

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

March 11, 2014

6:00 PM

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

6:00 PM Work Session | 7:30 PM Regular Meeting

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore; Resnik

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

March 11, 2014

6:00 PM

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

6:00 PM Work Session | 7:30 PM Regular Agenda

Posted by: Matthew McCombs, March 7, 2014, 5:00pm

WORK SESSION

WS1 Introduction of assistant municipal court prosecutor.

John Hill, City Attorney, introduced Buck Johnson, Municipal Court Prosecutor.

WS2 Discussion regarding a transitional audit.

Larry Kanter, Managing Director at Kanter Financial Forensics, presented and spoke regarding this item. Calvin Webb II and Wayne Usry from Gradient Solutions presented and spoke regarding this item.

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- WS3 Discussion regarding the City Council's budget strategic process for the Fiscal Year commencing October 1, 2014 and ending September 30, 2015.

The City Council and Lea Dunn discussed the City Council's budget strategic process for the Fiscal Year commencing October 1, 2014 and ending September 30, 2015.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

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- 2a Approval of the Minutes for the February 25, 2014 Work Session and Regular Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by DeFrancisco

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

Passed

Regular Items

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- R3 Discussion, consider and take action regarding appointment of a Member to the Planning and Zoning Commission.

RECOMMENDATION:

Council Member Moore recommended appointing Randy Smith to the Planning and Zoning Commission.

Motion made by Moore to appoint Randy Smith to the Planning and Zoning Commission,

Seconded by Arfsten

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

Passed

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- R4 Discussion, consider and take action regarding appointment of a member to the Board of Zoning Adjustment.

RECOMMENDATION:

Council Member Gunther recommended reappointing Skip Robbins to the Board of Zoning Adjustment.

Motion made by Gunther to approve Skip Robbins' appointment,
Seconded by Meier

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

Passed

Mayor Meier made a motion to appoint Deborah Morgan as his appointee to the Board of Zoning Adjustment.

Motion made by Meier to approve Deborah Morgan's appointment,
Seconded by Gunther

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

Passed

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- R5 Discussion, consider and take action regarding a transitional audit, including authorizing an agreement for transitional audit services.

The City Council discussed the formation of a finance committee to conduct additional research in regard to the transitional audit.

Motion made by Meier to appoint Chris DeFrancisco, Blake Clemens, and himself as members of the finance committee,
Seconded by Arfsten

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

Passed

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- R6 **PUBLIC HEARING** Case 1685-SUP/Yard House. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 212, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 Yard House USA, Inc. represented by LuAron McCormack.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on February 27, 2014, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5100 Belt Line Road, Suite 212, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard,
Wheeler

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Charles Goff, Assistant to the City Manager, and Jim Powell with Yard House USA, spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted, including the condition listed,

Seconded by Gunther

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

Passed

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- R7 **PUBLIC HEARING** Case 1686-SUP/Ra Sushi. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 216, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 Benihana, Inc. represented by Krystle Duree.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on February 27, 2014, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5100 Belt Line Road, Suite 216, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

RECOMMENDATION:

Administration recommends approval.

Charles Goff, Assistant to the City Manager, spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by Resnik to approve, as submitted, including the condition listed,

Seconded by Arfsten

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

Passed

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- R8 **PUBLIC HEARING** Case 1687-SUP/Taco Borracho. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5004 Addison Circle, which property is currently zoned UC, Urban Center, 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 C&J Investments, LLC represented by Charles M. Love.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on February 27, 2014, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5004 Addison Circle, which property is currently zoned UC, Urban Center, 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, subject to the following conditions:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs, except for the term “borracho” and only when used as part of the business’ name, “Taco Borracho.”
- This SUP does not constitute the Town’s consent, nor a grant of any right, to the extension of the patio into the right-of-way of the Town, and that the extension of the patio into the Town’s right-of-way may not occur unless and until the applicant (tenant) and the owner of the property has obtained from the Town the Town’s written consent to the extension.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Charles Goff, Assistant to the City Manager, and John Hill, City Attorney, spoke regarding this item.

Charles Love with Taco Borracho and Kevin Polston with Post Properties also spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by Resnik to approve, subject to the conditions listed,
Seconded by DeFrancisco

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

Passed

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- R9 Discussion, consider, and take action regarding a license or encroachment agreement to allow the current occupant (Taco Borracho Restaurant) and the owner of the property located within the Town at 5004 Addison Circle to use a portion of the public sidewalk and right-of-way adjacent to the property for an outdoor patio and extension of awnings.

RECOMMENDATION:

Administration recommends approval.

Charles Goff, Assistant to the City Manager, spoke regarding this item.

Charles Love with Taco Borracho verbally agreed to the conditions and understanding of the encroachment agreement.

Motion made by Resnik to approve, subject to final approval of the City Attorney and City Manager,
Seconded by Gunther

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

Passed

- R10 Presentation and discussion regarding the Addison Airport Master Plan committee make up, selection process, and schedule.

RECOMMENDATION:

Lisa Pyles, Director of Infrastructure Operations and Services, spoke regarding this item.

There was no action taken on this item.

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- R11 Discussion, consider, and take action regarding a resolution authorizing the City Manager to execute property purchase agreements in an amount equal to or less than the appraised value with the property owners of parcels affected by the undergrounding of the utilities along Belt Line Road.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, and John Hill, City Attorney, spoke regarding this item.

Motion made by Arfsten to approve, with the revised resolution,
Seconded by Resnik

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

Passed

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- R12 Presentation, discussion, consider and take action on a resolution authorizing the City Manager to enter into a Texas Department of Transportation agreement for the design of the reconstruction of Taxiway Victor at Addison Airport estimated to be in the amount of \$180,000 and the reconstruction of Taxiway Victor estimated to be in the amount of \$1,830,000, and recognizing the Town's responsibility to pay for 10% of those amounts.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke regarding this item.

Motion made by Clemens to approve, as submitted,
Seconded by Resnik

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

Passed

- R13 Presentation, discussion, consider, and take action authorizing the City Manager to sign a U.S. Customs and Border Protection Office of Information and Technology User Fee Airport Cost Sign-Off Document in the estimated amount of \$45,308.74, to be included in the FY2015 budget.

RECOMMENDATION:
Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke regarding this item.

Motion made by Clemens to approve, as submitted,
Seconded by DeFrancisco

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

Passed

- R14 Presentation and discussion regarding the Department of Finance Quarterly Financial Review of the Town for the quarter and year-to-date ended December 31, 2013.

Eric Cannon, Chief Financial Officer, Lea Dunn, City Manager, and Mark Gooch, Assistant to the City Manager, spoke regarding this item.

Executive Session

- ES1 Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

The City Council entered Executive Session at 9:12 pm.
The City Council closed Executive Session at 9:36 pm.

Regular Items Continued

- R15 Discussion, consider, and take action regarding a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or regarding the offer of a financial or other incentive to such business prospect or business prospects.

There was no action taken on this item.

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs