

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

July 14, 2015

6:00 PM

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

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

Present: Arfsten; Carpenter; Heape; Hughes; Mayor Meier; Moore; Wilcox

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

July 14, 2015

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

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

Posted by: Chelsea Gonzalez, July 10, 2015, 5:00pm

WORK SESSION

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- A Presentation and discussion regarding the Open Meetings Act, ethics and council procedures.
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REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment.

The City Council invites citizens to address the City Council on any topic not already scheduled for Public Hearing. Please fill out a **City Council Appearance Card** and submit it to a city staff member prior to Public Participation. Speakers are allowed **up to three (3) minutes per speaker** with **fifteen (15) total minutes** on items of interest or concern and not on items that are on the current agenda. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. The Council may choose to place the item on a future agenda.

The public comment section was opened and an opportunity to speak offered to the public.

The following individuals spoke during the public comment section.

Bill Signs, 4035 Rive Lane, regarding separation agreements, 1988 misconduct investigation, and Kanter report actions.

Consent Agenda. Items 3-12

All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

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3. Minutes for the June 23, 2015 City Council Special Meeting and Work Session.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,
Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

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4. Resolution authorizing the Town to designate representatives who can transact business with the TexStar investment pool.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,

Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

5. Resolution that authorizes the Town to designate representatives that can transact business with the TexPool local government investment pool.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,
Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

6. Resolution authorizing the Town to designate representatives who can transact business with the Local Government Investment Cooperative.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,
Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

7. Release of final payment to Fain Construction (The Fain Group, Inc.) for the completion of the Vitruvian Park Amphitheater Reconfiguration project in the amount of \$19,839.15.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,
Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

8. Change Order #1 to John Burns Construction for the Belt Line Road Underground Electrical construction contract in the amount of \$27,972, which includes a material price increase and the materials and labor for additional traffic lane markings.

RECOMMENDATION:

Administration recommends approval.

Mayor Meier pulled item 8, 9, and 10 from the consent agenda for clarification.

Jason Shroyer, Assistant Director of Infrastructure, spoke regarding this item.

Motion made by Mayor Meier to approve items 8, 9, and 10.

Seconded by Hughes

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

9. Change Order #3 to John Burns Construction Company of Texas, Inc., for the Belt Line Road Underground Electrical construction contract in the amount of \$31,990, which includes materials and labor to install newly updated audible pedestrian crossing per the ADA (Americans with Disabilities Act) .

RECOMMENDATION:

Administration recommends approval.

Mayor Meier pulled item 8, 9, and 10 from the consent agenda for clarification.

Jason Shroyer, Assistant Director of Infrastructure, spoke regarding this item.

Motion made by Mayor Meier to approve items 8, 9, and 10.

Seconded by Hughes

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

10. Change Order #4 to John Burns Construction for the Belt Line Road Underground Electrical construction contract in the amount of \$11,172, which includes materials and labor associated with remediation of contaminated soil.

RECOMMENDATION:

Administration recommends approval.

Mayor Meier pulled item 8, 9, and 10 from the consent agenda for clarification.

Jason Shroyer, Assistant Director of Infrastructure, spoke regarding this item.

Motion made by Mayor Meier to approve items 8, 9, and 10.

Seconded by Hughes

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

11. Contract with Alliance Geotechnical Group, LLC, for construction materials testing and geotechnical services related to the Addison Road Rehabilitation Project in the amount of \$77,065.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,

Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

12. Contract with Garver LLC for the construction inspection services related to the Addison Road Rehabilitation Project in the amount of \$83,490.

RECOMMENDATION:

Administration recommends approval.

Motion made by Moore to approve, as submitted,
Seconded by Carpenter

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

Regular Items

13. Discuss, consider and take action regarding a resolution appointing Bruce Arfsten as the primary representative to the Regional Transportation Council of the North Central Texas Council of Governments.

Mayor Meier recommended the appointment of Bruce Arfsten to the Regional Transportation Council (RTC) as the primary representative.

Motion made by Mayor Meier
Seconded by Moore

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

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14. Present, discuss, consider and take action approving an Engagement Letter with Weaver, and Tidwell, LLP for auditing services for the fiscal year ended September 30, 2015.

RECOMMENDATION:

Administration recommends approval.

Cheryl Delaney, Deputy City Manager, spoke regarding this item.

