

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

May 12, 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

2009-156 Citizens to be Heard

2009-157 Announcements/Presentations

1. City Council/City Manager
 - a. Canvass votes from City Council Election of May 9, 2009
 - b. Administer Oath of Office
 - c. Elect Mayor pro tem
 - d. Community Affairs calendar
 - e. Recognition of City of Midlothian Relay for Life team
 - f. Motorcycle Safety Proclamation
 - g. U.S. Census Bureau presentation
 - h. Texas Emissions Reduction Plan
 - i. 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.

2009-158 Consider and act upon a Resolution authorizing a Downtown Street Dance, presented and hosted by the City of Midlothian Parks and Recreation Department and the City of Midlothian Park Board on Saturday May 23, 2009, in accordance with zoning requirements established for City events requiring street closure (Case No. RES08-2008-31)

2009-159 Consider and take action upon a resolution to approve the City of Midlothian's Investment Policy for the Fiscal Year 2009-2010

2009-160 Consider and take action upon a resolution to approve the Corporation for Economic Development of the City of Midlothian (4A) Investment Policy for the Fiscal Year 2009-2010

2009-161 Consider and take action upon a resolution to approve the Midlothian Community Development Corporation (4B) Investment Policy for the Fiscal Year 2009-2010

PUBLIC HEARINGS and REGULAR AGENDA

2009-162 Conduct a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 89-13, as amended, adding an Overlay District Section to Article VI 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

- 2009-163 Continue a public hearing to consider and act upon an Ordinance to rezone property known as 103 North 1st Street, to a proposed Urban Village Planned Development (UVPD) District for office and general professional uses. Property is currently zoned Single Family Four (SF-4) and is generally located at the northwest corner of North 1st Street and West Main Street. (Case No. Z04-2008-19)

REGULAR AGENDA

- 2009-164 Consider and act upon awarding a contract to American Eagle Tree Services, Inc. of Kennedale, Texas for City-wide Tree and Brush Trimming and Disposal.
- 2009-165 Receive an update on the Corporation for Economic Development for the City of Midlothian activities for Fiscal Year 2008-2009

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: Deliberation regarding condemnation of real property for U.S. Highway 67 grade separation project
5. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for utility, roadway and parks improvement projects

REGULAR AGENDA

- 2009-166 Action resulting from Executive Session, Item #1: Randall Denton
- 2009-167 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
- 2009-168 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
- 2009-169 Action resulting from Executive Session, Item #4: Highway 67
- 2009-170 Action resulting from Executive Session, Item #5, Utility, Roadway and Parks Projects
- 2009-171 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 8th day of May, 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.**