

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
MAY 27, 2008**

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

2008-202 Citizens to be Heard

2008-203 Announcements/Presentations

1. City Council announcements
2. City Manager announcements
3. Recognition of James Dillon, Midlothian Police Officer and U.S. Army Staff Sergeant for outstanding service in the U.S. Marine Corps and the U.S. Army Reserve
4. Presentation of Good Citizen Awards to Gary Gray and Tim Maynard
5. Presentation of the Government Finance Officers Association Budget Award for FY 07-08

**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.*

2008-204 Consider and act upon minutes from City Council meeting of May 13, 2008

2008-205 Consider and act upon a Resolution adopting the City of Midlothian's Investment Policy and Broker List

2008-206 Consider and act upon an amendment to the City of Midlothian's Gas Franchise Ordinance with Atmos Energy Corporation

2008-207 Consider and act upon a resolution supporting the energy efficiency goals established in Senate Bill 12 as passed during the 80<sup>th</sup> Texas Legislature.

**PUBLIC HEARINGS and REGULAR AGENDA**

2008-208 Consider and act upon an Ordinance regarding a Specific Use Permit (SUP) for 2685 E. Highway 287 (Normik's Beverage) to allow a beer and wine package store on property currently zoned Commercial (C) District. Property contains  $\pm$  0.9260 acres in the Silken Building Addition (Lot 1, Block A) and is generally located north of U.S. Highway 287 and  $\pm$  250 feet west of Primrose Lane (Case No. SUP12-2007-53)

2008-209 Consider and act upon an Ordinance regarding a Specific Use Permit (SUP) request for 1001 E. Main Street, Suite A, to allow the retail sale of beer and wine through an existing drive-thru window, on property currently zoned Planned Development (PD-2) District. Property contains  $\pm$  0.813 acres and is generally located north of the intersection of East Main Street and Silken Crossing (Case No. SUP13-2007-55)

- 2008-210 Receive a report from the City of Midlothian Council Relations and Governance Subcommittee regarding possible violations of the adopted City of Midlothian *Policy on Governance Process* by Council Member Ken Chambers, and take action as desired
- 2008-211 Continue a public hearing and act upon an Ordinance regarding a property owner petition for the establishment of a Public Improvement District (PID) under the provisions of Chapter 372 of the Texas Local Government Code for MidTowne for the improved services, proposed assessment and details related to proposed establishment of this district. Property contains ± 131 acres and is generally located east of F.M. 663, west of South 14<sup>th</sup> Street and ± 1,831 feet south of Cemetery Road (Case No. M07-2007-57)
- 2008-212 Conduct a public hearing to consider amendments to Ordinance 89-13, as amended, the City of Midlothian's Zoning Ordinance repealing Ordinance 2008-16 that amended Article III (Definitions) and Article IV (Use Table) and readopting the same proposed amendments with the addition of a Conflicts Clause and establishing an effective date (Case OZ08-2007-76)

### **REGULAR AGENDA**

- 2008-213 Consider and act upon an ordinance authorizing the issuance of City of Midlothian, Texas Waterworks and Sewer System Revenue Bonds, Series 2008, in the principal amount of \$25,010,000 and ordaining other matters related thereto
- 2008-214 Consider and act upon adoption of the FY 2008-2013 Strategic Plan as a planning document for the City of Midlothian to include personnel and capital equipment for the General Fund and Utility Fund
- 2008-215 Consider and act upon a request to approve the expenditure of unappropriated funds (the Environmental Mitigation Fund) for the restoration of the 1918 Model T fire truck and the remodeling of space in the Old Fire House for display and storage of the truck (Case No. M12-2007-82)

### **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. 74,681; City of Midlothian v. Corgan Associates, et al
2. Section 551.072      Real Estate: Deliberate and consider the acquisition of real property necessary for parks improvement projects
3. Section 551.071      Legal: Consultation with attorney regarding Cause No. 74216, Letha Black v. City of Midlothian, et al
4. Section 551.071      Legal: Consultation with attorney regarding Cause No. 07-C-3025, Ken Halverson v. City of Waxahachie, City of Midlothian, and Midlothian-Waxahachie Airport Board

### **REGULAR AGENDA**

- 2008-216 Action resulting from Executive Session, Item #1: Corgan Associations, et al
- 2008-217 Action resulting from Executive Session, Item #2: Parks Projects
- 2008-218 Action resulting from Executive Session, Item #3: Letha Black

2008-219 Action resulting from Executive Session, Item #4: Ken Halverson

2008-220 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 23<sup>rd</sup> day of May, 2008, 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.**