

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

December 10, 2002
7:30 p.m. - Council Chambers
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Barrett, Chow, Mallory, Turner, Silver,
Ways

Absent: None

Item #R1 – Consideration of Old Business

The following employees were introduced to the Council: Mark Metdker (Fire), Robert Tague (IT), and Toni Brown (Police).

Ron Whitehead, City Manager, announced the upcoming events: Addison Rotary Holiday Party; Addison Airport Open House; Addison Calendar delivery date of December 17, 2002, and Sign Ordinance Work Session.

Item #R2 – Consent Agenda

Items 2a, 2c, and 2d were considered separately.

Item #2b – Consideration of a Resolution authorizing the City Manager to enter into a contract for services for \$5,000.00 with HOPE for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office.

Councilmember Mallory moved to duly pass Resolution No. 002-118 authorizing the City Manager to enter into a contract for services for \$5,000.00 with HOPE for the fiscal year 2002-2003 subject to final review and approval of the City Attorney's office. Councilmember Barrett seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #2a – Approval of the Minutes for the November 26, 2002 Council meeting.

Councilmember Silver noted correction to Item #R5 to indicate that Councilmember Barrett seconded the motion on this item.

Councilmember Silver moved to approve the Minutes of the November 26, 2002 Council subject to correction of Item #R5. Councilmember Barrett seconded. The motion carried.

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

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into an “Agreement for the Use of the Addison Theatre Centre” between the Town and WaterTower Theatre from October 1, 2002 through September 30, 2003 subject to final review and approval of the City Attorney’s office.

Councilmember Turner moved to duly pass Resolution No. R02-119 authorizing the City Manager to enter into an “Agreement for the Use of the Addison Theatre Centre” between the Town and WaterTower Theatre from October 1, 2002 through September 30, 2003 subject to final review and approval of the City Attorney’s office. Councilmember Barrett seconded. The motion carried.

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

Item #2d – Consideration of a Resolution authorizing the City Manager to enter into an agreement in the amount of \$20,000.00 with the University of North Texas (UNT) for assistance with the production of the 3rd Annual North Texas Jazz Festival.

Councilmember Turner moved to duly pass Resolution No. R02-120 authorizing the City Manager to enter into an agreement in the amount of \$20,000.00 with the University of North Texas (UNT) for assistance with the production of the 3rd Annual North Texas Jazz Festival. Councilmember Barrett seconded. The motion carried.

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

Item #R3 – Presentation of Certificates of Completion to graduates of the 2002 Addison Citizen Academy.

Mayor Wheeler presented Certificates of Completion to the 2002 Addison Citizen Academy.

Item #R4 – Presentation of the Certificate of Achievement for Excellence in Financial Reporting to the Town of Addison for its Comprehensive Annual Financial Report.

Mayor Wheeler presented the Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report to Randy Moravec, Director of Finance.

Item #R5 – Consideration of a Resolution authorizing the re-appointment of Larry Dwight as Municipal Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with Larry Dwight to perform services as a Municipal Judge.

Councilmember Mallory moved to duly pass Resolution No. R02-121 authorizing the re-appointment of Larry Dwight as Municipal Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with Larry Dwight to perform services as a Municipal Judge. Councilmember Turner seconded. The motion carried.

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

Item #R6 – Consideration of a Resolution authorizing the re-appointment of Albert B. Fenton as Alternate City Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with Albert B. Fenton to perform services as an Alternate Municipal Judge.

Councilmember Turner moved to duly pass Resolution No. R02-122 authorizing the re-appointment of Albert B. Fenton as Alternate City Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with Albert B. Fenton to perform services as an Alternate Municipal Judge. Councilmember Barrett seconded. The motion carried.

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

Item #R7 – Consideration of a Resolution authorizing the re-appointment of U.H. (Woody) Specht as Alternate City Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with U.H. (Woody) Specht to perform services as an Alternate Municipal Judge.

Councilmember Barrett moved to duly pass Resolution No. R02-123 authorizing the re-appointment of U.H. (Woody) Specht as Alternate City Judge of Addison Municipal Court of Record No. 1 and authorizing the City Manager to enter into a compensation agreement with U.H. (Woody) Specht to perform services as an Alternate Municipal Judge. 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 approval of replat for two bts on 7.3760 acres located at 5000 Belt Line Road (the Plaza at the Quorum Shopping Center) on application from Crow-Phoenix Limited Partnership.

