

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

Monday, May 21, 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 of City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2012-188 Canvass votes from City Council election of May 12, 2012
- 2012-189 Administer Oath of Office to Councilmembers Place 5 and 6
- 2012-190 Elect Mayor pro tem
- 2012-191 Announcements/Presentations
 - a. Community Affairs calendar
 - b. 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.

- 2012-192 Consider and act upon minutes from City Council meeting of May 8, 2012
- 2012-193 Consider and act upon a staff recommendation to reject all bids received for the Pavement Asphalt Overlay Contract
- 2012- 194 Consider and act upon a resolution authorizing the Independence Day Parade scheduled for Wednesday, July 4, 2012, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 89-13 as amended, Section 4.4 (Case No. RES15-2011-53)
- 2012-195 Consider and act upon a Block Party, located in Midlothian Meadows and hosted by the Home Owners Association (HOA) of Midlothian Meadows Phase 4 & 5; said Block Party is scheduled for Saturday, June 9th, 2012, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 89-13 as amended, Section 4.4. (Case No. RES16-2011-54)

PUBLIC HEARINGS

- 2012-196 Conduct a public hearing to consider and act upon an ordinance for a Specific Use Permit (SUP), to allow an electronic message sign for Longbranch Elementary, located north of FM 1387 and west of Longbranch Road, in the City of Midlothian, Texas (Case No. SUP03-2011-39)
- 2012-197 Conduct a public hearing to consider and act upon a request to rezone Watson Addition Lot 2A and 2B from Agricultural (A) to Single Family Three (SF-3). Property is located east of Bryson Road and north of FM 1387. (Case No. Z06-2011-42)

REGULAR AGENDA

- 2012-198 Citizens to be heard
- 2012-199 Consider and act upon awarding a contract to WHECO Electric, Inc. for the maintenance and repair of Supervisory Control and Data Acquisition (SCADA) system equipment at the water treatment plant.

- 2012-200 Consider and act upon an ordinance establishing no parking, stopping, or standing of vehicles along FM 663 (South 9th Street) from George Hopper Road southward to U.S. Highway 287 (east side only), in the City of Midlothian, Ellis County, Texas; providing for the erection of appropriate signs; providing for a repealing clause; providing for a penalty clause; providing for a severability clause; and providing for an effective date
- 2012-201 Consider and act upon appointments to Council Subcommittees

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 Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
2. Section 551.087 Deliberation regarding economic development negotiations
3. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
4. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
5. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation (construction contract)
6. 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) or 551.076 (deployment/implementation of security personnel or devices).

REGULAR AGENDA

- 2012-202 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-203 Action resulting from Executive Session, Item #2: Economic Development
- 2012-204 Action resulting from Executive Session, Item #3: Real Estate
- 2012-205 Action resulting from Executive Session, Item #4: Real Estate
- 2012-206 Action resulting from Executive Session, Item #5: Contemplated litigation (construction)
- 2012-207 Action resulting from Executive Session, Item #6: Contemplated litigation
- 2012-208 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 18th day of May, 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.**