

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION & REGULAR MEETING

November 10, 2015

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

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

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

WORK SESSION

Mayor Meier called the Worksession to order at 7:00 PM.

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1. Discuss **Health Insurance Options For Town Of Addison Employees For Calendar Year 2016.**

Passion Hayes, Director of Human Resources, presented the item to Council. She stated that overall the coverage changes will have minimal impact on employees. The new provider is one that employees have used in the past and she has heard that many employees are excited to go back to the provider. The increase in cost is covered in the budgeted amount already approved. The amount is an increase from last year but under the budgeted amount staff had forecasted.

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2. Discuss The **Status Of The Redevelopment Of The Former Sam's Club Site Which Is Approximately 17.3 Acre Tract At 4150 Belt Line Road.**

Charles Goff, Assistant Director Development Services, presented the item.

The update is for informational purposes only. This item will go before the Planning & Zoning Commission in December and then back to the Council in January.

The applicant has submitted an application for rezoning for the property to allow townhomes, apartments, retail and live/work units.

All plans are still very preliminary.

No action was taken on this item.

REGULAR MEETING

Mayor Meier called the Regular Meeting into session at 7:30pm.

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 on this agenda. 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.

No speakers.

Consent Agenda:

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.

Council pulled items 14 & 21 to consider separately. The motion was to approve items 4-13, 15-20 and 22-23.

Motion made by Moore

Seconded by Arfsten

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

Passed

3. Present A **Proclamation Declaring November 2015 American Diabetes Month.**

Mayor Meier presented the proclamation to a representative from the American Diabetes Foundation.

4. Consider **Approval Of The October 12, 2015 Special Meeting, October 13 & 27 ,2015 Regular Meeting, October 15, 16, 20 & 23, 2015 Executive Session Minutes.**
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5. Consider And Approve A **Resolution Authorizing The City Manager To Approve A Contract With Shiroma Southwest For Public Relations And Media Publicity Programs To Promote The Town Of Addison's Events And Selected Special Projects.**
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6. Consider And Approve A **Resolution Authorizing The City Manager To Approve A Contract With Shiroma Southwest For Website Content Management and Social Media** In An Amount Not To Exceed \$49,500.00.
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7. Consider And Approve A Resolution Authorizing The City Manager To Approve a Contract with Rodney Hand Associates Marketing Communications, LP For The Production Of Addison - The Magazine Of The North Dallas Corridor In An Amount Not To Exceed \$132,000.00.
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8. Consider And Approve A Final Plat For One Lot Totaling 6.484 Acres Located Generally At 14675 Dallas Parkway. FINAL PLAT/Crescent Crown Addition/ Cawley Partners/Mr. Kim Sutton.
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9. Consider And Approve A Resolution Authorizing The City Manager To Enter Into A Contract With Kimley-Horn And Associates To Update The Town's Master Transportation Plan In An Amount Not To Exceed \$76,597.00.
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10. Consider Authorizing The City Manager To Approve Final Payment to Lea Park and Play, Inc. For The Purchase And Installation Of the Les Lacs Park Playground System In An Amount No To Exceed \$9,969.70.
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11. Consider And Approve An Ordinance Amending Chapter 2, Article IV, Division 2 Of The Code Of Ordinances, Regarding The Town's Investment Policy.
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12. Consider And Approve A Resolution Adopting The Town Of Addison Investment Strategy For FY 2016.
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13. Consider And Approve A Resolution Casting A Vote For Blake Clemens As The Fourth Member Of The Board Of Directors Of The Dallas Central Appraisal District.
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14. Consider And Approve A Resolution Authorizing The City Manager To Apply For A Grant Purchase And Install Permanent Recycling Stations Through The North Texas Council Of Government Materials Management Grant Program.
- Motion made by Mayor Meier
Seconded by Moore
- Voting** AYE: Arfsten, Carpenter, Heape, Hughes, Mayor Meier, Moore, Wilcox
- Passed
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15. Consider And Approve A Resolution Authorizing The City Manager To Enter Into An Agreement With Harris Corporation For Maintenance On All Town Owned Portable Mobile And Control Station Radio Equipment For A Five Year Agreement.
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16. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With Launchability** In An Amount Not To Exceed \$2,500.00.
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17. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With Metrocrest Chamber Of Commerce** In An Amount Not To Exceed \$35,000.00.
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18. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With Metrocrest Community Clinic** In An Amount Not To Exceed \$3,000.00.
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19. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With Metrocrest Services** In An Amount Not To Exceed \$61,000.00.
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20. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With The Family Place** In An Amount Not To Exceed \$12,000.00.
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21. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into A Grant Funding Agreement With WaterTower Theatre** In An Amount Not To Exceed \$295,000.00.

