

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

August 13, 2002  
6:00 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Barrett, Chow, Mallory, Silver, Turner, Ways  
Absent: None

Item #WS1 – Presentation and discussion of no n-profit requests for the FY2003 Budget.

No action required.

Item #WS2 – Presentation and discussion of the City Manager's proposed FY2003 Budget.

No action required.

Item #R1 – Consideration of Old Business

The following employee was introduced to the Council: Gretchen Acevedo (Visitor Services), Chris Kellen (Fire) and Kristi Ashbury (Intern-CM).

The City Manager noted upcoming events: Council Work Sessions on August 19, 2002, August 20, 2002 and August 24, 2002.

Item #R2 – Consent Agenda

Item #2b was considered separately.

Item #2a – Approval of the Minutes for the June 25, 2002 and July 29, 2002 Council Meetings. (Approved)

Item #2c – Approval of construction and authorization of final payment in the amount of \$4,077.60 to Texas Electric Utility Construction, Inc. for the Lindbergh Drive water line replacement project. (Approved)

Item #2d – Consideration of a Resolution authorizing the City Manager to accept a license from the City of Farmers Branch to install, operate and maintain a sanitary sewer main within the rights-of-way of Marsh Lane and within a utility easement along Brookhaven Club Drive within the limits of the City of Farmers Branch. (Approved) (R02-063)

Councilmember Mallory moved to approve the above listed items. Councilmember Barrett seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None

Absent: None

Item #2b – Approval of construction and authorization of final payment in the amount of \$3,209.59 to Hencie International, Inc. for Loos Dog Park.

Councilmember Mallory moved to approve the construction and authorization of final payment in the amount of \$3,209.59 to Hencie International, Inc. for Loos Dog Park. Councilmember Barrett seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways

Voting Nay: None

Absent: None

Item #R3 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for the sale of alcoholic beverages for (beer and wine) for on-premises consumption in an existing sandwich shop, located at 14901 Quorum Drive, in the Quorum Place Office Building, on application from Clyde’s Corner Deli, represented by Ms. Cynthia Graff.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Barrett moved to duly pass Ordinance No. 002-026 approving a Special Use Permit for the sale of alcoholic beverages for beer and wine for on-premises consumption in an existing sandwich shop, located at 14901 Quorum Drive, in the Quorum Place Office Building, on application from Clyde’s Corner Deli subject to no conditions. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways

Voting Nay: None

Absent: None

Item #R4 – **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a restaurant and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 14905 Midway Road (currently Good Eats Restaurant), on application from Texana Grill of Arlington, represented by Mr. Gilbert Cuellar, Jr.

Councilmember Silver moved to duly pass Ordinance No. 002-027 approving an amendment to an existing Special Use Permit for a restaurant and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 14905 Midway Road (currently Good Eats Restaurant), on application from Texana Grill of Arlington subject to the following conditions:

1. A landscape plan must be submitted for review and approval prior to issuance of a building permit.

2. A fire sprinkler is required, or an alternative is the installation of two-hour fire area walls dividing the space into areas of 5,000 square feet or less. Openings in the fire area walls will require 90-minute protection.
3. Back-of-house additions and changes (i.e. bakery room) must conform to the applicable codes regarding room finish-out and equipment requirements.
4. Deferred maintenance and general wear and tear in the existing kitchen and support areas must be addressed to the satisfaction of Environmental Services Officer.

Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R5 – Approval of a Change Order in an amount not to exceed \$80,000.00 to AUI for upgrading the HVAC system and refurbishing of tile at the Addison Athletic Club.

Councilmember Barrett moved to duly approve a Change Order in an amount not to exceed \$80,000.00 to AUI for upgrading the HVAC system and refurbishing of tile at the Addison Athletic Club. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R6 – Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-163 Area, located at 4355 Excel Parkway, on application from Isotag Technology, Inc.

Councilmember Barrett moved to duly pass Ordinance No. 002-028 approving a meritorious exception to Chapter 62, Signs, Section 62-163 Area, located at 4355 Excel Parkway, on application from Isotag Technology, Inc., subject to approved staff recommendations:

1. Letters not to exceed 25 inches in height.
2. Logo not to exceed 31.5 inches in height.

Councilmember Ways seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Turner, Ways  
Voting Nay: Mallory, Silver  
Absent: None

Item #R7 – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$53,168.00 with Brunson Construction for repairs and renovations to the Central Fire Station.

