

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

May 24, 2005  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow,  
Niemann  
Absent: None

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Lynn Chandler (Development Services), Scott Marshall (Police), and Raul Rivera (Parks).

Item #R2 - Consent Agenda.

Item #2d was considered separately.

#2a – Approval of the Minutes for the May 10, 2005 and May 17, 2005 Council Meetings. (Approved as written)

#2b – Consideration and approval of a Resolution to award bid to Insituform Technologies in the amount of \$86,650 for reconstruction of sanitary sewer lines by the installation of a trenchless internal lining process. (Approved – Resolution No. R05-054)

#2c – Consideration and authorization to reject all bids submitted for the purchase and installation of Video Camera Monitoring System at Addison Airport, Police Department building, Jail, Court building and Emergency Operation Center. (Approved)

Councilmember Braun moved to duly approve the above listed items.  
Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

#2d – Consideration and approval of a Resolution authorizing the City Manager to enter into a contract with RedMoon Broadband for the installation of WLAN (Wireless Local Area Network) equipment including WiFi services at the Conference and Theatre Centre in the amount of \$2388.

Councilmember Niemann moved to duly pass Resolution No. R05-055 authorizing the City Manager to enter into a contract with RedMoon Broadband for the installation of WLAN (Wireless Local Area Network) equipment including WiFi services at the Conference and Theatre Centre, subject to review and approval of the city attorney, in the amount of \$2388. Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R3 – Appointment of Mayor Pro Tempore and Deputy Mayor Pro Tempore.

Councilmember Mallory moved to duly appoint Councilmember Jimmy Niemann as Mayor Pro Tempore and Councilmember Greg Hirsch as Deputy Mayor Pro Tempore. Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R4 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a restaurant, located at 15099 Midway Road, on application from Starbuck’s Coffee, represented by Mr. Bryan Burger of Lawrence A. Cates and Associates, LLP.

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

Councilmember Braun moved to duly pass Ordinance No. 005-021 approving a Special Use Permit for a restaurant, located at 15099 Midway Road, on application from Starbuck’s Coffee, represented by Mr. Bryan Burger of Lawrence A. Cates and Associates, LLP. Subject to the following conditions:

- A proposed utility easement, located approximately at the intersection of Belt Line Road and Midway Road, must be included in the final plat prior to filing.
- Engineering plans, including drainage and grading improvements, must be approved by the Public Works Department prior to the issuance of a building permit.
- The staff will work with the developer to try and relocate the sidewalk from its current back-of-curb location.

Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R5 - Consideration of an Ordinance approving a meritorious exception to Sec. 62-163, Area of the sign ordinance, for Auto Care European located at 4304 Wiley Post Road.

Councilmember Mallory moved to duly pass Ordinance No. 005-022 approving a meritorious exception to Sec. 62-163, Area of the sign ordinance, for Auto Care European located at 4304 Wiley Post Road. Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R6 – Consideration and approval of a Resolution consenting to the sublease of certain property located at Addison Airport, the address of which is 4575 Claire Chennault Drive, by the tenant, C.C. Hangar, L.P. to a subtenant, RR Investments, Inc. d/b/a. Million Air Dallas, and authorizing the City Manager to execute a consent to sublease.

Councilmember Niemann moved to duly pass Resolution No. R05-056 consenting to the sublease of certain property located at Addison Airport, the address of which is 4575 Claire Chennault Drive, by the tenant, C.C. Hangar, L.P. to a subtenant, RR Investments, Inc. d/b/a. Million Air Dallas, and authorizing the City Manager to execute a consent to sublease subject to final review and approval of the city attorney. Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R7 – Consideration and approval of a Resolution regarding certain matters pertaining to a Ground Lease between the Town of Addison, as Landlord, and Redman Investments, Inc., as Tenant, of certain property located generally at 4585 Clair Chennault Drive on Addison Airport, as follows: (i) Consent to the assignment of the leasehold interest of Redman Investments, Inc. to Triad CSGP, LLC, a wholly owned subsidiary of Triad Hospitals, Inc., and (ii) approval of a First Amendment to Ground Lease, and authorizing the Town Manager to execute the said Consent and the First Amendment to Ground Lease.

Councilmember Mellow moved to duly pass Resolution No. R05-057 approving certain matters pertaining to a Ground Lease between the Town of Addison, as Landlord, and Redman Investments, Inc., as Tenant, of certain property located generally at 4585 Clair Chennault Drive on Addison Airport, as follows: (i) Consent to the assignment of the leasehold interest of Redman Investments, Inc. to Triad CSGP, LLC, a wholly owned subsidiary of Triad Hospitals, Inc., and (ii) approval of a First Amendment to Ground Lease, and authorizing the Town Manager to execute the said Consent and the First Amendment to Ground Lease. Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann  
Voting Nay: None  
Absent: None

Item #R8 – Presentation of the Aviation Museum Strategic Assessment Report and Council direction to Town staff regarding next steps.

No action taken.

Item #R9 – Presentation of General Fund Long-Term Plan.

No action taken.

**EXECUTIVE SESSION.** At 9:57 p.m. Mayor Chow announced that the Council would convene into Executive Session.

Item #ES1 – Closed (executive) session of the 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: *Aventura Condominium Association, Inc. v. Addison Spectrum, L.P., et al v. Town of Addison, et al*, Case No. 03-09222-H, 160<sup>th</sup> Judicial District Court, Dallas County, Texas, and on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 552, Tex. Gov. Code.

The Council came out of Executive Session at 10:07 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