

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, March 27, 2012**

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 Council Chambers and Administrative Conference Room of City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2012-99 Announcements/Presentations
- a. Community Affairs calendar
 - b. Administer oaths to Fire Department personnel
 - c. Administrative announcements related to personnel

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.

2012-100 Consider and act upon minutes from City Council meeting of March 13, 2012

2012-101 Consider and act upon a resolution to authorize a Downtown Farmers Market to be hosted by the Midlothian Downtown Business Association to be held June 2, 2012 through October 20, 2012, on alternate Saturdays, in accordance with zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 89-13, as amended, Section 4.4 (Use Table) (Case No. RES06-2011-22)

2012-102 Consider and act upon a resolution authorizing the annual “Head for the Hills” Bicycle Rally routed through the City of Midlothian and hosted by the Cedar Hill Rotary Club on Saturday, May 12, 2012, in accordance with zoning requirements for this type of event as established by the City of Midlothian Zoning Ordinance 89-13, as amended, Section 4.4 (Case No. RES08-2011-32)

2012-103 Consider and act upon a resolution authorizing the annual Spring Fling Arts & Crafts Fair, including the temporary closure of West Avenue F (between North 8th Street and Plaza Drive). This event is hosted by the Midlothian Chamber of Commerce and scheduled for Saturday, April 28, 2012, in accordance with the zoning requirements for this type of event, as established by the City of Midlothian Zoning Ordinance 89-13, as amended, Section 4.4 (Case No. RES09-2011-33)

REGULAR AGENDA

2012-104 Citizens to be heard

2012-105 Consider and act upon a non-exclusive contract for water and sanitary sewer maintenance supplies with Municipal Water Works Supply, LP and with Britton Meter Supply, Inc.

2012-106 Consider and act upon a petition according to Texas Local Government Code, Section 43.28, for the voluntary annexation of ± 6.277 acres of land, known as Watson Addition, Lot 2, generally located ± 2,829 feet north of FM 1387 and east of Bryson Lane, in Ellis County, Texas; and, if the petition is granted, adopt an ordinance to annex the area lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian. The petition was filed with the City on March 6, 2012, according to Texas Local Government Code, Section 43.028 and is contiguous and adjacent to the present boundaries of the City of Midlothian, Texas. (Case No. AX01-2011-28)

- 2012-107 Consider and act upon an ordinance according to Texas Local Government Code, Section 43.028 extending the municipal boundary limits of the City of Midlothian, Texas, by voluntary annexation of ± 6.277 acres of land, known as Watson Addition, Lot 2, generally located ± 2,829 feet north of FM 1387 and east of Bryson Lane, in Ellis County, Texas; and, adjoining the present boundary limits of the City of Midlothian; Providing that the annexed property shall be subject to the ad valorem taxes levied by the City of Midlothian and that the inhabitants of the annexed property shall be entitled to all rights and privileges of all the regulations of the City of Midlothian now in effect and hereinafter adopted; Proposed annexation being fully described in the Exhibit “A” of attached ordinance hereto and made a part of for all purposes of voluntary annexation procedures; providing a severability clause; providing for an effective date; and providing for the publication of the caption of this ordinance (Case No. AX01-2011-28)
- 2012-108 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant in Rosebud Addition, Phase 3, 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. Res10-2011-34)
- 2012-109 Consider and act upon a resolution in support of a tax abatement for Ash Grove L.P. for planned plants improvements in support of retaining jobs and protecting business investments in the City of Midlothian, Texas (Case No. Res10-2011-34)
- 2012-110 Consider and act upon the adoption of the 2009 International Property Maintenance Code (“IPMC”) and amendments
- 2012-111 Consider and act upon a purchase agreement with Watch Guard Digital In-Car Video for 11 complete audio/video systems for Midlothian patrol fleet and 15 CopVu cameras which are worn individually by officers to supplement audio and video outside the view of fixed camera systems inside MPD patrol vehicles
- 2012-112 Consider and act upon the Restated Certificate of Formation of the Corporation for Economic Development of Midlothian(CEDM)
- 2012-113 Consider and act upon the amended Bylaws of the Corporation for Economic Development (CEDM)
- 2012-114 Receive report from the Corporation for Economic Development (CEDM) regarding the Executive Director search and selection process

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 551.071 Legal: Consultation with attorney regarding City of Midlothian v. Randall Denton, MidTexas International Center, Inc., Texas Properties Trust and Trade Zone Operations, Inc.
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
3. Section 551.087 Deliberation regarding economic development negotiations
4. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment or duties of an Economic Development Executive Director for the City of Midlothian
5. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects


6. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
7. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (construction contract)
8. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (real estate transaction)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

REGULAR AGENDA

- 2012-115 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2012-116 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2012-117 Action resulting from Executive Session, Item #3: Economic Development
- 2012-118 Action resulting from Executive Session, Item #4: Personnel – Economic Development Executive Director
- 2012-119 Action resulting from Executive Session, Item #5: Real Estate
- 2012-120 Action resulting from Executive Session, Item #6: Real Estate
- 2012-121 Action resulting from Executive Session, Item #7: Contemplated litigation (construction)
- 2012-122 Action resulting from Executive Session, Item #8: Contemplated litigation (real estate)
- 2012-123 Action resulting from Executive Session related to Section 551.071(2)
- 2012-124 Adjourn

I, Tammy Varner, 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 23rd day of March, 2012 at or before 5:00 p.m.


Tammy Varner, 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.**