Councilmember Mallory moved to duly pass Resolution R02-064 authorizing the City Manager to enter into a contract in the amount of \$53,168.00 with Brunson Construction for repairs and renovations to the Central Fire Station. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R8 –Consideration of a Resolution relating to the giving of notice of intention to issue Town of Addison, Texas Combination Tax and Revenue Certificates of Obligation, series 2002.

Councilmember Turner moved to duly pass Resolution No. R02-065 giving notice of intent to issue Town of Addison, Texas Combination Tax and Revenue Certificates of Obligation, series 2002. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R9 – Consideration of a Resolution authorizing the City Manager to enter into an Interlocal Agreement in the amount of \$51,563.77 with DART for reconstruction of the Belt Line Road railroad crossing, subject to final review and approval of the City Attorney.

Councilmember Chow moved to duly pass Resolution No. R02-066 authorizing the City Manager to enter into an Interlocal Agreement in the amount of \$51,563.77 with DART for reconstruction of the Belt Line Road railroad crossing, subject to final review and approval of the City Attorney. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Mayor Wheeler opened the meeting as a courtesy public hearing prior to Executive Session.

Mr. Crepeau of Charter Furniture addressed the Council opposing the condemnation for the acquisition of a 0.9387 acre tract of land owned by Midway Centurion, LTD., et al, for permanent right-of-way.

There were no other questions or comments. Mayor Wheeler closed the meeting as a courtesy public hearing.

**EXECUTIVE SESSION.** At 9:55 p.m. Mayor Wheeler announced that the Council would go into Executive Session to discuss the following items:

Item #ES1 – Closed (Executive) session of the City Council, pursuant to Section 551.072 of the Texas Government Code for presentation and discussion of the possible purchase from Intervest Company of a 0.4737 acre tract of land for permanent right-of-way from the Intervest Companies Addition (located generally at 4131 Centurion Way).

Item #ES2 – Closed (Executive) session of the City Council, pursuant to Section 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase or condemnation of a 0.9387 acre track of land owned by Midway Centurion, LTD., et. Al, for permanent right-of-way from the Surveyor Addition, Addison West Industrial Park (located generally at 15101 Midway Road).

Item #ES3 – Closed (Executive) session of the City Council, pursuant to Section 551.072 of the Texas Government Code for presentation and discussion of the possible purchase from Heritage Inn Number XIII/Tharaldson Development of a 0.5792 acre tract of land for permanent right-of-way and of a 0.0813 acre tract of land for a temporary construction easement from Lots 4 and 5, Addison Restaurant Park (located generally at 4555 Belt Line Road).

The Council came out of Executive Session at 10:51 p.m.

Item #R10 – Consideration of a Resolution authorizing the City Manager to accept the counteroffer of Intervest Company and acquire a 0.4737 acre tract of land for permanent right-of-way from the Intervest Companies' Addition (located generally at 4131 Centurion Way).

Councilmember Mallory moved to duly pass Resolution No. R02-067 authorizing the City Manager to accept the counteroffer of Intervest Company and acquire a 0.4737 acre tract of land for permanent right-of-way from the Intervest Companies' Addition (located generally at 4131 Centurion Way), subject to final approval of the City Manager and the City Attorney. Councilmember Barrett seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R11 – Consideration of a Resolution authorizing condemnation for the acquisition of a 0.9387 acre tract of land owned by Midway Centurion, LTD., et al, for permanent right-of-way from the Surveyor Addition, Addison West Industrial Park (located generally at 15101 Midway Road).

Councilmember Silver moved to table this item. Councilmember Ways seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

Item #R12 – Discussion and consideration of counteroffer from Heritage Inn Number XIII/Tharaldson Development for the acquisition of a 0.5792 acre tract of land for permanent right-of-way and of a 0.0813 acre tract of land for a temporary construction easement from Lots 4 and 5, Addison Restaurant Park (located generally at 4555 Belt Line Road).

Councilmember Mallory moved to approve a counteroffer from Heritage Inn Number XIII/Tharaldson Development for the acquisition of a 0.5792 acre tract of land for permanent right-of-way and of a 0.0813 acre tract of land for a temporary construction easement from Lots 4 and 5, Addison Restaurant Park (located generally at 4555 Belt Line Road), subject to final approval of the City Manager and the City Attorney. Councilmember Barrett seconded. The motion carried.

Voting Aye: Wheeler, Barrett, Chow, Mallory, Silver, Turner, Ways  
Voting Nay: None  
Absent: None

There being no further business before the Council, the meeting was adjourned.

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Mayor

Attest:

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City Secretary