Councilmember Mary Carpenter made a motion to table this item until the meeting on November 17, 2015. Mayor Meier seconded the motion.

Motion made by Carpenter
Seconded by Mayor Meier

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

Passed

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22. Consider And Approve A **Resolution Authorizing The City Manager To Enter Into An Agreement With The WaterTower Theatre For Use Of The Addison Theatre Center.**
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23. Consider And Approve An **Ordinance Amending Chapter 10, Animals Of The Code Of Ordinance For The Town Of Addison.**
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Regular Items

24. Hold A Public Hearing, Consider And Approve An **Ordinance Amending Planned Development O93-018, 8 Tracts Of Land Totalling Approximately 40.7 Acres Addressed From 3712 Belt Line Road to 3910 Belt Line Road, In Order To Grant Additional Allowed Uses And Amend Requirements Relating To Parking And Building Elevations** . Case 1720-Z/Addison Town Center/Cencor Realty Services, Mr. Bernard Shaw.

Charles Goff, Assistant Director Development Services, presented the case.

Discussion began regarding the uses of retail space within the property.

There were no speakers for the Public Hearing.

Mayor Pro Tem Janelle Moore made a motion to approve the case with the stipulations as stated in the P&Z meeting as pertains to the metal awning and the SUP uses allowed.

Discussion continued regarding the reasoning behind the agreement with the stipulations for certain uses.

Mayor Pro Tem Janelle Moore amended her motion to include only medical and dental offices in the SUP process.

The vote on the amended motion was 2-5 with Meier, Carpenter, Heape, Wilcox and Hughes voting against.

The original motion to approve the case with the stipulations as stated from the Planning & Zoning Commission was considered.

The vote on the original motion was 3-4 with Meier, Heape, Arfsten and Hughes voting against.

Councilmember Ivan Hughes made a motion to approve the case as presented by staff with no stipulations.

Deputy Mayor Pro Tem David Heape seconded the motion.

Motion made by Hughes
Seconded by Heape

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

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25. Hold A Public Hearing, Consider And Approve An **Ordinance Approving A Special Use Permit For A Gasoline Service Station On Property Located At 3770 Belt Line Road.** The Property Is Currently Zoned PD (Planned Development) Through Ordinance O93-18. Case 1717-SUP/Kroger Fuel Center/CEI Engineering Associates, Inc./ Mr. Jim Evans.

Charles Goff, Assistant Director of Development Services, presented the case.

Mr. Bernard Shaw , applicant, spoke regarding the project.

Aubri Simmons, 4102 Rush Circle, spoke in favor of the new fuel center.

Councilmember Bruce Arfsten made the motion to approve the item as presented.

Councilmember Mary Carpenter seconded the motion.

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

Passed

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26. Hold A Public Hearing, Consider And Approve An **Ordinance Approving A Special Use Permit For The Sale Of Alcoholic Beverages For On-Premises Consumption Only On Property Located At 15650 Addison Road On Application From The Town Of Addison** . Case 1721-SUP/Addison Conference and Theatre Centre/Mr. Mark Gooch.

Charles Goff, Assistant Director Development Services, presented the case.

Mr. Mark Gooch, General Manager of the ACTC, spoke as the applicant for the case.

Staff clarified that the SUP would include the entire property and the TABC permit would be for the WaterTower Theater only.

Councilmember Ivan Hughes made a motion to approve the case as presented.

Councilmember Bruce Arfsten seconded the motion.

