

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, June 10, 2014  
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 City Council Chambers at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

**REGULAR AGENDA**

- Call to Order, Invocation and Pledge of Allegiance  
2014-219 Announcements/Presentations  
    a. Community Affairs calendar  
    b. Administrative announcements related to personnel  
2014-220 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.*

- 2014-221 Consider and act upon minutes from City Council meeting of May 27, 2014  
2014-222 Consider and act upon a resolution authorizing the 6th Annual Midlothian Firefighter's Association 5K Run benefitting Midlothian Officer Heather Phares' family, hosted by the Midlothian Firefighter's Association Local 3685, scheduled for Saturday, June 21, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP23-2013)  
2014-223 Consider and act upon a resolution authorizing the Midlothian DFW's Southern Star Independence Day Parade, hosted by the City of Midlothian Parks and Recreation Department and the Midlothian Park Advisory Board, scheduled for Friday, July 4, 2014, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP26-2013)  
2014-224 Consider and act upon a resolution authorizing the 28<sup>th</sup> annual Cow Creek Country Classic Bike Ride hosted by the Waxahachie Rotary Club on Saturday, June 28, 2014, 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. SEP27-2013)  
2014-225 Consider and act upon a resolution authorizing Pets Night Out, an event hosted by Tio Tony's and local veterinarians and scheduled on Saturday, June 14, 2014 in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 2.04 (Use Table) (Case No. SEP28-2013)

**PUBLIC HEARINGS**

- 2014-226 Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 2013-24, as amended, by rezoning ± 0.321 acres from the current Residential Three (R3) District to a Medium Density One (MD-1) District for residential uses. Property is addressed as 303 East Avenue F, being Hawkins Addition, Block 8, Lots 1 and 2 and located at the corner of 11<sup>th</sup> Street and East Avenue F, in the City of Midlothian, Texas (Case No. Z12-2013-66)

## REGULAR AGENDA

- 2014-227 Consider and act upon an ordinance repealing Ordinance No. 2012-39 in its entirety and adopting an ordinance, “Cross Connection Control and Backflow Prevention Program” by establishing policy attached hereto as Exhibit “A”; adopting a Water Service Agreement attached hereto as Appendix A to be executed by all new water customers of the City of Midlothian Water System; providing that this ordinance shall be cumulative of all ordinances; providing for a repealer clause; providing for a severability clause; providing for a penalty clause that any violation of the terms of this ordinance is declared to be a misdemeanor, and any person found to be guilty thereof shall be punishable by a fine not to exceed two thousand dollars (\$2,000), and each day that such violation continues shall constitute a separate offense and shall be punishable accordingly; and providing for an effective date
- 2014-228 Review and approve draft agendas for the July 1st and August 5<sup>th</sup> City Council Workshops; review City Council prioritized issues/ projects list; and direct staff as necessary

## 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 regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
4. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation
5. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager

*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

- 2014-229 Action resulting from Executive Session, Item #1: Economic Development
- 2014-230 Action resulting from Executive Session, Item #2: Real Estate
- 2014-231 Action resulting from Executive Session, Item #3: ECOM
- 2014-232 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2014-233 Action resulting from Executive Session, Item #5: Personnel
- 2014-234 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 6<sup>th</sup> day of June, 2014 at or before 6:00 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.**