

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, January 13, 2015  
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

2015-07 Announcements/Presentations

- a. Community Affairs calendar
- b. Badge pinning for Fire Chief McCaskill and Assistant Fire Chief Brancato
- c. Administrative announcements related to personnel

2015-08 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.*

2015-09 Consider and act upon minutes from the City Council meetings of December 2 and December 9, 2014.

2015-10 Consider and act upon awarding a contract to Eagle Labs, Inc. for the purchase of CHEMFLOC 3114, a coagulant used in the water treatment process.

2015-11 Consider and act upon an Interlocal Agreement between the Midlothian Independent School District and the City of Midlothian, Texas for the assignment of a police officer to MISD Heritage High School for the 2014-15 school year.

2015-12 Consider and act upon a resolution authorizing the Midlothian Police Department to receive grant funds of \$78,600 from the Justice Assistance Grant (JAG) Programs allocated through the Governor's Criminal Justice Division and to authorize the City Manager to accept, reject, alter or terminate that grant.

**PUBLIC HEARINGS**

2015-13 Conduct a public hearing to consider and act upon an ordinance amending the City of Midlothian Zoning Ordinance 2013-24, as amended, to rezone ± 213.897 acres from the current Agricultural (A) District to a Single Family One (SF-1) District. Property is located in the Shelby Smith Survey, Abstract 973, the J.W. Singleton Survey, Abstract 1246, the G. Garcia Survey, Abstract 419, the J.B. Orr Survey, Abstract 818, and the A.J Cornelius Survey, Abstract 1285. Property is generally located north of FM 875, in the City of Midlothian, Texas (Case No. Z21-2013-99)

2015-14 Conduct a public hearing to consider and act upon an ordinance to rezone ± 16.033 acres from the current Light Industrial (LI) District to a Medium Industrial (MI) District for general freight trucking and freight transportation uses. Property is out of the E.C. Bedford Survey, Abstract No. 91, being addressed as 4355 Old Highway 67 N., generally located on the west side of Old Highway 67 N., approximately 1,075 feet south of Tayman Road, in the City of Midlothian, Texas. (Case No. Z03-2014-15)

- 2015-15 Conduct a public hearing to consider and act upon an ordinance to rezone ± 0.4108 acres for 115 West Avenue I from the current Community Retail (CR) District to an Urban Village Planned Development (UVPD) District for residential and professional office uses. Property is generally located north of W. Ave. I and ± 280 feet west of FM 663 (South 9th Street), in the City of Midlothian, Texas. (Case No. Z02-2014-07)
- 2015-16 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, by the addition of Section 11, Tree Preservation, including the incorporation of modifications to various articles, sections and subsections of the Zoning Ordinance pertaining to landscaping; establishing a Midlothian Tree Mitigation Fund; providing a conflicts clause; providing a severability clause, providing for the enforcement of said amendments, establishing a penalty for violations, and providing for an effective date. (Case No. OZ01-2014-01)
- 2015-17 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 3.5400 (Residential Landscaping, Streetscaping, and Amenity Standards) and Section 3.5600 (Residential Parking and Garages), incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ03-2013-79)

### **REGULAR AGENDA**

- 2015-18 Consider and act upon a request to allow on-street parking on George Hopper Road for MidTowne Pharmacy. Property is currently zoned as Planned Development (PD-42) District and located on the south side of George Hopper Road ±130 feet west of South 14th Street, in the City of Midlothian, Texas (Case No. M04-2014-10)
- 2015-19 Consider and act upon a preliminary plat of Hawkins Meadow. Property contains ± 135.922 acres out of the Marcellus T. Hawkins Survey, Abstract No. 463, the John M. Garvin Survey, Abstract No. 424, and the William W. Rawls Survey, Abstract No. 915, being generally located along the east side of FM 663 and ± 1,900 feet south of U.S. Highway 287, in the City of Midlothian, Texas (Case No. PP03-2014-22).
- 2015-20 Review and approve draft agenda for the February 3rd City Council Workshop 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 a public officer or employee. Receive an update on the City Manager search.

*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**

- 2015-21 Action resulting from Executive Session, Item #1: Economic Development
- 2015-22 Action resulting from Executive Session, Item #2: Real Estate
- 2015-23 Action resulting from Executive Session, Item #3: ECOM
- 2015-24 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2015-25 Action resulting from Executive Session, Item #5: Personnel
- 2015-26 Adjourn

I, Mary McDonald, 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 9<sup>th</sup> day of January, 2015 at or before 6:00 p.m.



Mary McDonald, 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.**