

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, November 10, 2009**

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

- 2009-406 Announcements/Presentations
- a. Canvass votes from City Council Election of November 3, 2009
 - b. Administer Oath of Office
 - c. Recognition of R. J. "Dusty" Fryer, former Councilmember Place 1
 - d. Statement from Councilmember Wickliffe regarding professional conflict of interest
 - e. Community Affairs calendar
 - f. Hospice Month Proclamation
 - g. Recognition of Midlothian Fire Department "C" Shift
 - h. 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.

- 2009-407 Consider and act upon minutes from City Council meeting of October 27, 2009
- 2009-408 Consider and act upon the amended Mid-Way Airport Rules and Regulations
- 2009-409 Consider and act upon a request by staff to establish an ad hoc committee of development stakeholders to consider and propose alternatives to stimulate quality growth in Midlothian

PUBLIC HEARINGS

- 2009-410 Conduct a Public Hearing and act upon an ordinance regarding amendments to the City of Midlothian Comprehensive Plan Ordinance 2007-15, as amended, requesting a change of land use from Rural and Industrial Modules to a Suburban Module, and, any other corresponding deletions or changes to various sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. CP04-2008-48)
- 2009-411 Conduct a public hearing with respect to the City of Midlothian Industrial Development Corporation Environmental Facilities Revenue Refunding Bonds (Holcim Project) Series 2009

REGULAR AGENDA

- 2009-412 Consider and act upon a Resolution approving an agreement by the City of Midlothian Industrial Development Corporation to issue \$26,700,000.00 in bonds for Holcim (US) Inc., and the Bond Resolution providing for the issuance of such bonds
- 2009-413 Citizens to be Heard
- 2009-414 Consider and act upon a bid award to Midtech Power and Control, LLC of Midlothian, Texas for the construction of two (2) Midlothian Conference Center signs, in an amount not to exceed \$125,000
- 2009-415 Consider and act upon a professional services agreement between the City of Midlothian and Baker-Clearview Signs to authorize the execution of an agreement to establish a kiosk sign program within the City's rights-of-way in return for compensation to the City as stipulated by said agreement
- 2009-416 Consider and act upon writing-off aged accounts receivable for EMS ambulance billings older than nine months in accordance with established policy

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. 75885, City of Midlothian v. Randall Denton and Musket Corporation, pursuant to attorney's ethical duty to advise City regarding such matters
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation 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 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
5. Section 551.071 Legal: Consultation with attorney regarding potential litigation; City of Midlothian v. Volvo Construction Equipment, North America, Inc.

REGULAR AGENDA

- 2009-417 Action resulting from Executive Session, Item #1: Randall Denton, Cause No. 75885
- 2009-418 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
- 2009-419 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
- 2009-420 Action resulting from Executive Session, Item #4: Acquisition of real property
- 2009-421 Action resulting from Executive Session, Item #5: Potential litigation, Volvo Construction Equipment, North America, Inc.
- 2009-422 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 6th day of November, 2009, 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.**