

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

June 25, 2002  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

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

### Item #R1 – Consideration of Old Business

The following employee was introduced to the Council: David Bennett (Police).

The City Manager noted upcoming events: Shakespeare Festival of Dallas in Addison “Two Gentlemen Of Verona”, June 27-29, Addison Kaboom Town, July 3, 2002 and Christmas in July.

### Item #R2 – Consent Agenda

Item #2a – Approval of the Minutes for the June 4, 2002 and June 11, 2002 Council Meetings.

Councilmember Mallory moved to approve as written the Minutes of the June 4, 2002 and June 11, 2002 Council Meetings. Councilmember Turner seconded. The motion carried.

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

Item #R3 – Appointment of a Councilmember as liaison to the Metrocrest Social Service Center.

Councilmember Silver moved to duly approve the appointment of Councilmember Glynda Turner as liaison to the Metrocrest Social Service Center. Councilmember Mallory seconded. The motion carried.

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

Item #R4 – Consideration of a Resolution re-appointing Mr. Ray Noah to represent the Town of Addison on DART’s Board of Directors.

Councilmember Silver moved to duly pass Resolution No. R02-050 re-appointing Mr. Ray Noah to represent the Town of Addison on DART’s Board of Directors. Councilmember Mallory seconded. The motion carried.

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

Item #R5 – Consideration of a Resolution supporting the City of Plano’s legislative position on the use of Economic Development Sales Tax.

Councilmember Turner moved to duly pass Resolution No. R02-051 supporting the City of Plano’s legislative position on the use of Economic Development Sales Tax. Councilmember Chow seconded. The motion carried.

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

Item #R6 – Consideration of a Resolution consenting to the assignment of a ground lease from Hangar Six, Inc. (Walter Fuller) (tenant) to Turbine Aircraft Services, Inc. at Addison Airport, approving an amendment of the said ground lease and approving an estoppel letter in connection with the assignment of ground lease.

Councilmember Turner moved to duly pass Resolution No. R02-052 consenting to the assignment of a ground lease from Hangar Six, Inc. (Walter Fuller) (tenant) to Turbine Aircraft Services, Inc. at Addison Airport, approving an amendment of the said ground lease and approving an amendment of the said ground lease and approving an estoppel letter in connection with the assignment of ground lease contingent upon parties involved consummating their transaction. Councilmember Silver seconded. The motion carried.

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

Item #R7 – Consideration of an Ordinance providing conditional approval of consent to change of control of the cable system franchise; providing a severability clause; providing an effective date.

Councilmember Turner moved to duly pass Ordinance No. 002-023 providing conditional approval of consent to change of control of the cable system franchise; providing a severability clause; providing an effective date. Councilmember Mallory seconded. The motion carried.

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

Item #R8 – **PUBLIC HEARING** and Consideration of an Ordinance regarding TXU Gas Distribution’s request to change rates in the North Texas Metroplex Distribution System (including the Town of Addison); requiring prompt reimbursement of cities’ rate case expenses; providing an effective date.

Randy Moravec, Town of Addison Finance Director requested that this Item be presented later on the agenda due to the expected arrival of Jeanne Hooker, TXU representative.

City Attorney John Hill advised that the public hearing could be held open until this item is presented when Jeanne Hooker arrives.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. The public hearing remained open and the item was tabled until later in the meeting.

Item #R9 – Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, section 62-163 Area, located at 4090 Belt Line Road, on application from Hilton Garden Inn.

Bill Teal of Hilton Hotels Corporation spoke on behalf of Hilton Garden Inn. Jay Shinn, owner of Hilton Garden Inn also spoke.

Councilmember Chow moved to duly pass Ordinance No. 002-025 approving a meritorious exception to Chapter 62, Signs, section 62-163 Area, located at 4090 Belt Line Road, on application from Hilton Garden Inn. Councilmember Mallory seconded. The motion carried.

