

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

**Tuesday, July 24, 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

2012-275 Announcements/Presentations

- a. Community Affairs calendar
- b. Administer Oath of Honor to Police Department personnel
- c. Presentation of proclamation to retiring City Secretary Lou Jameson
- d. Presentation of proposed FY 2012-2013 Operating Budgets for the City of Midlothian General Fund and Utility Fund
- e. 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.*

2012-276 Consider and act upon minutes from City Council meetings of July 10, 2012

**PUBLIC HEARINGS**

2012-277 Conduct a public hearing and act upon an ordinance amending Section 6.7, North 8<sup>th</sup> Street District (N8) of the City of Midlothian Zoning Ordinance 89-13, as amended, incorporating changes to various, articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ02-2011-57)

2012-278 Conduct a public hearing to consider and act upon a request for a Specific Use Permit (SUP), to allow a restaurant on property currently zoned North 8th Street (N8) District. Property address is 303 North 8th Street, and is located northeast of the intersection of West Avenue E and North 8th Street in the City of Midlothian, Texas (Case No .SUP05-2011-31)

**REGULAR AGENDA**

2012-279 Citizens to be heard

2012-280 Receive an update on various City Board and Commission meetings and activities

2012-281 A resolution amending Resolution 2012-07 to authorize a Downtown Farmers Market to be held every Saturday through October 20, 2012 and hosted by the Midlothian Downtown Business Association; 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. RES18-2011-63)

## 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).*

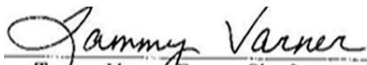
1. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
2. Section 551.087 Deliberation regarding economic development negotiations
3. Section 551.072 Real Estate: Deliberate and consider the acquisition of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

*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

- 2012-282 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-283 Action resulting from Executive Session, Item #2: Economic Development
- 2012-284 Action resulting from Executive Session, Item #3: Real Estate
- 2012-285 Action resulting from Executive Session, Item #4: Denton
- 2012-286 Action resulting from Executive Session, Item #5: Contemplated litigation (construction)
- 2012-287 Action resulting from Executive Session, Item #6: Contemplated litigation
- 2012-288 Action resulting from Executive Session, Item #7: Personnel – Planning Director
- 2012-289 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 20<sup>th</sup> day of July, 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.**