

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
MARCH 13, 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

2007-112 Citizens to be Heard

2007-113 Announcements/Presentations

1. City Council announcements
2. City Manager announcements
3. Drawing for place on ballot for May 12 City Council election
4. Receive status report on start-up of Wi-Max

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.

2007-114 Consider and act upon minutes from city council meeting of February 27, 2007

2007-115 Consider and act upon a Professional Services Agreement with CivicPlus of Manhattan, Kansas for design, development and rollout of City website. Services would include professional graphic design for home page as well as graphic design for each departmental page, hosting and maintenance services. This would include ongoing support for future design, functionality and development needs

2007-116 Consider and take action to approve purchase of a Human Resource software module that will integrate with the current Incode financial software

2007-117 Consider and act upon a resolution authorizing an annual community wide event - Easter Egg Hunt (Case No. RES05-2006-68). The event will be hosted by the Midlothian Chamber of Commerce on Saturday, March 31, 2007, in accordance with zoning requirements for this type of event as established by Section 4.4 of Ordinance 89-13 as amended, the City of Midlothian Zoning Ordinance

2007-118 Consider and act upon a resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of ten cents (\$0.10) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation

REGULAR AGENDA

- 2007-119 Consider and act upon an ordinance regulating “smoking”; adopting “smoking” provisions which prohibit smoking within the City of Midlothian in all enclosed public places and places of employment (and within 15 feet of their entrances), and which prohibits smoking in the seating areas of all outdoor arenas, stadiums and amphitheaters
- 2007-120 Consider and act upon a petition for the voluntary annexation of ± 92.39 acres of land, out of the Alex S. Jenkins Survey, Abstract No. 554, generally located east of Sudith Lane and ± 716 feet south of Somerset Drive, in Ellis County, Texas; and, if petition is granted, direct staff to prepare a resolution setting the date, time and location for two required public hearings and the institution of annexation proceedings; and, direct staff to prepare an annexation service plan (Case No. AX01-2006-67)
- 2007-121 Consider and act upon an ordinance to approve a rezoning request of Midtowne, currently zoned Single Family Three (SF-3) and Single Family Four (SF-4) districts to a proposed Planned Development (PD) District (Case No. Z03-2006-36). Property contains ± 131.42 acres, in the W. Hawkins Survey, Abstract No. 465 and the B.F. Hawkins Survey, Abstract No. 464, and is generally located east of FM 663 and west of South 14th Street and ± 1,831 feet south of Cemetary road, in the city of Midlothian, Texas
- 2007-122 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
- 2007-123 Consider and act upon the appointment of Chris Dick as Finance Director

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).

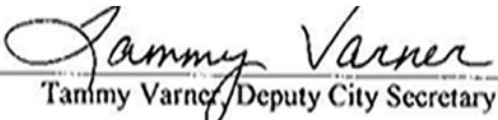
1. Section 551.071 Legal: Consultation with attorney regarding Cause No. 70419, George Slayton and Roberta Slayton v. City of Midlothian and Oscar Renda Contracting, Inc., 40th District Court, Ellis County, Texas
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 68846, ECOM Real 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
10. Section 551.074 Personnel: Consider and act upon appointment of Chris Dick as Finance Director for City of Midlothian

REGULAR AGENDA

- 2007-124 Action resulting from Executive Session, Item # 1: Legal – Slayton
- 2007-125 Action resulting from Executive Session, Item # 2: Legal – ECOM, Cause 68846
- 2007-126 Action resulting from Executive Session, Item # 3: Legal – TCBL
- 2007-127 Action resulting from Executive Session, Item # 4: Legal – Colvin
- 2007-128 Action resulting from Executive Session, Item # 5: Legal – CCN
- 2007-129 Action resulting from Executive Session, Item #6: Legal - Ratzman
- 2007-130 Action resulting from Executive Session, Item #7: Annexation
- 2007-131 Action resulting from Executive Session, Item #8: Real estate: MISD land swap
- 2007-132 Action resulting from Executive Session, Item #9: Real estate: acquisition of real property
- 2007-133 Action resulting from Executive Session, Item #10: Personnel: Appointment of Chris Dick as Finance Director
- 2007-134 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 9th 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.**