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 Silver moved to approve the replat for two lots on 7.3760 acres located at 5000 Belt Line Road (the Plaza at the Quorum Shopping Center) on application from Crow-Phoenix Limited Partnership. Councilmember Barrett seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R9 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for an institution of a religious, educational, or philanthropic nature in any district, located at 17101 Dallas Parkway, on application from the Living God Brazilian Church, represented by Joel Fernandes.

Mayor Wheeler opened the meeting as a public hearing. Margaret Miles, a member of the Citizens Academy, asked where the proposed church was located. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Chow moved to duly pass Ordinance No. 002-051 approving a Special Permit for an institution of a religious, educational, or philanthropic nature in any district, located at 17101 Dallas Parkway, on application from the Living God Brazilian Church, represented by Joel Fernandes, subject to the following conditions:

1. The building shall provide two restrooms, one for males and one for females.
2. The cracked and damaged walls on the east side shall be repaired. In addition, the awning over the front door is torn and shall be replaced.
3. The applicant shall submit a landscaping plan which complies with the requirements of the landscaping ordinance.
4. The air conditioning equipment on the south side of the building shall be screened with a sight-barring material.
5. The dumpster enclosure shall be cleared of all trash and debris, and a new enclosure built out of a sight-barring material.

Councilmember Mallory seconded. The motion carried.

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

Voting Nay: Silver

Absent: None

Item #R10 – **PUBLIC HEARING** and consideration of an Ordinance amending an existing Special Use Permit for a restaurant and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, in order to expand a bar area, located at 15175 Quorum Drive, on application from Arthur’s Restaurant, represented by Mr. Moshen Heidari.

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 Turner moved to duly pass Ordinance No. 002-052 amending an existing Special Use Permit for a restaurant and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, in order to expand a bar area, located at 15175 Quorum Drive, on application from Arthur’s Restaurant. Councilmember Chow seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R11 – Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-162 Premises Signs and Section 62-163 Area Signs, located at 4901 Belt Line Road, on application from Chandler Signs (BJ’s Restaurant and Brewery).

Councilmember Barrett moved to duly pass Ordinance No. 002-053 approving a meritorious exception to Chapter 62, Signs, Section 62-162 Premises Signs and Section 62-163 Area Signs, located at 4901 Belt Line Road, on application from Chandler Signs (BJ’s Restaurant and Brewery) as proposed by staff. No second was noted. The motion did not carry.

Councilmember Mallory moved to duly pass Ordinance No. 002-053 approving the meritorious exception to Chapter 62, Signs, Section 62-162 Premises Signs and Section 62-163 Area Signs as follows:

1. Approval of 39” logo on South side of the building.
2. Approval of Murals on South and West sides of the building.
3. Approval of “TO GO” sign on South side of the building.
4. Approval of 28” logo on the Silo and the East side of the building.

Councilmember Turner 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 contracts with Cigna Health Care, Delta Dental Insurance Company, Hartford Life Insurance Company and UnumProvident, subject to final review and approval of the City Attorney.

Councilmember Mallory moved to duly pass Resolution No. R02-104 authorizing the City Manager to enter into contracts with Cigna Health Care, Delta Dental Insurance Company, Hartford Life Insurance Company and UnumProvident, subject to final review and approval of the City Attorney. Councilmember Turner seconded. The motion carried.

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

Item #R13 – Approval and award of bids in the amount of \$166,330.00 to vendors for fitness equipment for the Addison Athletic Club.

Councilmember Mallory moved to approve and award bids in the amount of \$166,330.00 to vendors for fitness equipment for the Addison Athletic Club. Councilmember Chow 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 an agreement with the Dallas Garland & Northeastern Railroad for a New Public Highway Crossing at Landmark Place, subject to final approval of the City Attorney.

Councilmember Chow moved to duly pass Resolution No. R02-125 authorizing the City Manager to enter into an agreement with the Dallas Garland & Northeastern Railroad for a New Public Highway Crossing at Landmark Place, subject to final approval of the City Attorney. Councilmember Turner seconded. The motion carried.

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

Item #R15 – Approval to purchase vehicles in the amount of \$170,597.90 from Houston-Galveston Area Council (HGAC) under the Town’s inter-local agreement.

Councilmember Chow moved to approve the purchase of vehicles in the amount of \$170,597.90 from Houston-Galveston Area Council (HGAC) under the Town’s inter-local agreement. Councilmember Turner seconded. The motion carried.

