

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

September 28, 2004
7:30 p.m. - Council Chambers
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Chow, Niemann, Silver, Turner
Absent: Braun, Hirsch

Item #R1 – Consideration of Old Business

The following employee was introduced to the Council: Keith Davis (Fire).

Ron Whitehead, City Manager, presented Council with an updated calendar highlighting upcoming events.

Item #R2 – Consent Agenda

Item #2a – Approval of the Minutes for the September 14, 2004 Council Meeting.
(Approved)

Item #2b – Consideration of approval of award of bid and a Resolution authorizing the City Manager to enter into a contract in the amount of \$59,225.00 with Davis Excavation for construction of the Westfield Court Water Service Replacement Project. (Approved)
(R04-077)

Councilmember Chow moved to duly approve the above listed items. Councilmember Niemann seconded. The motion carried.

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

Councilmember Hirsch arrives in Council Chambers.

Item #R3 – Consideration of approval and appointment of four additional members to the Board of Zoning Adjustment to serve as alternates.

Councilmember Turner moved to duly approve the appointment of alternate members to the Board of Zoning Adjustment. The appointed alternate members are:

- Virgil Burkhardt, 4007 Winter Park
- Alan Wood, 14609 Lexus
- Joel Davis, 4067 Beltway Drive #148
- William Green, 3845 Canot

Councilmember Niemann seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R4 – **PUBLIC HEARING** and consideration of an Ordinance amending a Special Use Permit for a public building to be used by the federal government, located at 4900 Airport Parkway, on application from the United States Postal Service, represented by Mr. Dennis Delisse of MPI Architects.

The public hearing is continued from the September 14, 2004 Council meeting until the October 12, 2004 Council meeting.

Item #R5 – Consideration of a Resolution authorizing the City Manager to enter into an agreement in the amount of \$67,750.00 with Daktronics for an LED sign for the Addison Arts and Events District.

Councilmember Chow moved to duly pass Resolution No. R04-078, authorizing the City Manager to enter into an agreement in the amount of \$67,750.00 with Daktronics for an LED sign for the Addison Arts and Events District, subject to the site work not being approved. Councilmember Turner seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R6 – Presentation and consideration of approval of the Addison Arbor Foundation's 20 year strategic plan.

Councilmember Chow moved to dully approve the Addison Arbor Foundation's 20-year strategic plan. Council Niemann seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R7 – Presentation and consideration of approval of schematic design concept of the Landmark Boulevard/Quorum Drive park area.

Councilmember Niemann moved to duly approve the schematic design concept of the Landmark Boulevard/Quorum Drive park area, subject to the inclusion of Council comments. Councilmember Turner seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R8 – Consideration of approval of award of bid and Resolution authorizing the City Manager to enter into an agreement in the amount of \$46,680.00 with David Baldwin, Inc. for landscape architecture design and construction services for Landmark Place.

Councilmember Chow moved to duly approve award of bid and pass Resolution No. R04-079 authorizing the City Manager to enter into an agreement in the amount of \$46,680.00 with David Baldwin, Inc. for landscape architecture design and construction services for Landmark Place. Councilmember Niemann seconded. The motion carried.

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

Voting Nay: Wheeler

Absent: Braun

Item #R9 – Consideration of approval of changes to the Addison Hotel Support Program.

Mayor Wheeler opened the meeting as a courtesy public hearing. Todd Walther spoke on this item. There were no further comments or questions. Mayor Wheeler closed the meeting as a courtesy public hearing.

Councilmember Niemann moved to duly approve changes to the Addison Hotel Support Program, subject to the program to be designated for the following three hotels:

- Hotel Intercontinental
- Marriott Quorum
- Crowne Plaza

Councilmember Silver seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R10 – Consideration of approval of award of bid and approval of a Resolution authorizing the City Manager to enter into a contract in the amount of \$68,464.15 with Air Vacuum Corporation for the purchase and installation of vehicle exhaust systems for the Addison Fire Station #1 and Addison Fire Station #2.

Councilmember Silver moved to duly approve award of bid and pass Resolution No. R04-080 authorizing the City Manager to enter into a contract in the amount of \$68,464.15 with Air Vacuum Corporation for the purchase and installation of vehicle exhaust systems for the Addison Fire Station #1 and Addison Fire Station #2. Councilmember Turner seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

Item #R11 – Consideration of a Resolution authorizing the City Manager to enter into a three-year extension of an existing contract in the amount of \$24,480.00 with Metrocrest Medical Services for pre-hospital emergency medical control purposes.

