

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

May 27, 2003

7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Chow, Hirsch, Mallory, Niemann, Silver,  
Turner

Absent: None

Item #R1 – Consideration of Old Business.

The following employees were introduced to the Council: Jon Weible (Parks), David O'Brien (Police).

Ron Whitehead, City Manager, announced the following upcoming events: Budget Meeting, June 3, 2003; Shakespeare In The Park, June 5-7, 2003; Ice Tea Contest, June 7, 2003; Ice Tea Lecture, June 8, 2003; Big Daddy's Car Show, June 14-15, 2003; and Town of Addison Fiftieth Anniversary on June 15, 2003.

Item #R2 – Consent Agenda

#2a – Approval of the Minutes for the May 13, 2003 Council Meeting.

Councilmember Silver noted a correction to the voting on #R10. Councilmember Silver moved to approve the Minutes of the May 13, 2003 Council meeting subject to voting correction. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R3 – **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 5080 Spectrum Drive, on application from Chaucer's Steak and Sushi, represented by Mr. Robert Chun.

Councilmember Hirsch abstained from this item and was excused from the Council Chambers.

Mayor Wheeler opened the meeting as public hearing.

Daisy Veillones voiced a complaint on her inability to use the Addison Athletic Club. Mayor Wheeler advised Mrs. Veillones that this public hearing pertained to this item but

that he would be willing to meet with her after the Council meeting. There were no other questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Turner moved to duly pass Ordinance No. 003-013 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 5080 Spectrum Drive, on application from Chaucer's Steak and Sushi, subject to no conditions. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Chow, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Abstaining: Hirsch

Councilmember Hirsch returned to Council Chambers.

Item #R4 – **PUBLIC HEARING** and consideration of an Ordinance approving development plans for a bank in a Planned Development district (Ordinance 092-037), located on .568 acres at the northeast corner of Marsh Lane and Belt Line Road, on application from Compass Bank, represented by Mr. Ross McCain of KPS Group.

Mayor Wheeler abstained from this item and was excused from the Council Chamber.

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

Councilmember Mallory moved to duly pass Ordinance No. 003-014 approving development plans for a bank in a Planned Development district (Ordinance 092-037), located on .568 acres at the northeast corner of Marsh Lane and Belt Line Road, on application from Compass Bank, subject to the following conditions:

1. All mechanical equipment must be screened from view.
2. The site must be replatted prior to the issuance of a building permit. The plat should reflect the 12-foot right-of-way dedication shown on the site plan.

Councilmember Turner seconded. The motion carried.

Voting Aye: Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Abstaining: Wheeler

Mayor Wheeler returned to the Council Chambers.

Item #R5 – Consideration of a Resolution approving the reprogramming of DART funds in the amount of \$1,189,625.88 from the Capital Assistance Program (CAP) and the Local Assistance Program/Congestion Management System (LAP/CMS) projects to the Arapaho Phase III Project.

Councilmember Mallory moved to duly pass Resolution No. R03-055 approving the reprogramming of DART funds in the amount of \$1,189,625.88 from the Capital Assistance Program (CAP) and the Local Assistance Program/Congestion Management System (LAP/CMS) projects to the Arapaho Phase III Project. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R6 – Consideration of a Resolution approving the acceptance and release of the 2002 Comprehensive Annual Financial Report (CAFR) and auditor's management letter.

Councilmember Turner moved to duly pass Resolution No. R03-056 approving the acceptance and release of the 2002 Comprehensive Annual Financial Report (CAFR) and auditor's management letter. Councilmember Niemann seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner  
Voting Nay: None  
Absent: None

Item #R7 – Presentation of the TxDOT Aviation Division obstacle evaluation of the Addison Airport runway.

No action taken.

Item #R8 – Presentation and discussion of the FY 2002-2003 Council Goals.

No action taken.

**EXECUTIVE SESSION.** At 8:33 p.m. Mayor Wheeler announced that the Council would go into Executive Session to discuss the following item:

Item #ES1 – Closed (Executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney to seek the advice of its attorney about the pending litigation, to wit: *Transcontinental Realty Investors, Inc., et al. v. The City of Addison, Texas, et al., Cause No. 03-03457, 160<sup>th</sup> District Court, Dallas County, Texas.*

The Council came out of **Executive Session** at 9:08 p.m.

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

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Mayor

Attest:

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City Secretary