

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
JANUARY 23, 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 P.M.**

Call to Order, Invocation and Pledge of Allegiance

2007-023 Citizens to be Heard

2007-024 Announcements/Presentations

1. City Council announcements
2. City Manager announcements
3. Consider and discuss rescheduling of March 27 City Council meeting

**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.*

2007-025 Consider and act upon minutes from city council meeting of January 9, 2007

2007-026 Consider and take action to approve a Lease Agreement between the city of Midlothian and Ellis County leasing office space for Ellis County Constable, Precinct #4 and Justice of the Peace Precinct #4 at the new Midlothian Justice Center

**PUBLIC HEARINGS AND REGULAR AGENDA**

2007-027 Conduct a public hearing to consider and act upon an ordinance amending Ordinance 2000-20a, as amended by Ordinance 2001-35, to adopt a major update to the Comprehensive Plan for the city of Midlothian (Case No. M11-2006-37). Envision Midlothian 2025 is a comprehensive plan that will guide the City's growth for the next two decades

2007-028 Consider and act upon an ordinance vacating and abandoning a portion of So. First Street right-of-way (Case No. ROW 02-2006-49). Property contains ± 0.0900 acres of land, more fully described hereinafter on the attached Exhibit "A", declaring that such right-of-way is unnecessary for use by the public; authorizing the mayor of the city of Midlothian, Texas to execute a quitclaim deed releasing public ownership interest or control of said rights-of-way; providing for engrossment and enrollment; and providing for an effective date

2007-029 Consider and act upon a contract change order with Freese and Nichols, Inc. ("F&N") for the addition of streets in the northern portion of the city to the existing Pavement Management System ("PMS") contract in an amount not to exceed \$45,000

2007-030 Consider and act upon an ordinance of the city of Midlothian restricting truck traffic on certain streets within the corporate limits of the city (in particular, North 8<sup>th</sup> Street from Business 287 [Main Street] to North 9<sup>th</sup> Street); signage placement; definition; penalty; additional sanctions; exclusions; severability clause; and effective date

2007-031 Consider and act upon nomination to various boards and commissions:  
1. Zoning Board of Adjustments

## **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. 70243, Peggy Colvin v. City of Midlothian
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 concerning contemplated litigation related to property west of Walter Stephenson Road known as PD-4
7. Section 551.071 Legal: Consultation with attorney regarding Cause No. 72768, Robert Ratzman, et al, v. City of Midlothian
8. 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
9. Section 551.074 Personnel: Discuss Transitional Reorganization Chart and personnel affected; take appropriate action and direct Staff accordingly
10. Section 551.072 Real Estate: Deliberation regarding real property – acquisition of park land

## **REGULAR AGENDA**

- 2007-032 Action resulting from Executive Session, Item # 1: Legal – Slayton
- 2007-033 Action resulting from Executive Session, Item # 2: Legal – ECOM, Cause 68846
- 2007-034 Action resulting from Executive Session, Item # 3: Legal – TCBL
- 2007-035 Action resulting from Executive Session, Item # 4: Legal – Colvin
- 2007-036 Action resulting from Executive Session, Item # 5: Legal – CCN
- 2007-037 Action resulting from Executive Session, Item #6: Legal – PD-4
- 2007-038 Action resulting from Executive Session, Item #7: Legal - Ratzman
- 2007-039 Action resulting from Executive Session, Item #8: Annexation
- 2007-040 Action resulting from Executive Session, Item #9: Personnel – Transitional Reorganization Chart and personnel affected
- 2007-041 Action resulting from Executive Session, Item #10: Real Estate – Park Land
- 2007-042 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 19<sup>th</sup> day of January, 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.**