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

Item #R16 – Consideration of a Resolution authorizing the City Manager to enter into a contract in an amount not to exceed \$36,500.00 with Michael Morris Designs for professional design services for the development of a comprehensive Exterior Wayfinding and Identification Sign Program for the Addison Arts and Events District.

Councilmember Mallory moved to duly pass Resolution No. R02-126 authorizing the City Manager to enter into a contract in an amount not to exceed \$36,500.00 with Michael Morris Designs for professional design services for the development of a comprehensive Exterior Wayfinding and Identification Sign Program for the Addison Arts and Events District. Councilmember Turner seconded. The motion carried.

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

Item #R17 – Consideration of a Resolution consenting to the assignment of a leasehold from Mercury Air Group, Inc. to Mercury Air Center-Addison, Inc. at Addison Airport.

Councilmember Silver moved to duly pass Resolution No. R02-127 approving the assignment of a leasehold from Mercury Air Group, Inc. to Mercury Air Center-Addison, Inc. at Addison Airport. Councilmember Mallory seconded. The motion carried.

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

Item #R18 – Presentation of summary of the Addison Airport Operations.

No action taken.

Item #R19 – Approval and consideration of a Resolution authorizing the City Manager to award incentive compensation to Washington Staubach Addison Airport Venture for the calendar year 2002.

Councilmember Silver moved to duly pass Resolution No. R02-128 approving and authorizing the City Manager to award incentive compensation to Washington Staubach Addison Airport Venture for the calendar year 2002. Councilmember Ways seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R20 - Presentation of the Quarterly Financial Report for the quarter ending September 30, 2002.

No action taken.

EXECUTIVE SESSION. At 10:32 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 Sections 551.071 and 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase of a permanent easement on an approximately 0.9387 acre tract of land owned by Midway Centurion , LTD., et. al, from Lot 4, Surveyor Addition, (located generally at 15101 Midway Road) for permanent right-of-way and related public purposes.

Item #ES2 – Closed (executive) session of the City Council, pursuant to Sections 551.071 and 551.072 of the Texas Government Code for presentation, discussion and consultation with the City Attorney regarding the possible purchase from Public Storage of Dallas, Ltd. of certain real property from a portion of Lot 1, Watson and Taylor Subdivision, Lot 3, and the western 100 feet of Lot 4, Watson and Taylor Subdivision, Lot 3, and the western 100 feet of Lot 4, Watson and Taylor Subdivision No. 2 (located generally at 4015 and 4017 Belt Line Road) and a temporary construction easement in connection therewith for public right-of-way and related public purposes.

The Council came out of **Executive Session** at 11:01 p.m.

Item #R21 – Consideration of a Resolution authorizing the City Manager to enter into a Contract of Sale with Midway Centurion, LTD., et al, for the acquisition of a permanent easement for public use and related public purposes in connection with realignment and extension of Arapaho Road and related public purposes.

Councilmember Mallory moved to duly pass Resolution No. R02-129 authorizing the City Manager to enter into a Contract of Sale with Midway Centurion, LTD., et al, for the acquisition of a permanent easement for public use and related public purposes in connection with realignment and extension of Arapaho Road and related public purposes subject to the approval of the City Manager and City Attorney. Councilmember Silver seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R22 – Consideration of a Resolution authorizing the City Manager to enter into a Contract of Sale with Public Storage of Dallas, Ltd. for the acquisition of certain real property and a temporary construction easement from a portion of Lot 1, Watson and Taylor Subdivision, Lot 3, and the western 100 feet of Lot 4, Watson and Taylor Subdivision No. 2 (located generally at 4015 and 4017 Belt Line Road) in connection with the realignment and extension of Arapaho Road and related public purposes.

Councilmember Mallory moved to duly pass Resolution No. R02-130 authorizing the City Manager to enter into a Contract of Sale with Public Storage of Dallas, Ltd. for the acquisition of certain real property and a temporary construction easement from a portion of Lot 1, Watson and Taylor Subdivision, Lot 3, and the western 100 feet of Lot 4, Watson and Taylor Subdivision No. 2 (located generally at 4015 and 4017 Belt Line Road) in connection with the realignment and extension of Arapaho Road and related public purposes, subject to the approval of the City Manager and City Attorney. Councilmember Turner 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.

Mayor

Attest:

City Secretary