

**NOTICE OF A WORKSHOP AND REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, October 13, 2015**

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 at the Midlothian Conference Center, 1 Community Circle Drive, Midlothian, Texas

WORKSHOP 5:00 p.m.

Call to Order

2015-353 Review and discuss the Board and Commission nomination process and City Council subcommittees.

2015-354 Adjourn

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation and Pledge of Allegiance

2015-355 Mt. Pleasant Missionary Baptist Church Proclamation

2015-356 Red Ribbon Week Proclamation

2015-357 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.

2015-358 Consider and act upon minutes from the City Council meeting of September 8, 2015.

2015-359 Consider and act upon a resolution authorizing the annual Midlothian Downtown Trick or Treat hosted by the Midlothian Downtown Business Association and the City of Midlothian, scheduled for Friday, October 30, 2015, 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. SEP02-2015)

2015-360 Consider and act upon a resolution authorizing the Midlothian Independent School District ("MISD") 2015 Homecoming Parade, an event hosted by the MISD, scheduled for Wednesday, October 21, 2015, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Case No. SEP03-2015)

2015-361 Consider and act upon an amendment to Ordinance 2010-03 as amended by Ordinance 2013-47, amending the City of Midlothian Parks Advisory Board Bylaws and the City of Midlothian Code of Ordinances, Section 1.08.034, Removal (to change the attendance requirements: Any board member who absences himself for three (3) consecutive meetings or four (4) in any 12 month period shall constitute automatic removal from the Parks Board), Section 1.08.035 Meetings and quorum (to add a requirement that the act of four or more board members at a meeting at which a quorum is in attendance shall constitute the act of the Board); providing for the amendment of such ordinance; and providing a conflicts clause; providing a severability clause; and providing for an effective date

- 2015-362 Consider and act upon a resolution amending the City of Midlothian Historic Advisory Board's Rules of Procedure
- 2015-363 Consider and act upon an ordinance amending Ordinance No. 86-3, 98-39, and 2009-34 clarifying the membership of the Historic Advisory Board; and repealing any other ordinances in conflict with the terms of this ordinance; providing a severability clause and an effective date.
- 2015-364 Consider and act upon a Resolution amending the City of Midlothian's Zoning Board of Adjustment Rules of Procedure (Case No. M22-2014-96)
- 2015-365 Consider and act upon an ordinance amending Ordinance No. 100, as amended by Ordinance 2007-421 clarifying appointment procedures, terms of office, procedure, scope and establishing rules of procedure for the planning & zoning commission and repealing any other ordinances in conflict with the terms of this ordinance, providing a severability clause and an effective date (case no. M23-2014-97)

PUBLIC HEARINGS

- 2015-366 Conduct a public hearing and act upon an ordinance amending the City of Midlothian Zoning Ordinance No. 2013-24, as amended, by rezoning ± 53.3462 acres (the Zoning Area) from Agricultural (A) District and Single Family One (SF-1) District to a Planned Development District No. 79 (PD-79) for Commercial (C) uses with architectural controls (Case No. Z10-2014-78); and a Specific Use Permit (SUP) to allow a unified signage plan for ground and pylon signage, with architectural controls, to exceed the size and height of signage typically allowed in the Commercial (C) District (Case No. SUP03-2014-100); said Zoning Area being situated within the M.T. Hawkins Survey, Abstract No. 463, the Benjamin F. Hawkins Survey, Abstract No. 464, and the William Rawlins Survey, Abstract No. 915, in the City of Midlothian, Ellis County, Texas; being located at the southeast corner of the US 287 Bypass and FM 663.
- 2015-367 Conduct a public hearing of Case No. AX01-2014-33, the first of two (2) public hearings for a proposed annexation; the proposed Annexation Area contains ± 3,471 acres (± 5.42 square miles) of land lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoins the present city limit lines of the City of Midlothian (the proposed annexation area being fully described in Exhibits A & B attached hereto and made a part hereof for all purposes of the annexation procedures); in accordance with Texas Local Government Code Chapter 43, Subchapter C.

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 based on an ethical duty to advise regarding potential litigation

4. Section 551.071 Legal: Consultation with attorney regarding ECOM Real Estate Management, Inc. v. City of Midlothian, Cause No. 68,846 in the 40th Judicial District Court, Ellis County, Texas

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

- 2015-368 Action resulting from Executive Session, Item #1: Economic Development
2015-369 Action resulting from Executive Session, Item #2: Real Estate
2015-370 Action resulting from Executive Session, Item #3: Contemplated litigation
2015-371 Action resulting from Executive Session, Item #4: ECOM
2015-372 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 9th day of October, 2015 at or before 5:00 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.**