Motion made by Hughes

Seconded by Arfsten

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

Passed

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27. Hold A Public Hearing, Consider And Approve An **Ordinance Amending Article XXI (Landcaping Regulations) By Revising The Requirements Relating To The Maintenance Of Irrigation Systems And Enforcement**. Case 1722-Z/Town of Addison/Charles Goff.

Charles Goff, Assistant Director Development Services presented the case.

Discussion was concerning overspray and enforcement issues.

There were no speakers for the Public Hearing.

Deputy Mayor Pro Tem David Heape made a motion to approve the item as submitted.

Councilmember Mary Carpenter seconded the motion.

The vote was 3-4 against the motion with Moore, Hughes, Arfsten and Wilcox against.

Councilmember Ivan Hughes made a motion to approve the item with the deletion of the first sentence of section C-2 of the ordinance in regards to overspray.

Councilmember Bruce Arfsten seconded the motion.

Motion made by Hughes

Seconded by Arfsten

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

Passed

Council recessed at 9:15pm.

Council reconvened into Regular Session at 9:32 pm.

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28. Consider And Approve A **Resolution Authorizing The City Manager To Approve A Ground Lease Assignment From Tailwind Worldwide To Mills Group, Inc. On Addison Airport For Office Space At 4584 Claire Chennault And The Creation Of A Leasehold Mortgage.**

Lisa Pyles, Director of Infrastructure and Development Services presented the item.

Motion made by Moore

Seconded by Heape

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

Passed

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29. Consider And Approve A **Resolution Authorizing The City Manager To Approve An 8-Year Ground Lease Extension At Addison Airport For Key Development, LLC, At 4500 Westgrove Drive.**

Lisa Pyles, Director of Infrastructure and Development Services, presented the item.

Motion made by Moore

Seconded by Heape

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

Passed

30. Consider And Approve A **Resolution Authorizing The City Manager To Accept A Grant From TXDOT Aviation For A Runway Incursion Mitigation (RIM) Study At Addison Airport** In The Amount Of \$48,460.00.

Lisa Pyles, Director of Infrastructure and Development Services, presented the item.

Motion made by Moore

Seconded by Heape

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

Passed

31. Consider And Approve A **Resolution Authorizing The City Manager To Approve A Professional Services Contract With Cobb Fendley & Associates, Inc. For Engineering Services Associated With Development Review** In An Amount No To Exceed \$100,000.00.

Jason Shroyer, Assistant Director Infrastructure Services, presented the item.

Motion made by Arfsten

Seconded by Carpenter

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

Passed

32. Present An **Update On Various Capital Improvement Program Projects.**

Jason Shroyer, Assistant Director Infrastructure Services, presented the item.

Council asked clarification questions on the timeline for the Belt Line Road project.

Council would like this type of timeline update on a regular basis for the Infrastructure projects.

There was no action on this item.

33. Discuss And Take Needed Action Regarding **City Manager Welcome Event Council Subcommittee Report.**

Councilmember Ivan Hughes presented to the Council the plan to have a welcome event tied into the Holiday Open House on December 6th at the Conference Center.

Council also agreed that there will be several other events to help welcome Mr. Pierson to the business community also.

No action was taken on this item.

Mayor Meier adjourned the meeting at 10:05pm.

Executive Session

34. Closed (executive) session of the Addison City Council pursuant to:

Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to

- **Town of Addison v. Landmark Structures I, L.P. and Urban Green Energy Cause No. DC-15-0761 44th Judicial District Court, Dallas County, Texas**
- **The ponds or lakes at Vitruvian Park, located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave, and Farmers Branch Creek**
- **Automotive Use Issues- 15600 Midway Road**

Section 551.072, Tex. Gov. Code, to deliberate the purchase, exchange, lease or value of real property

- **Duke's Icehouse**

Section 551.087, Tex. Gov. Code, to deliberate commercial or financial information that was received from a business prospect that seeks to locate, stay, or expand in or near the territory of the governmental body, and with which the governmental body is conducting economic development negotiations.

- **Former Sam's Club Property**

Mayor Meier called the meeting into Executive Session at 5:35 pm.

Reconvene from Executive Session

35. **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.

Mayor Meier recessed Executive Session at 6:50 pm.

No action was taken.

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-Laura Bell