

**OFFICIAL ACTIONS OF THE ADDISON CITY
COUNCIL
WORK SESSION**

December 11, 2012

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254

Upstairs Conference Room

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

Work Session

Item #WS1 - Discussion regarding proposed restructuring of WorldFest.

Item #WS2 - Discussion regarding non-profit funding application and evaluation process.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

December 11, 2012

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254

Matt McCombs, 12/7/2012, 5:00 PM

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

REGULAR MEETING

Item #R1 - Announcements and Acknowledgements regarding Town and Council Events and Activities

Item #R2 - Consent Agenda

#2a - Approval of Minutes for the November 27, 2012 Regular Council Meeting.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Chris DeFrancisco.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2b - Approval of Contract for Services with Shakespeare Dallas for the Town's sponsorship of Shakespeare in the park in Addison Circle Park annually in October 2013 and 2014.

A motion to Approve was made by Council Member Blake Clemens.
The motion was seconded by Council Member Chris DeFrancisco.
The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,
Resnik
Voting Nay: None

#2c - Approval of the purchase of (15) 2013 Chevrolet Police Package Tahoe SUV's, (1) 2013 Chevrolet 190; Ton Fire Battalion Command Vehicle and (1) 2013 190; Ton Service Body Truck under the Town's Inter-local Agreement with the Texas Local Government Purchasing Cooperative, known as BuyBoard, in the amount of \$499,159.00.

Item was pulled by Mayor Meier for clarification. Mark Acevedo, Director of General Services, spoke regarding this item.

A motion to Approve was made by Mayor Todd Meier.
The motion was seconded by Council Member Blake Clemens.
The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,
Resnik
Voting Nay: None

#2d - Approval authorizing the city manager to execute the revised Dallas County Community College District and Town of Addison Agreement for Paramedic Internships.

A motion to Approve was made by Council Member Blake Clemens.
The motion was seconded by Council Member Chris DeFrancisco.
The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,
Resnik
Voting Nay: None

#2e - Approval of a resolution that authorizes the Town to designate

representatives that can transact business with the TexPool local government investment pool.

Item was pulled for clarification by Mayor Meier. Eric Cannon, Chief Financial Officer, spoke regarding this item.

A motion to Approve was made by Mayor Todd Meier.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2f - Approval of a resolution declaring the Town's support of proposed legislation that would authorize the creation of the Cotton Belt Rail Improvement District.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Chris DeFrancisco.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R3 - Presentation, discussion and consideration of approval of members to the Board of Zoning Adjustment.

Mayor Todd Meier nominated Mary Carpenter.

Councilmember Janelle Moore nominated Gary Lorenz.

Council Member Neil Resnik nominated Tracy Heatherington.

Council Member Chris DeFrancisco nominated Lori Ward.

A motion to Approve was made by Mayor Todd Meier.

The motion was seconded by Council Member Chris DeFrancisco.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,

Resnik

Voting Nay: None

Item #R4 - PUBLIC HEARING. Case 1658-SUP/Vernon's Grille.

Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, which property is currently zoned LR – Local Retail, by approving for that property an amendment to 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 only in order to add a patio to an existing restaurant, on application from Vernon's Grill, represented by Mr. Christopher Myrick.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on November 15, 2012, voted to approve the request for approval of an ordinance approving an amendment to 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, located at 5290 Belt Line Road, Suite 142, on application from Vernon's Grille, represented by Mr. Christopher Myrick, subject to the following condition: -The applicant shall not use any term or graphic depiction that relates to alcoholic beverages in any exterior signs. Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler Voting Nay: none Absent: none

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

A motion to Approve was made by Council Member Bruce Arfsten.

The motion was seconded by Council Member Margie Gunther.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R5 - PUBLIC HEARING. Case 1659-SUP/The Break. Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 3870 Ponte Avenue, Suite 150, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from The Break, represented by Mr. Scott P. Tallis of Break Management Group LLC. COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on November 15, 2012, voted to approve the request for approval of an ordinance approving an amendment to 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, located at 3870 Ponte Avenue, Suite 150, on application from the Break, represented by Mr. Scott P. Tallis of Break Management Group, LLC, subject to the following condition: -The applicant shall not use any term or graphic depiction that relates to alcoholic beverages in any exterior signs. Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler Voting Nay: none Absent: none

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

A motion to Approve was made by Council Member Neil Resnik. The motion was seconded by Council Member Blake Clemens. The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik
Voting Nay: None

Item #R6 - Presentation, discussion and consideration of approval of an ordinance to re-appoint Larry Dwight as presiding municipal judge and an ordinance to re-appoint U.H. (Woody) Specht as alternate

municipal judge to the Addison Municipal Court of Record, and of agreements for services with each of the said judges.

Ron Whitehead, City Manager, spoke regarding this item.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Bruce Arfsten.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R7 - Discussion and consideration of approval authorizing the City Manager to execute a change order with Landmark Structures to provide and install a roof-mounted crane system; to enhance the support system of the roof mounted wind energy system to incorporate multiple redundant load paths; to address ADA and Fire Safety issues and to provide a new date of April 30,2013 for substantial completion and July 31, 2013 for final completion.

Lea Dunn, Deputy City Manager, and Ron King, Freese and Nichols, presented and spoke regarding this item.

A motion to Approve was made by Council Member Chris DeFrancisco.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R8 - Presentation and discussion regarding Town records and their management, and discussion and consideration of an Ordinance amending various provisions of Division 1, Article V (Records Management) of Chapter 2 of the Code of Ordinances regarding

management of Town records.

Matt McCombs, Assistant to the City Manager, presented and spoke regarding this item.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Bruce Arfsten.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R9 - Discussion and consideration of approval of a rejection of all bids for Bid 13-03: Purchase of HVAC equipment.

Mark Acevedo, Director of General Services, presented and spoke regarding this item.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

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(s) to seek the advice of its attorney(s) regarding certain pending litigation, to wit: Town of Addison, Texas v. North Texas Contracting, Inc., Cause No. 12-6525-C, 68th Judicial District Court, Dallas County, Texas.

Item was not needed and was pulled from the agenda.

There was no action taken.

Item #R10 - Discussion and consideration of any action regarding certain pending litigation, to wit: Town of Addison, Texas v. North Texas Contracting, Inc., Cause No. 12-6525-C, 68th Judicial District Court, Dallas County, Texas.

Item was not needed and was pulled from the agenda.

There was no action taken.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry