

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
MAY 13, 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

- 2008-179 Citizens to be Heard
- 2008-180 Canvass votes from City Council Election of May 10, 2008
- 2008-181 Administer Oath of Office
- 2008-182 Elect Mayor pro tem
- 2008-183 Announcements/Presentations
 - 1. City Council announcements
 - 2. City Manager announcements
 - 3. Recognize MISD Problem Solvers Team

WORKSHOP

- 2008-184 Conduct Public Improvement District Workshop

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.

- 2008-185 Consider and act upon minutes from City Council meeting of April 22, 2008
- 2008-186 Consider and take action to approve a one-year contract with Emergency Communications Network, Inc., to provide the City with the CodeRED Weather Warning system for a total pro-rated price of \$3,027.40 for the remainder of FY 07-08 and \$5,000.00 per year thereafter
- 2008-187 Consider and act upon a Resolution authorizing the "Midlothian by Moonlight Festival" Downtown Street Dance, hosted by the City of Midlothian Parks and Recreation Department and the Parks Advisory Board on Saturday May 24, 2008, in accordance with zoning requirements established for City events requiring street closure (Case No. RES12-2007-73)
- 2008-188 Consider and act upon a request to increase the water treatment plant vehicle fleet through the addition of a 1997 Chevrolet dump truck
- 2008-189 Consider and act upon a bid award to Texas United Excavators, L.L.C. of Carrollton, Texas for construction of the Brookhollow Drive Extension Project in an amount not to exceed \$1,385,488.70

- 2008-190 Consider and act upon a request to authorize a contract with Brazos Technology Corporation, Inc. for the purchase and installation of an electronic citation solution in the amount of \$50,623.00
- 2008-191 Consider and act upon a request to purchase eight digital audio/video systems, support software and equipment from ICOP Digital Inc. in the amount of \$43,020.43

PUBLIC HEARINGS and REGULAR AGENDA

- 2008-192 Conduct an inquiry led by the City of Midlothian Council Relations and Governance Subcommittee appointed by the City Council to investigate possible violations of the adopted City of Midlothian *Policy on Governance Process* by Council Member Ken Chambers, and direct said Subcommittee accordingly
- 2008-193 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 \pm 131 acres and is generally located east of F.M. 663, west of South 14th Street and \pm 1,831 feet south of Cemetery Road (Case No. M07-2007-57)
- 2008-194 Conduct a public hearing 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)
- 2008-195 Conduct a public hearing 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)

REGULAR AGENDA

- 2008-196 Consider and act upon an ordinance regulating the parking of vehicles in front, side and back yards on private property within residential zoning districts; definitions; general vehicle parking and parking surface regulations; special vehicle parking regulations; utility vehicle parking regulations; public hearing afforded on request; providing for a penalty that any violation of the terms of this ordinance and any of said code is further declared to be a misdemeanor, and any person found guilty thereof shall be punishable by a fine not to exceed one thousand dollars (1000.00) each day that such violation continues shall constitute a separate offense and shall be punishable accordingly; injunction relief; severability; effective date
- 2008-197 Consider 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 \pm 1.857 acres, and is generally located east of U.S. Highway 67 and \pm 2,050 feet south of Dove Lane (Case No. SUP04-2007-32)

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 purposes
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 74216, Letha Black v. City of Midlothian, et al
3. Section 551.086 Economic Development: Deliberation regarding Kehe Foods Tax Abatement

REGULAR AGENDA

- 2008-198 Action resulting from Executive Session, Item #1: Right-of-Way
2008-199 Action resulting from Executive Session, Item #2: Letha Black
2008-200 Action resulting from Executive Session, Item #3: Kehe Foods
2008-201 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 9th day of May, 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.**