

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

August 26, 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

2008-311 Citizens to be Heard

2008-312 Announcements/Presentations

1. City Council announcements
2. City Manager announcements
3. Receive Quarterly Investment Report from Linda Patterson & Associates

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.

2008-313 Consider and act upon minutes from City Council meetings of August 5 and 12, 2008

2008-314 Consider and act upon 2008 property tax abatements for American National Power, Toys “R” Us, Target, and Ennis Business Forms

2008-315 Consider and act upon authorizing the City Manager to execute a change order to our architectural contract with Cochran, Stephenson, & Donkervoet, Inc. (CSD) in an amount not to exceed \$30,000.00 for changes in the scope of work and the construction management of Fire Station No. 1

2008-316 Consider and act upon authorizing the City Manager to donate four (4) old wooden fold-down beds and twenty-one (21) old wooden clothing lockers removed from Fire Station No. 1 to the City of Alvarado for use by their fire department

2008-317 Consider and act upon a request to purchase 17 workstations for installation in the Midlothian Justice Center in an amount not to exceed \$64,377.60. (Texas State Contract #3-7110440-5)

2008-318 Consider and act upon staff’s request to purchase and install an evidence storage solution from Spacesaver Corporation in the amount of \$32,857.13. Texas State Contract #2-711030

PUBLIC HEARINGS

- 2008-319 Conduct a public hearing regarding the proposed FY 2008-2009 Annual Operating Budgets for the City of Midlothian
- 2008-320 Conduct a public hearing to consider and act upon a request to amend the Specific Use Permit (SUP) for Westside Preserve Gas Wells 2H-5H, Ordinance 2007-67, to allow the use of a well compressor station (Case No. M13-2007-88)
- 2008-321 Continue a public hearing to consider and act upon an Ordinance amending the City's Zoning Ordinance, Ordinance No. 89-13, as amended, amending Article VII, Section 7.4 (Sign Regulations) by adding, deleting and modifying certain sections and subsections to regulate electronic media; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ11-2007-86)
- 2008-322 Conduct a public hearing to consider and act upon an Ordinance rezoning \pm 147.1 acres known as The Villages at Walnut Grove from its current Single Family Three (SF-3) District to a Planned Development (PD) District for retail, office, single-family residential, retirement village and light industrial uses. Property is generally located west of Walnut Grove Road and \pm 1,770 feet north of U.S. Highway 287 (Case No. Z07-2007-67)
- 2008-323 Conduct a public hearing and act upon a rezoning request for property currently zoned Commercial (C) District to a Planned Development (PD) District for community park, agricultural education and mineral extraction uses. Property contains \pm 316.75 acres, and is generally located north of Mockingbird Lane between North Midlothian Parkway and Onward Road, in the City of Midlothian, Texas (Case No. Z08-2007-84)

REGULAR AGENDA

- 2008-324 Consider and act upon an Engineering Services Agreement for design and related professional services for replacement of the South Outfall Sanitary Sewer with Schrickel, Rollins and Associates, Inc., (SRA), in an amount not to exceed \$174,115
- 2008-325 Consider awarding a 0% 60-month lease with an option-to-buy contract to Lantana Communications in the amount of \$72,162.60 for a new Avaya IP Office telephone and voicemail system. This system will encompass all City locations

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 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for right-of-way acquisitions
2. 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
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. 07-C-3025, Ken Halverson v. City of Waxahachie, City of Midlothian, and Midlothian-Waxahachie Airport Board

REGULAR AGENDA

- 2008-326 Action resulting from Executive Session, Item #1: Right-of-Way Acquisitions
2008-327 Action resulting from Executive Session, Item #2: Randall Denton
2008-328 Action resulting from Executive Session, Item #3: TCBL
2008-329 Action resulting from Executive Session, Item #4: Halverson
2008-330 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 22nd day of August, 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.**