

**NOTICE OF A REGULAR RESCHEDULED MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
MARCH 31, 2008**

Pursuant to the provisions of Chapter 551 VTCA Government Code, notice is hereby given of a Regular Rescheduled 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

2008-107 Citizens to be Heard

2008-108 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 without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

2008-109 Consider and act upon minutes from City Council meeting of March 11, 2008

2008-110 Consider and act upon an ordinance establishing a school speed zone on Charisma Drive – 20 miles per hour from Tower Road to Escapade Court; setting maximum speed and days and times of operation; authorize erection of appropriate signs; providing for a penalty; and setting an effective date

2008-111 Consider and take action to approve the purchase of a Frazer, Inc. Type I Ambulance through H-GAC for \$107,100.00

2008-112 Consider and act upon changes to Mid-Way Airport's Minimum Standards and Requirements amending the insurance requirements for Fixed Based Operators at Mid-Way Airport

2008-113 Consider and act upon approval of a Facility Maintenance Contract with Palco Enterprises, Inc., dba Palco Engineering and Construction Services, for construction management services at the Justice Center

PUBLIC HEARINGS and REGULAR AGENDA

2008-114 Continue a public hearing to consider an amendment to Ordinance 2007-15, as amended, the City of Midlothian's Comprehensive Plan to amend the Thoroughfare Plan by adding and revising certain road segments to the Thoroughfare Plan Map, providing a severability clause & an effective date (Case No. CP01-2007-06A1)

2008-115 Conduct a public hearing and act upon an Ordinance regarding amendments to the City of Midlothian Zoning Ordinance 89-13, as amended, specifically amending Article III (Definitions) and Article IV (Use Table) and, any other corresponding additions, deletions or changes to various sections, articles and provisions contained in said Zoning Ordinance and, establishing an effective date (Case No. OZ06-2007-52)

- 2008-116 Conduct a public hearing and act upon an Ordinance regarding a Specific Use Permit (SUP) for Midwest Industrial Park (Lot 1R, Block A) to allow a truck sales business on property currently zoned Light Industrial (LI) District. Property contains ± 1.857 acres, and is generally located east of U.S. Highway 67 and ± 2,050 feet south of Dove Lane (Case No. SUP04-2007-32)
- 2008-117 Conduct a public hearing and act upon an Ordinance regarding a Specific Use Permit (SUP) for Walnut Grove Center South, Phase 3 (Lot 1, Block 2) to allow a convenience store, gasoline pumps and restaurants on property currently zoned Commercial (C) District. Property contains ± 5.305 acres, and is generally located east of Plainview Road and south of U.S. Highway 287 (Case No. SUP06-2007-35)

REGULAR AGENDA

- 2008-118 Consider and act upon an ordinance of the City of Midlothian restricting truck traffic on and through certain street segments within the corporate limits of the City (in particular Midlothian Parkway from Business 287 [Main Street] to U.S. Highway 67); and providing for signage placement, definitions, penalty, additional sanctions, exclusions, severability clause, and an effective date
- 2008-119 Consider and take action on a request to increase the number of budgeted new Firefighter/EMT-P positions for July, 2008 from three (3) to six (6), by reducing the number of requested new Firefighter/EMT-P positions for October 1, 2008 from three (3) to zero (0)
- 2008-120 Consider and act upon an Interlocal Agreement with Ellis County regarding the subdivision of property and plat approval in the Extraterritorial Jurisdiction (ETJ) of the City of Midlothian (Case No. M06-2007-49)
- 2008-121 Confirm the appointment of the Council Relations & Governance Subcommittee. The charge of this committee is to investigate and review potential violations of the Policy on Governance and Code of Ethics related to actions of Councilmember Ken Chambers, Place 3. This committee will provide a written report to city council within 60 days. The committee may provide disciplinary recommendations

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. 67202, Midlothian v. Texas Central Business Lines Corporation, et al, pursuant to attorney's ethical duty to advise City regarding such matters
2. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
3. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
4. Section 551.071 Legal: Consultation with attorney regarding Cause No. D-1-GN-08-000516, Wax Mid, Inc. v. Texas Commission on Environmental Quality and City of Midlothian, et al

5. Section 551.071 Legal: Consultation with attorney regarding ethical duty to advise regarding litigation concerning the construction of the Midlothian Conference Center and Senior Citizen's Center
6. 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
7. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for right-of-way purposes
8. 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

REGULAR AGENDA

- 2008-122 Action resulting from Executive Session, Item #1: TCBL
- 2008-123 Action resulting from Executive Session, Item #2: Property acquisition
- 2008-124 Action resulting from Executive Session, Item #3: TCBL federal
- 2008-125 Action resulting from Executive Session, Item #4: Wax Mid, Inc.
- 2008-126 Action resulting from Executive Session, Item #5: Midlothian Conference Center
- 2008-127 Action resulting from Executive Session, Item #6: Annexation
- 2008-128 Action resulting from Executive Session, Item #7: Right-of-Way
- 2008-129 Action resulting from Executive Session, Item #8: Randall Denton/Musket Corp.
- 2008-130 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 27th day of March, 2008, 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.**