

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

June 10, 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

2008-221 Citizens to be Heard

2008-222 Announcements/Presentations

1. City Council announcements
2. City Manager announcements
3. Recognition of Sue McKenrick, Assistant Finance Director, on receiving her Certified Public Manager certification

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.

2008-223 Consider and act upon minutes from City Council meeting of May 27, 2008

2008-224 Consider and act upon a speed zone ordinance altering the prima facie speed limits established for vehicles under the provisions of Transportation Code, Section 545.356 upon U.S. Highway 287 or parts thereof, within the corporate limits of the City of Midlothian, providing for appropriate signs to be erected; providing for a penalty of a fine not to exceed \$200 for the violation of this ordinance; and providing for an effective date

PUBLIC HEARINGS and REGULAR AGENDA

2008-225 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 Councilmember Ken Chambers, and take action as desired

2008-226 Conduct a public hearing to consider an amendment to the City of Midlothian Zoning Ordinance 89-13, as amended, specifically amending Article V, replacing the Agricultural (A) District with the Rural (R) District and creating a new residential zoning district, Rural Residential (RR) District; and, any other related additions, deletions or changes to various sections, articles and provisions contained in said Zoning Ordinance 89-13, as amended, and establishing a severability clause; providing a penalty clause; providing a savings clause; providing a conflict clause; and providing an effective date (Case OZ07-2007-72)

- 2008-227 Conduct a public hearing to consider amendments to Ordinance 89-13, as amended, the City of Midlothian's Zoning Ordinance. Specifically amending Article VI to establish regulations for Rural Activity Planned Development (RAPD) and, any other related additions, deletions or changes to various sections, articles and provisions contained in said Zoning Ordinance 89-13, as amended, and establishing a severability clause; providing a penalty clause; providing a savings clause; providing a conflict clause; and providing an effective date (Case OZ09-2007-78)

REGULAR AGENDA

- 2008-228 Consider and act upon an Ordinance to vacate and abandon a portion of North 14th Street and East Avenue F (\pm 4,066 square feet). Property is generally located at the southwest corner of North 14th Street and East Avenue F (being more fully described hereinafter on the attached Exhibit "A & B"); declaring that such rights-of-way are unnecessary for use by the public; authorizing the Mayor of the City of Midlothian, Texas to execute a Quitclaim Deed releasing public ownership, interest or control of said rights-of-way to the abutting fee simple property owner; providing for engrossment and enrollment and providing for an effective date (Case No. ROW03-2007-79)
- 2008-229 Consider and act upon the appointment of the Midlothian Development Authority (MDA) Chairperson
- 2008-230 Consider and act upon nominations to various boards and commissions:
1. Zoning Board of Adjustment
 2. Joint Midlothian/Waxahachie Airport Board
 3. Midlothian Community Development Corporation (4B)

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 parks improvement projects
2. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for right-of-way acquisitions
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. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
5. 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
6. Section 551.071 Legal: Consultation with attorney regarding Cause No. 68846, ECOM Real Estate Management, Inc. v. City of Midlothian

REGULAR AGENDA

- 2008-231 Action resulting from Executive Session, Item #1: Parks
- 2008-232 Action resulting from Executive Session, Item #2: Right-of-Way Acquisitions
- 2008-233 Action resulting from Executive Session, Item #3: TCBL
- 2008-234 Action resulting from Executive Session, Item #4: TCBL
- 2008-235 Action resulting from Executive Session, Item #5: Denton/Musket Corp.
- 2008-236 Action resulting from Executive Session, Item #6: ECOM
- 2008-237 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 6th day of June, 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.**