

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

**Tuesday, January 12, 2010**

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

- 2010-01 Announcements/Presentations
- a. Community Affairs calendar
  - b. Recognition of Midlothian Police Department for its role in the development and implementation of the Southern Regional Special Response Team and the Northern Ellis County Dispatch Center
  - c. Recognition of Midlothian Parks Department
  - d. Recognition of Target Distribution Center community volunteers
  - e. 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.*

- 2010-02 Consider and act upon minutes from the City Council meetings of December 5 and 8, 2009
- 2010-03 Consider and take action to approve the addition of two seized vehicles to the Midlothian Police Department's Fleet. These vehicles have been seized by the United States District Attorney in the Northern District of Texas as part of a Criminal Investigation and awarded to the Midlothian Police Department for their use in the furtherance of its law enforcement operation and future undercover operations
- 2010-04 Consider and act upon approval of a one-year contract with Ellis County Emergency Services District No. 2 (ESD) to provide fire and EMS response to ESD #2

**REGULAR AGENDA**

- 2010-05 Citizens to be Heard
- 2010-06 Consider and act upon associate membership in the Best Southwest organization
- 2010-07 Receive update from staff on the \$50,000 Energy Efficiency and Conservation Block Grant (EECBG) Program under the American Recovery and Reinvestment Act (ARRA)
- 2010-08 Consider and act upon a bid award to JRJ Paving, L.P. out of Dallas, Texas for construction of the U.S. 287 Connector, including paving and drainage improvements, in a base bid amount of \$929,099.27 and alternate bid amount of \$93,528.75, resulting in a total bid in an amount not to exceed \$1,022,628.02

- 2010-09 Consider and act upon a resolution authorizing City Manager, Don Hastings, to execute on behalf of the City of Midlothian, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the Terminal Renovation improvements at Midway Regional Airport
- 2010-10 Receive a report regarding Final Review by TXDOT of Midway Regional Airport Updated Airport Rules and Regulations
- 2010-11 Consider and act upon authorizing Don Stout, Attorney for the City of Midlothian, to file Objections to the Award rendered by the special commissioners in Cause No. 09-C-3754, The City of Midlothian vs. Richard Miskimon and Sheri Miskimon, et al for acquisition of a parcel of land in fee simple consisting of 1.1812 acres of land, situated in the John Chamblee Survey, Abstract 192, Ellis County, Texas
- 2010-12 Consider and act upon an Ordinance amending Schedule 2 of Ordinance 2006-49 (“The City of Midlothian Impact Fee Program”), established by Ordinance 99-12 as amended by Ordinance Nos. 2000-23, 2001-63, 2003-20, 2003-24, 2003-58, 2006-49; providing for a temporary reduction in impact fee rates otherwise collectible for the construction of single family residences on lots platted as of the effective date of this Ordinance; providing for conflicts; providing for severability; and, providing for an effective date

### **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. 09-C-3754, The City of Midlothian vs. Richard Miskimon and Sheri Miskimon, et al
6. Section 551.071 Legal: Consultation with attorney regarding contemplated litigation regarding Ellis Central Appraisal District v. Holcim

## REGULAR AGENDA

- 2010-13 Action resulting from Executive Session, Item #1: Randall Denton, Cause No. 75885
- 2010-14 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
- 2010-15 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
- 2010-16 Action resulting from Executive Session, Item #4: Acquisition of real property
- 2010-17 Action resulting from Executive Session, Item #5: Richard Miskimon, et al
- 2010-18 Action resulting from Executive Session, Item #6:ECAD
- 2010-19 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 8<sup>th</sup> day of January, 2010 at or before 5:00 p.m.

  
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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.**