, 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.**