

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

March 24, 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

2009-107 Citizens to be Heard

2009-108 Announcements/Presentations

1. City Council/City Manager
 - a. Community Affairs/Calendar
 - b. Proclamation recognizing March as American Red Cross Month
 - c. Recognition of winners of Walnut Grove Middle School Writing Contest
 - d. Recognition of Jake Hawthorne for potentially life-saving and heroic action
 - 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.

2009-109 Consider and act upon minutes from City Council meeting of March 10, 2009

2009-110 Consider and act upon a resolution authorizing a parade to be hosted by the Midlothian Amateur Baseball and Girls Softball Association, Inc. on Saturday, March 28, 2009, in accordance with zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 89-13, as amended, Section 4.4 (Use Table) (Case No. RES05-2008-24)

PUBLIC HEARINGS and REGULAR AGENDA

2009-111 Conduct a public hearing to consider and act upon an Ordinance to rezone property known as 501 North 8th Street to a proposed Urban Village Planned Development (UVPD) District for residential, office and general professional uses. Property is currently zoned Commercial (C) District and is generally located at the northwest intersection of North 8th Street and West Avenue C (Case No. Z03-2008-18)

2009-112 Conduct 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

2009-113 Consider and act upon approving a resolution authorizing the preparation of documents in respect to the proposed issuance of "City of Midlothian, Texas General Obligation Refunding Bonds, Series 2009"

2009-114 Consider and act upon a bid award for the Water Transmission Main for Water Treatment Plant No. 2 to Fox Contractors, Inc. in a base bid and alternate bid amount not to exceed \$1,897,532.05

- 2009-115 Consider and act upon authorizing Change Order No. 1 to Fox Contractors, Inc. for the Water Transmission Main for Water Treatment Plant No. 2 in a deductive amount of \$448,000, resulting in a revised contract amount not to exceed \$1,449,532.05
- 2009-116 Consider and act upon an ordinance establishing speed zones for vehicles under the provisions of Transportation Code, Section 545.356 upon Mt. Zion Road; setting maximum speeds; authorize erection of appropriate signs; providing for a cumulative effect; providing for a penalty; providing for a severability clause; and setting an effective date
- 2009-117 Consider and act upon an ordinance establishing a speed zone for vehicles under the provisions of Transportation Code, Section 545.356 upon Sudith Lane; setting maximum speeds; authorize erection of appropriate signs; providing for a cumulative effect; providing for a penalty; providing for a severability clause; and setting 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 551.071 Legal: Consultation with attorney regarding Cause No. 71-181-00458-08, City of Midlothian and County of Ellis v. Kehe Foods

REGULAR AGENDA

- 2009-118 Action resulting from Executive Session, Item #1: Randall Denton
- 2009-119 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
- 2009-120 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
- 2009-121 Action resulting from Executive Session, Item #4: Kehe Foods
- 2009-122 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 20th day of March, 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.**