

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

October 12, 2004  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Braun, Chow, Hirsch, Niemann, Silver, Turner  
Absent: None

### Item #R1 – Consideration of Old Business

The following employees were introduced to the Council: Ron Lee (Parks) and Steve Smith (Police).

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 28, 2004 Council Meeting. (Approved)

Item #2b – Consideration of approval of final payment in the amount of \$14,526.74 to Ratliff Hardscape, LTD. for the replacement of masonry walls on Chancey Drive and Proton Drive in the Les Lacs residential area. (Approved)

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$36,741.11 with SBC for the relocation and installation of telephone cable in connection with the extension of Arapaho Road, Phase III, from Addison Road to Surveyor Boulevard. (Approved) (R04-085)

Item #2d – Consideration of a Resolution authorizing the City Manager to enter into an agreement with Hand and Associates Marketing Communications for advertisement in the November 2004, March 2005 and August 2005 Addison/North Dallas Corridor Guide publication. (Approved) (R04-086)

Item #2e – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$49,896.00 with Hotel Inter-Continental for meeting space and room guarantees for the 2005 North Texas Jazz Festival. (Approved) (R04-087)

Item #2f – Consideration of a Resolution authorizing the City Manager to enter into an agreement in an amount not to exceed \$30,000 with the City of Carrollton for service and maintenance provided for the Police and Fire Radio System in Fiscal Year 2003-2004. (Approved) (R04-088)

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

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

Item #R3 – Consideration of approval of a final plat for one lot on .5219 acres, located at the southwest corner of the intersection of Midway Road and Belt Line Road, on application from Piedmont-Midway Partners, L.P. represented by Mr. Bryan Burger of Lawrence A. Cates and Associates, LLP.

Councilmember Turner moved to duly approve a final plat for one lot on .5219 acres, located at the southwest corner of the intersection of Midway Road and Belt Line Road, on application from Piedmont-Midway Partners, L.P., subject to the following conditions:

1. Engineering plans and specifications must be submitted and approved by the Town and must include a drainage and grading plan, existing and proposed utilities and sidewalks.
2. A utility easement is necessary in order to relocate an existing signal pole at the intersection. The exact location of the utility easement must be coordinated with the Town's Public Works Department.

Councilmember Silver seconded. The motion carried.

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

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 was continued from the September 28, 2004 Council meeting. Mayor Wheeler closed the public hearing.

This item was withdrawn by staff.

Item #R5 – **PUBLIC HEARING** and consideration of an Ordinance approving a change of zoning from Commercial-1 (C-1) district to a Planned Development (PD) district for a hotel/motel use and approval of a Special Use Permit (SUP) for a restaurant and a Special Use Permit (SUP) for the sale of alcoholic beverages for on-premises consumption only, Wingate Inn, located at 4960 Arapaho Road, on application from Hospitality Management Corporation, represented by Mr. John O'Connor.

This item was withdrawn by staff.

Item #R6 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit (SUP) for a restaurant and a Special Use Permit (SUP) for the sale of alcoholic beverages for on-premises consumption only, Café Japon/Bo Ba Tea House, located at 4933 Belt Line Road, on application from Mr. Chung Keung Lui. Presentation and consideration of approval of the Addison Arbor Foundation’s 20 year strategic plan.

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. 004-047 approving a Special Use Permit (SUP) for a restaurant and a Special Use Permit (SUP) for the sale of alcoholic beverages for on-premises consumption only, Café Japon/Bo Ba Tea House, located at 4933 Belt Line Road, subject to the following conditions:

1. The landscaping on the southwest corner of the building must be installed prior to the issuance of a Certificate of occupancy for the restaurant.
2. The term “bar”, “tavern”, or any equivalent term, or graphic depiction associated with alcoholic beverages shall not be used in exterior signs.

Council Niemann seconded. The motion carried.

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

Item #R7 – Consideration of a Resolution authorizing the City Manager to enter into an agreement with Xelerate Group to provide marketing, events and sponsorship services October 1, 2004-September 30, 2005 for the Town of Addison.

Councilmember Silver moved to duly pass Resolution No. R04-089 authorizing the City Manager to enter into an agreement with Xelerate Group to provide marketing, events and sponsorship services October 1, 2004-September 30, 2005 for the Town of Addison. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner  
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 2004 and appointing a Hearing Officer for the purpose of conducting a public hearing pursuant to Section 147(F) of the Internal Revenue Code of 1986, as amended.

Councilmember Turner moved to duly pass Resolution No. R04-090 relating to the giving of notice of intention to issue Town of Addison, Texas Combination Tax and Revenue Certificates of Obligation, Series 2004 and appointing a Hearing Officer for the purpose of

conducting a public hearing pursuant to Section 147(F) of the Internal Revenue Code of 1986, as amended, subject to a revision allowing the Mayor or his designee to serve as the hearing officer. Councilmember Chow seconded. The motion carried.

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

Item #R9 – Consideration of a Resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the Dallas County Health Authority for assistance during health emergencies and acts of bio-terrorism.

Councilmember Chow moved to duly pass Resolution No. R04-091 authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with the Dallas County Health Authority for assistance during health emergencies and acts of bio-terrorism. Councilmember Niemann seconded. The motion carried.

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

Item #R10 – Consideration of a Resolution authorizing the City Manager to enter into a Third Supplemental Agreement to the Interlocal Agreement with the City of Carrollton for the installation, operation and maintenance of a Metrocrest Radio System.

Councilmember Turner moved to duly pass Resolution No. R04-092 authorizing the City Manager to enter into a Third Supplemental Agreement to the Interlocal Agreement with the City of Carrollton for the installation, operation and maintenance of a Metrocrest Radio System. Councilmember Braun seconded. The motion carried.

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

Item #R11 – Consideration of a Resolution authorizing the City Manager to enter into an agreement with Affiliated Computer Services, Inc. (ACS) in connection with the Supplemental Metrocrest Radio System Interlocal Agreement between the City of Carrollton, Texas and the Town of Addison, Texas.

Councilmember Chow moved to duly pass Resolution No. R04-093 authorizing the City Manager to enter into an agreement with Affiliated Computer Services, Inc. (ACS) in connection with the Supplemental Metrocrest Radio System Interlocal Agreement between the City of Carrollton, Texas and the Town of Addison, Texas, subject to the revisions approved by the City Attorney. Councilmember Turner seconded. The motion carried.

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

Item #R12 – Consideration of approval of award of bid and a Resolution authorizing the City Manager to enter into a contract, including incentives, in an amount not to exceed \$830,766.00 with APAC-Texas, Inc. for the construction of the Belt Line Road pavement rehabilitation from Marsh Lane to Dallas North Tollway.

Councilmember Silver moved to duly pass Resolution No. R04-094 authorizing the City Manager to enter into a contract, including incentives, in an amount not to exceed \$830,766.00 with APAC-Texas, Inc. for the construction of the Belt Line Road pavement rehabilitation from Marsh Lane to Dallas North Tollway. Councilmember Turner seconded. The motion carried.

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