

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, December 8, 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

- 2009-445 Announcements/Presentations
- a. Community Affairs calendar
 - b. Midlothian High School Problem Solvers
 - c. 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.

- 2009-446 Consider and act upon minutes from the City Council meeting of November 24, 2009
- 2009-447 Consider and act upon awarding a contract to various vendors for the purchase of chemicals for the Water Treatment Plant
- 2009-448 Consider and act upon cancelling the December 22, 2009 Regular City Council meeting
- 2009-449 Consider and act upon awarding a contract to H & W Petroleum Company, Inc for Bulk Unleaded and Diesel Fuel

PUBLIC HEARINGS

- 2009-450 Conduct a public hearing and act upon a Specific Use Permit (SUP) request to allow multiple wind energy systems on property known as 4831 Honeysuckle Road currently zoned Agricultural (A) District and legally described as being \pm 60.82 acres out of Wm. Boatwright Survey, Abstract No. 149. Property is generally located on Honeysuckle Road & \pm 366 feet north of Sunset Lane, in the City of Midlothian, Texas (Case No. SUP02-2009-07)

REGULAR AGENDA

- 2009-451 Citizens to be Heard
- 2009-452 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
- 2009-453 Consider and act upon additional certification pay incentives to the City of Midlothian's Certification Pay Plan Schedule
- 2009-454 Consider and act upon associate membership in the Best Southwest organization

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 Cause No. 71-181-00458-08, City of Midlothian and County of Ellis v. Kehe Foods
6. Section 551.071 Legal Consultation with attorney regarding Cause No. 09-C-3214, The City of Midlothian and City of Waxahachie vs. Sid Strebeck aka Sidney Strebeck, et al

REGULAR AGENDA

- 2009-455 Action resulting from Executive Session, Item #1: Randall Denton, Cause No. 75885
2009-456 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
2009-457 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
2009-458 Action resulting from Executive Session, Item #4: Acquisition of real property
2009-459 Action resulting from Executive Session, Item #5: Kehe Foods
2009-460 Action resulting from Executive Session, Item #6: Sid Strebeck
2009-461 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 4th day of December, 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.**