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

**Public Hearing** from Item #R8 continued. There were no questions or comments. The Mayor closed the meeting as a public hearing.

Jeanne Hooker, TXU Area representative spoke on behalf of TXU.

Councilmember Mallory moved to duly pass Ordinance No. 002-024 regarding TXU Gas Distribution's request to change rates in the North Texas Metroplex Distribution System (including the Town of Addison); requiring prompt reimbursement of cities' rate case expenses; providing an effective date. Councilmember Turner seconded. The motion carried.

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

Item #R10 – Consideration of a Resolution authorizing the City Manager to begin negotiations with Beltway Commercial Real Estate on development of public open space on Payless Cashway site located at 4803 Belt Line Road.

Kevin Bernaur from Talley Association spoke.

Councilmember Mallory moved to duly pass Resolution No. R02-053 authorizing the City Manager to begin negotiations with Beltway Commercial Real Estate on development of public open space on Payless Cashway site located at 4803 Belt Line Road. Councilmember Ways 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 the City Manager to enter into a contract in the amount of \$235,659.50 with Computer Tech for the purchase of 152 personal computers, three (3) Servers and all of the related software and licenses.

Councilmember Barrett moved to duly pass Resolution No. R02-054 authorizing the City Manager to enter into a contract in the amount of \$235,659.50 with Computer Tech for the purchase of 152 personal computers, three (3) Servers and all of the related software and licenses. Councilmember Silver seconded. The motion carried.

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

Item #R12 – Consideration of a Resolution authorizing the City Manager to enter into a contract with Tiburon, Inc. for professional services in upgrading the Town's Public Safety Computer System subject to final review and approval of the City Attorney.

Councilmember Barrett moved to duly pass Resolution No. R02-055 authorizing the City Manager to enter into a contract with Tiburon, Inc. for professional services in upgrading the Town's Public Safety Computer System subject to stipulation in contract explicative of a definite release of a new version every 18 months and 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

Item #R13 – Presentation and acceptance of final report of the Public Works Department Audit performed by the Waters Consulting Group.

Chris Hartung of the Waters Consulting Group spoke.

Councilmember Barrett moved to duly accept the final report of the Public Works Department Audit performed by the Waters Consulting Group. Councilmember Silver seconded. The motion carried.

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

Item #R14 – Consideration of a Resolution authorizing the City Manager to enter into a Interlocal Agreement with Explorer Pipeline Company for reconstruction of the drainage ditch between 4300 Lindbergh Drive and the Southern Pacific Railroad.

Councilmember Silver moved to duly pass Resolution No. R02-056 authorizing the City Manager to enter into a Interlocal Agreement with Explorer Pipeline Company for reconstruction of the drainage ditch between 4300 Lindbergh Drive and the Southern Pacific Railroad. Councilmember Barrett seconded. The motion carried.

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

Item #R15 – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$88,226.00 with AUI Contractors for Addison Athletic Club indoor pool resurfacing, main drain reconfiguration and pool deck markings.

Councilmember Turner moved to duly pass Resolution No. R02-057 authorizing the City Manager to enter into a contract in the amount of \$88,226.00 with AUI Contractors for Addison Athletic Club indoor pool resurfacing, main drain reconfiguration and pool deck markings. Councilmember Mallory seconded. The motion carried.

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

Item #R16 – Approval of a Change Order in an amount not to exceed \$35,000.00 to AUI for repairs to moisture damaged drywall and ceiling tile remedial work in the Addison Athletic Club gym and lobby.

Councilmember Mallory moved to approve a Change Order in an amount not to exceed \$35,000.00 to AUI for repairs to moisture damaged drywall and ceiling tile remedial work in the Addison Athletic Club gym and lobby. Councilmember Turner seconded. The motion carried.

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

**EXECUTIVE SESSION.** At 10:00 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 Motel 6 Operating L.P. of a 0.6430 acre tract of land for permanent right-of-way from the Roadway Inn Addition (located generally at 4301 Belt Line Road).

