

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, JUNE 12, 2007**

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 PM**

Call to Order, Invocation and Pledge of Allegiance

2007-254 Citizens to be Heard

2007-255 Announcements/Presentations

1. City Council announcements
2. City Manager announcements

**CONSENT AGENDA**

*All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

2006-256 Consider and act upon minutes from City Council meetings of May 22 and May 29, 2007

2007-257 Consider and act upon authorizing a bid award to Eagle Construction & Environmental Services, L.P. for sludge removal at the Water Treatment Plant, in an amount not to exceed \$41,310

2007-258 Consider and act upon a resolution authorizing the City to enter into an agreement with Texas Department of Transportation (TxDOT) to participate in the Federal-Aid Off-System Bridge Replacement Program, in particular the replacement of the bridge structure located on Mt. Zion Road at Waxahachie Creek Tributary, with the City's local matched fund participation cost in an amount not to exceed \$44,140

2007-259 Consider and act upon an ordinance authorizing the issuance of City of Midlothian, Texas General Obligation Bonds, Series 2007, in the principal amount of \$8,550,000 and ordaining other matters related thereto

2007-260 Receive bids and take action to award the sale of bonds, or reject all bids, for the City of Midlothian General Obligation Bonds, Series 2007 in the principal amount of \$8,550,000

## **PUBLIC HEARINGS and REGULAR AGENDA**

- 2007-261 Conduct a public hearing and act upon an ordinance regarding amendments to the City of Midlothian Comprehensive Plan Ordinance 2007-15, Thoroughfare Map (Case OZ03-2006-93) to consider an ordinance amending the City of Midlothian's Comprehensive Plan, adopted by Ordinance 2007-15, specifically amending the Thoroughfare Plan by adding or revising certain road segments to the Thoroughfare Plan Map including but not limited to the addition and reclassification of Tayman Road to a Minor Arterial, and the reclassification of McAlpin Road to a Minor Arterial, the realignment of the proposed Airport Road, the addition of a proposed road near the future Sudith Lane Elementary School, the realignment and reclassification of the western extension of Hayes Road to a Minor Arterial and the removal of a section of the Joe Wilson Road extension
- 2007-262 Conduct a public hearing and act upon an ordinance regarding amendments to the City of Midlothian Zoning Ordinance 89-13 (Case OZ02-2006-66) to consider proposed amendments and changes to the City of Midlothian Zoning Ordinance 89-13, as amended: Article 4, Section 4, (Use Table); Article 5, Sections 5.1B (SF-2), 5.1C (SF-3), 5.1D (SF-4), 5.3A (R1.5), 5.4A (R2.5), and 5.5 (R3) (Residential Districts Regulations); Article 7, Sections 7.4 (Sign Regulations) and 7.8 (Masonry Requirements); establishing an effective date; and, any other corresponding additions, deletions or changes to various sections, articles and provisions contained in said Zoning Ordinance

## **REGULAR AGENDA**

- 2007-263 Consider and act upon nominations to various boards and commissions:
1. Midlothian Community Development Corporation (4B)
  2. Zoning Board of Adjustment
  3. Corporation for Economic Development (4A)
  4. Historic Advisory Board
  5. Joint Midlothian/Waxahachie Airport Board

## **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. 70419, George Slayton and Roberta Slayton v. City of Midlothian and Oscar Renda Contracting, Inc., 40<sup>th</sup> District Court, Ellis County, Texas
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 68846, ECOM Real Estate Management, Inc., v. City of Midlothian
3. Section 551.071 Legal: Consultation with attorney regarding Cause No. 67202, Midlothian v. Texas Central Business Lines Corporation, et al, pursuant to attorney's ethical duty to advise City regarding such matters
4. Section 551.071 Legal: Consultation with attorney regarding Cause No. 74216, Letha Black v. City of Midlothian, et al


5. Section 551.071 Legal: Consultation with attorney regarding issues related to Mid-Wax Certificate of Convenience and Necessity Permit application status
6. Section 551.071 Legal: Consultation with attorney regarding Cause No. 72768, Robert Ratzman, et al, v. City of Midlothian
7. Section 551.071 Legal: Consultation with attorney regarding legal issues related to pending annexation of areas subject to a municipal annexation plan, pursuant to attorney's ethical duty to advise city regarding such matters
8. Section 551.072 Real Estate: Deliberation regarding real property – potential swap of real estate parcels between City of Midlothian and Midlothian Independent School District located along Hwy 287 Bypass
9. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
10. Section 551.072 Real Estate: Deliberate regarding real property – potential Sports Park real property exchange between City of Midlothian and Midlothian Independent School District
11. Section 551.072 Real Estate: Deliberate regarding real property – potential real property exchange between City of Midlothian and Harlan Meyers
12. Section 551.071 Legal: Consultation with attorney regarding contract with NucentCom, Inc. pursuant to attorney's ethical duty to advise City regarding such matters
13. Section 551.074 Personnel Matters: (a)(1) to deliberate the job performance of the City Manager
14. Section 551.074 Personnel Matters: (a)(1) to deliberate the job performance of the City Manager in Transition
15. Section 551.071 Legal: Consultation with attorney regarding ethical duty to advise regarding potential litigation concerning the construction of the Midlothian Conference Center and Senior Citizen's Center

### **REGULAR AGENDA**

- 2007-264 Action resulting from Executive Session, Item # 1: Legal - Slayton
- 2007-265 Action resulting from Executive Session, Item # 2: Legal – ECOM
- 2007-266 Action resulting from Executive Session, Item # 3: Legal – TCBL
- 2007-267 Action resulting from Executive Session, Item # 4: Legal – Black
- 2007-268 Action resulting from Executive Session, Item # 5: Legal – Mid-Wax CCN
- 2007-269 Action resulting from Executive Session, Item # 6: Legal – Ratzman
- 2007-270 Action resulting from Executive Session, Item # 7: Legal – Annexation
- 2007-271 Action resulting from Executive Session, Item # 8: Real Estate – Hwy 287 Bypass land swap with MISD
- 2007-272 Action resulting from Executive Session, Item # 9: Real Estate – Property acquisition

- 2007-273 Action resulting from Executive Session, Item # 10: Real Estate – Sports Park
- 2007-274 Action resulting from Executive Session, Item # 11: Real Estate – Harlan Meyers
- 2007-275 Action resulting from Executive Session, Item # 12: Legal – NucentCom, Inc.
- 2007-276 Action resulting from Executive Session, Item # 13: City Manager job performance
- 2007-277 Action resulting from Executive Session, Item # 14: City Manager in Transition job performance
- 2007-278 Action resulting from Executive Session, Item #15: Legal – Conference Center and Senior Citizen’s Center
- 2007-279 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 8<sup>th</sup> day of June 2007, 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.**