Councilmember Niemann moved to duly pass Resolution No. R04-081 authorizing the City Manager to enter into a three-year extension of an existing contract in the amount of \$24,480.00 with Metrocrest Medical Services for pre-hospital emergency medical control purposes, subject to review by the City Attorney. Councilmember Chow seconded. The motion carried.

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

Councilmember Niemann recused himself from Council Chambers.

Item #R12 – Consideration of a Resolution supporting the review commenced by the steering committee of cities served by TXU to determine the just and reasonable rates to be charged by TXU Electric Delivery Company.

Councilmember Chow moved to duly pass Resolution No. R04-082 supporting the review commenced by the steering committee of cities served by TXU to determine the just and reasonable rates to be charged by TXU Electric Delivery Company. Councilmember Turner seconded. The motion carried.

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

Councilmember Niemann returned to the Council Chambers.

Item #R13 – Consideration of a Resolution adopting the Town of Addison Investment Strategy for FY 2004-2005.

Councilmember Turner moved to duly pass Resolution No. R04-083 adopting the Town of Addison Investment Strategy for FY 2004-2005. Councilmember Niemann seconded. The motion carried.

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

Item #R14 – Consideration of an Ordinance approving the Town's FY 2004-2005 Investment Policy and amending the Town of Addison Code of Ordinances Chapter 2 (Administration), Article IV (Finance), Division 3 (Investment Policy) by amending Section 2-207 (Authorized Securities Investments), Section 2-211 (Selection of Broker/Dealers),

Section 2-212 (Selection of Depositories), and Section 2-216 (Policy Revisions); adding Section 2-217 (Policy Revisions).

Councilmember Niemann moved to duly pass Ordinance No. 004-044 approving the Town's FY 2004-2005 Investment Policy and amending the Town of Addison Code of Ordinances Chapter 2 (Administration), Article IV (Finance), Division 3 (Investment Policy) by amending Section 2-207 (Authorized Securities Investments), Section 2-211 (Selection of Broker/Dealers), Section 2-212 (Selection of Depositories), and Section 2-216 (Policy Revisions); adding Section 2-217 (Policy Revisions). Councilmember Silver seconded. The motion carried.

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

Item #R15 – Consideration of an Ordinance of the Town of Addison, Texas approving and adopting the annual budget for the fiscal year beginning October 1, 2004 and ending September 30, 2005; providing that said expenditures for said fiscal year shall be made in accordance with said budget; providing for a repeal clause and declaring an emergency.

Councilmember Chow moved to duly pass Ordinance No. 004-045 approving and adopting the annual budget for the fiscal year beginning October 1, 2004 and ending September 30, 2005; providing that said expenditures for said fiscal year shall be made in accordance with said budget; providing for a repeal clause and declaring an emergency. Councilmember Turner seconded. The motion carried.

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

Item #R16 – Consideration of an Ordinance of the Town of Addison, Texas fixing and adopting the tax rate of \$.4760 on all taxable property for the year 2004; and declaring an emergency.

Councilmember Chow moved to duly pass Ordinance No. 004-046 fixing and adopting the tax rate of \$.4760 on all taxable property for the year 2004; and declaring an emergency. Councilmember Turner seconded. The motion carried.

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

Item #R17 – Consideration of a Resolution authorizing the City Manager to enter into an agreement in an amount not to exceed \$34,350.00 with the Waters Consulting Group for the purpose of conducting a study of the Town's classification system, compensation plan and employee benefits.

Councilmember Silver moved to duly pass Resolution No. R04-084 authorizing the City Manager to enter into an agreement in an amount not to exceed \$34,350.00 with the Waters Consulting Group for the purpose of conducting a study of the Town's classification system, compensation plan and employee benefits. Councilmember Turner seconded. The motion carried.

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

Voting Nay: None

Absent: Braun

EXECUTIVE SESSION. At 10:21 p.m., Mayor Wheeler announced that the Council would convene into Executive Session.

Item #ES1 – Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney to seek the advice of its attorney about pending litigation to wit: *LaTaste Enterprises, et al. vs. Addison Airport of Texas, Inc., et al.*; Cause No. DV 98-02259-F, 116th District Court, Dallas County, Texas.

Item #ES2 – Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to consult with its attorney to seek advice regarding certain pending litigation, to wit: *Transcontinental Realty Investors, Inc., et al. v. Addison Airport of Texas, Inc., et al.*; Cause No. 03-03457-H; 160th District Court, Dallas County, Texas.

The Council came out of Executive Session at 11:00 p.m.

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

Mayor

Attest:

City Secretary