

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, September 25, 2012  
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 Council Chambers of City Hall, 104 West Avenue E, Midlothian, Texas

**REGULAR AGENDA**

- Call to Order, Invocation and Pledge of Allegiance  
2012-355 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.*

- 2012-356 Consider and act upon minutes from City Council meetings of September 11 and 17, 2012  
2012-357 Consider and act upon a resolution authorizing a National Night Out Block Party, located and hosted by property owners on Blake Lane in conjunction with the annual "National Night Out", scheduled for Tuesday, October 2, 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. RES20-2011-78)

**PUBLIC HEARINGS**

- 2012-358 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 89-13, as amended, amending Section 7.4-2, Political Signs, and Section 7.4-20, Definitions, incorporating changes to various, articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ014-2011-40)

**REGULAR AGENDA**

- 2012-359 Citizens to be heard  
2012-360 Receive an update on various City Board and Commission meetings and activities  
2012-361 Consider and act upon an ordinance calling for a Joint Public Hearing of the Planning and Zoning Commission and the City Council to consider an application for zoning amendments for two parcels and prescribing special notice standards consistent with Texas Local Government Code Chapter Sections 211  
2012-362 Consider and act upon a License Agreement with the City of Waxahachie, Texas, that will permit the City of Midlothian to utilize the City of Waxahachie's newest elevated water tower at 528 Suite A, Ovilla Road, Waxahachie, Texas, for a remote receiving site as part of the NEED Center upgraded communications infrastructure  
2012-363 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 551.071 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 and easements necessary for roadway, utility 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 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

- 2012-364 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-365 Action resulting from Executive Session, Item #2: Economic Development
- 2012-366 Action resulting from Executive Session, Item #3: Real Estate
- 2012-367 Action resulting from Executive Session, Item #4: Denton
- 2012-368 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2012-369 Adjourn

I, Tammy Varner, 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 21<sup>st</sup> day of September, 2012 at or before 5:00 p.m.

  
Tammy Varner, 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.**