Item #ES2 – 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 #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 Bullough/Lykos Office Building No. 1, L.P. of a 0.2950 acre tract of land for permanent right-of-way and of a 0.0187 acre tract of land for a temporary construction easement from Lot 5, Surveyor Addition (located generally at 4101 Centurion Way).

Item #ES4 – 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 4125 Centurion Way, L.P. of a 0.3664 acre tract of land for permanent right-of-way and of a 0.0232 acre tract of land for a temporary construction easement from 4125 Centurion Way as part of David Myers Survey, Abstract No. 923 (located generally at 4125 Centurion Way).

Item #ES5 - 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 0.813 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 10:27 p.m.

Item #R17 – Consideration of a Resolution authorizing the City Manager to make an offer to Motel 6 Operating L.P. for the acquisition of a 0.6430 acre tract of land for permanent right-of-way from the Roadway Inn Addition (located generally at 4301 Belt Line Road).

Councilmember Mallory moved to duly pass Resolution No. R02-058 authorizing the City Manager to make an offer to Motel 6 Operating L.P. for the acquisition of a 0.6430 acre tract of land for permanent right-of-way from the Roadway Inn Addition (located generally at 4301 Belt Line Road). Councilmember Turner seconded. The motion carried.

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

Item #R18 – Consideration of a Resolution authorizing the City Manager to make an offer to Intervest Company for the acquisition of a 0.4737 acre tract of land for permanent right-of-way from the Intervest Companies Addition (located generally at 4131 Centurion Way).

Councilmember Barrett moved to duly pass Resolution No. R02-059 authorizing the City Manager to make an offer to Intervest Company for the acquisition of a 0.4737 acre tract of land for permanent right-of-way from the Intervest Companies Addition (located generally at 4131 Centurion Way). Councilmember Ways seconded. The motion carried.

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

Item #R19 – Consideration of a Resolution authorizing the City Manager to make an offer to Bullough/Lykos Office Building No. 1, L.P. for the acquisition of a 0.2950 acre tract of land for permanent right-of-way and of a 0.0187 acre tract of land for a temporary construction easement from Lot 5, Surveyor Addition (located generally at 4101 Centurion Way).

Councilmember Silver moved to duly pass Resolution No. R02-060 authorizing the City Manager to make an offer to Bullough/Lykos Office Building No. 1, L.P. for the acquisition of a 0.2950 acre tract of land for permanent right-of-way and of a 0.0187 acre tract of land for a temporary construction easement from Lot 5, Surveyor Addition (located generally at 4101 Centurion Way). Councilmember Ways seconded. The motion carried.

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

Item #R20 – Consideration of a Resolution authorizing the City Manager to make an offer to 4125 Centurion way, L.P. for the acquisition of a 0.3664 acre tract of land permanent right-of-way and of a 0.232 acre tract of land for a temporary construction easement from 4125 Centurion Way as part of David Myers Survey, Abstract No. 923 (located generally at 4125 Centurion Way).

Councilmember Ways moved to duly pass Resolution No. R02-061 authorizing the City Manager to make an offer to 4125 Centurion way, L.P. for the acquisition of a 0.3664 acre tract of land permanent right-of-way and of a 0.232 acre tract of land for a temporary construction easement from 4125 Centurion Way as part of David Myers Survey, Abstract No. 923 (located generally at 4125 Centurion Way). Councilmember Silver seconded. The motion carried.

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

Item #R21 – Consideration of a Resolution authorizing the City Manager to make an offer to Heritage Inn Number XIII/Tharaldson Development for the acquisition of a 0.5702 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 Turner moved to duly pass Resolution No. R02-062 authorizing the City Manager to make an offer to Heritage Inn Number XIII/Tharaldson Development for the acquisition of a 0.5702 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 Chow 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