

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
MARCH 26, 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

2007-135 Citizens to be Heard

2007-136 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.*

2007-137 Consider and act upon minutes from city council meeting of March 13, 2007

2007-138 Consider and act upon a professional services agreement with CivicPlus of Manhattan, Kansas for the design, development and rollout of a new city website at a one-time price of \$13,300 and a monthly maintenance fee of \$350

2007-139 Consider and act upon a Professional Services Agreement with SM&P of Carmel, Indiana to provide GPS mapping of identified facilities (~4,300 meters/valves) within the city limits in an amount not to exceed \$53,423 (base cost of \$48,566 plus a 10% contingency)

2007-140 Consider and act upon authorizing the City Manager to execute a detention pond maintenance agreement with Wal-Mart Stores Texas, LP, regarding an on-site storm water management facility constructed as part of the Wal-Mart Store

**PUBLIC HEARINGS & REGULAR AGENDA**

2007-141 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

2007-142 Consider and act upon a resolution initiating voluntary annexation proceedings of tracts of land containing an approximate total of  $\pm$  92.39 acres (Case No. AX01-2006-67), out of the Alex S. Jenkins Survey, Abstract No. 554, generally located east of Sudith Lane and  $\pm$  716 feet south of Somerset Drive, in Ellis County, Texas (as further described by the attached survey and metes and bounds); by setting the date, time and location for two required public hearings and directing staff to prepare required service plans

2007-143 Consider and act upon nomination to various boards and commissions:

1. Corporation for Economic Development (4A)
2. Zoning Board of Adjustments
3. Midlothian Development Authority

### **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 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

### **REGULAR AGENDA**

- 2007-144 Action resulting from Executive Session, Item # 1: Legal – Slayton
- 2007-145 Action resulting from Executive Session, Item # 2: Legal – ECOM, Cause 68846
- 2007-146 Action resulting from Executive Session, Item # 3: Legal – TCBL
- 2007-147 Action resulting from Executive Session, Item # 4: Legal – Colvin
- 2007-148 Action resulting from Executive Session, Item # 5: Legal – CCN
- 2007-149 Action resulting from Executive Session, Item #6: Legal - Ratzman
- 2007-150 Action resulting from Executive Session, Item #7: Annexation
- 2007-151 Action resulting from Executive Session, Item #8: Real estate: MISD land swap
- 2007-152 Action resulting from Executive Session, Item #9: Real estate: acquisition of real property
- 2007-153 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 22<sup>ND</sup> day of March, 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.**