

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, JULY 10, 2007**

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

**WORKSHOP – 5:00 PM**

- 2007-303 Review and discuss cost allocation study for Emergency Services District  
2007-304 Review and discuss draft FY 2007-2008 Budget

**REGULAR AGENDA - 6:00 PM**

Call to Order, Invocation and Pledge of Allegiance

- 2007-305 Citizens to be Heard  
2007-306 Announcements/Presentations  
1. City Council announcements  
2. City Manager announcements

**CONSENT AGENDA**

*All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- 2007-307 Consider and act upon minutes from City Council meeting of June 26, 2007  
2007-308 Consider and act upon a resolution by the city of Midlothian, Texas suspending the July 30, 2007, effective date of the proposal by Atmos Energy Corp., Mid-Tex Division, to implement interim Gas Reliability Infrastructure Program (“GRIP”) rate adjustments for gas utility investment in 2006; authorizing participation with the Atmos Cities Steering Committee (“ACSC”) in a review and inquiry into the sufficiency of the filing and the basis of the proposed rate adjustments; authorizing intervention in administrative and court proceedings involving the proposed GRIP rate adjustments; requiring reimbursement of reasonable legal and consultant ratemaking costs; and requiring delivery of this resolution to the company and legal counsel

**PUBLIC HEARINGS and REGULAR AGENDA**

- 2007-309 Conduct a public hearing and act upon an ordinance regarding a Specific Use Permit (SUP) for Advance America Cash Advance (661 East Main Street, Suite 300), a Credit Services Organization (“CSO”) regulated by Chapter 393 of the Texas Finance Code (Case No. SUP05-2006-95). Property is in the Planned Development 2 (PD-2) Zoning District and contains ± 1.47 acres in the East Midlothian Addition Phase 1, Lot 1, Block 1 and located north of West Main Street and east of North 14th Street, in the city of Midlothian, Texas

## REGULAR AGENDA

- 2007-310 Consider and take action to approve recommendations of bid proposals for employee insurance coverage
- 2007-311 Consider and act upon authorizing the city manager to execute an agreement with Metro Engineers, Inc., of Arlington, Texas, to provide civil engineering services for the design and construction of Fire Station No. 3, for a fee not to exceed \$5,000
- 2007-312 Consider and act upon a request to authorize the mayor to execute a Real Property Exchange Agreement and Special Warranty Deed with the Midlothian Independent School District regarding the exchange of real estate located east of South 14<sup>th</sup> Street and south of George Hopper Road, in the city of Midlothian, Texas
- 2007-313 Consider and take action to approve the purchase of an Identix Touchprint 3000X fingerprint scanner from E-Plus Group, Inc. of Raleigh, NC, for the Midlothian Police Department with cost not to exceed \$29,302.22
- 2007-314 Consider and act upon nominations to various boards and commissions:
1. Planning and Zoning Commission
  2. Utility Advisory Board
  3. Midlothian Housing Authority

## 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. 70419, George Slayton and Roberta Slayton v. City of Midlothian and Oscar Renda Contracting, Inc., 40<sup>th</sup> District Court, Ellis County, Texas
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 68846, ECOM Real Estate Management, Inc., 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. 74216, Letha Black v. City of Midlothian, et al
5. Section 551.071 Legal: Consultation with attorney regarding issues related to Wax-Mid, Inc. Certificate of Convenience and Necessity Permit application status
6. **Section 551.071 Legal: Consultation with attorney regarding Cause No. 72768, Robert Ratzman, et al, v. City of Midlothian**
7. **Section 551.071 Legal: Consultation with attorney regarding legal issues related to pending annexation of areas subject to a municipal annexation plan, pursuant to attorney's ethical duty to advise city regarding such matters**
8. Section 551.072 Real Estate: Deliberation regarding real property – potential swap of real estate parcels between City of Midlothian and Midlothian Independent School District located along Hwy 287 Bypass
9. **Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects**

10. Section 551.072 Real Estate: Deliberation regarding real property – potential Sports Park real property exchange between City of Midlothian and Midlothian Independent School District
11. Section 551.071 Legal: Consultation with attorney regarding ethical duty to advise regarding litigation concerning the construction of the Midlothian Conference Center and Senior Citizen’s Center
12. Section 551.074 Personnel Matters: (a)(1) deliberate the appointment of Carl Smith as Chief of Police

**REGULAR AGENDA**

- 2007-315 Action resulting from Executive Session, Item # 1: Legal - Slayton
- 2007-316 Action resulting from Executive Session, Item # 2: Legal – ECOM
- 2007-317 Action resulting from Executive Session, Item # 3: Legal – TCBL
- 2007-318 Action resulting from Executive Session, Item # 4: Legal – Black
- 2007-319 Action resulting from Executive Session, Item # 5: Legal – Wax-Mid, Inc. CCN
- 2007-320 Action resulting from Executive Session, Item # 6: Legal – Ratzman
- 2007-321 Action resulting from Executive Session, Item # 7: Legal – Annexation
- 2007-322 Action resulting from Executive Session, Item # 8: Real Estate – Hwy 287 Bypass land swap with MISD
- 2007-323 Action resulting from Executive Session, Item # 9: Real Estate – Property acquisition
- 2007-324 Action resulting from Executive Session, Item # 10: Real Estate – Sports Park
- 2007-325 Action resulting from Executive Session, Item #11: Legal – Conference Center and Senior Citizen’s Center
- 2007-326 Action resulting from Executive Session, Item #12: Personnel – Police Chief
- 2007-327 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 6<sup>th</sup> day of July 2007, 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.**