Motion made by Arfsten to approve, as submitted,
Seconded by Hughes

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

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15. Presentation and discussion of the Town Park Dog Park Study.

RECOMMENDATION:

This presentation is intended to give the Council options for considering conversion of a portion of Town Park for dog park use going forward. Final recommendations will be presented once staff receives direction from the Council.

Slade Strickland, Director of Parks, spoke regarding this item.

Billy Dreis, Dog Park Committee Chair, and Mark Meyer, representative from TBG, also spoke regarding this item.

There was no action taken on this item.

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16. Presentation and discussion regarding the status of the Addison Athletic Club Master Plan potential funding recommendations.

Cheryl Delaney, Deputy City Manager, spoke regarding this item.

There was no action taken on this item.

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17. Present, discuss, consider and take action regarding a lease agreement with ADS US Sport Aircraft, LLC, for a conventional hangar at Addison Airport located at 4660 Jimmy Doolittle for a term of three years for an annual rental rate of \$53,300.00.

RECOMMENDATION:

Administration recommends approval.

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

Motion made by Moore to approve, as submitted,
Seconded by Heape

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

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18. Present, discuss, consider, and take action regarding approval of a resolution granting a meritorious exception to Article IV, Requirements for Specific Types of Signs, Division 3, Attached Signs, Sec. 62-163. Area, Item (4) at the One Hanover Park Building located at 16633 Dallas Parkway in order to provide for an additional tenant sign on application from One Hanover Investors, LP.

RECOMMENDATION:

Administration recommends denial.

Charles Goff, Director of Development Services and Planning, spoke regarding this item.

Motion made by Hughes to approve, the resolution as submitted,
Seconded by Arfsten

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

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19. Present, discuss, consider and take action regarding a Work Authorization #14 for Les Lacs Pond Water Well Pump Rebuild under the Master Service Agreement with Halff Associates for an amount not to exceed \$77,000.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure and Development Services, and Cheryl Delaney, Deputy City Manager, spoke regarding items, 19, 20, and 21.

Motion made by Moore to table items 19, 20, and 21, to the August 11th meeting for possible action,
Seconded by Heape

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier,
Moore, Wilcox

Passed

20. Present, discuss, consider and take action regarding a Work Authorization #15 for Les Lacs Pond Water Well Transfer Piping System Improvements under the Master Service Agreement with Halff Associates for an amount not to exceed \$70,000.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure and Development Services, and Cheryl Delaney, Deputy City Manager, spoke regarding items, 19, 20, and 21.

Motion made by Moore to table items 19, 20, and 21, to the August 11th meeting for possible action,

Seconded by Heape

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier, Moore, Wilcox

Passed

21. Present, discuss, consider and take action regarding a Work Authorization #16 for Les Lacs Pond Water Quality Monitoring and Well Pump Operation Program under the Master Service Agreement with Halff Associates for an amount not to exceed \$93,000.

RECOMMENDATION:

Administration recommends approval.

Lisa Pyles, Director of Infrastructure and Development Services, and Cheryl Delaney, Deputy City Manager, spoke regarding items, 19, 20, and 21.

Motion made by Moore to table items 19, 20, and 21, to the August 11th meeting for possible action,

Seconded by Heape

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier, Moore, Wilcox

Passed

Executive Session

Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) a shopping center lease in which the Town is the tenant at Village on the Parkway; 2) a sublease in which the Town is the sub-landlord to the Craft Guild of Dallas at Village on the Parkway; and pursuant to Section 551.071, Tex. Gov. Code, to deliberate the said lease of real property.

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Tex. Gov. Code, to seek the advice of its attorney(s) regarding pending litigation: Town of Addison, Texas v. ProAir Developments, L.P., Cause No. DC-13-15164, 14th Judicial District, Dallas County, Texas

The City Council entered executive session at 9:05 pm.

The City Council closed executive session at 9:38 pm.

Reconvene from Executive Session

22. **RECONVENE INTO REGULAR SESSION:** In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matter discussed in Executive Session.

Motion made by Moore to approve, the settlement and dismissal of lawsuit as discussed in executive session.

Seconded by Arfsten

Voting AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier, Moore, Wilcox

Passed

Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076

(deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Mayor-Todd Meier

Attest:

City Secretary-Chelsea Gonzalez