

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

March 8, 2016

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

5:30 PM Executive Session & Dinner

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

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

Executive Session

1. 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

- **Legal Matters Regarding Jesse James Creative Inc.**

Council convened into Executive Session at 5:32 pm.

Reconvene from Executive Session

2. **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.

Council adjourned from Executive Session at 5:50 pm.

Mayor Pro Tem Moore moved that Council ratify the filing of the lawsuit styled Town of Addison v. Jesse James Creative, Inc., Cause No. DC-16-002268, in the 14th Judicial Court, Dallas County, Texas, and direct the city attorney to take all action necessary to enforce the contractual obligations contained in the Website Design Contract between the Town and Jesse James Creative, Inc.

Mayor Pro Tem Moore then amended to allow staff to revise the cause number as needed due to the penmanship of the document.

Councilmember Dale Wilcox seconded the motion. The vote was cast 7-0 in favor of the motion.

WORK SESSION

3. Discuss The Possibility Of A New Dog Park For Spruill Park.

Interim Parks Director, Michael Kashuba presented the item to Council. Mr. Kashuba gave Council a reminder of the history of the Dog Park Committee and goals. The Council assigned \$20,000 in the 2015 Budget to start a study on the feasibility of a new dog park at Towne Park. After the committee met and looked at options for that site and the costs associated, Council asked staff and the committee to further look at other sites and options to bring forward a new dog park.

Since the initial meetings and discussions, staff has looked at other options for the new dog park. Staff recommended one of the parks at Addison Circle, Spruill Park.

Mr. Kashuba stated that this park was already being used as a make shift dog park by the residents in the surrounding apartments. He stated that there is good, existing infrastructure already in place. He also stated that the park is close to residents who would use it on a daily basis. This would not have the same tendency to become a destination dog park with non-Addison residents coming to use the park. He also stated that the park had good existing lighting and mature trees which would help in the conversion of the space.

Mr. Kashuba stated that staff spoke to Mr. Billy Dries, who has spearheaded the committee, about the possibility of using Spruill Park. Mr. Dries agreed that this option was a good plan.

Mr. Kashuba went over the details of planning out the park, how much of the park to dedicate to the dog park, the option of 2 fenced in areas for dogs or one larger area, and the landscaping details involved.

Council had questions regarding the type of fencing used, the trees used, revamping the entrance and funding the site.

Council agreed that Spruill park should be considered as a viable option for the dog park. They would like to see more fundraising done before any work starts. Council agreed that the Legacy Foundation should be involved with the fundraising. Council also agreed that the residents in Addison Circle should have input into the option of the dog park at this location. Communication between staff and the residents will be part of the plan. Council agreed to wait until the next budget year to consider an option to provide public funds in order to see if costs could be covered by private fundraising.

4. Discuss The **Signature Authority Of The City Manager.**

City Manager, Wes Pierson, stated that when he started in December, he questioned which documents he was authorized to sign. He stated he requested that the City Attorney draft a listing of the documents he was authorized to sign.

City Attorney, Brenda McDonald, stated that she did research into the practices at other cities. She stated that the ordinance did not restrict the powers allowed to the City Manager through State law or Town Charter. She stated that the ordinance aggregated the current authority of the City Manager and additionally lines out the customary functions of the office.

Council had discussion regarding the authority allowed in the ordinance, the policy the City Manager can adopt to delegate signing authority to an Assistant City Manager or Deputy City Manager if needed, and other administrative practices with this authority.

City Manager Pierson agreed that any protocols put in place by a policy will be shared with Council upon request.

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 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.

Mr. Neil Hewitt, 3756 Park Place, stated he brought a petition with him in regards to the new stop signs proposed for the corners of Les Lacs and Beltway. He stated that the neighborhood is very much against this project. He stated he hoped Council and staff would reconsider the signs.

Mr. John Price, 4114 Leadville Place, stated that he would like to see the Council get the spending of public funds for memberships to private community groups under control. He gave information to the Council about the amount of money spent by the Town on participation in Rotary clubs. He stated he would like to see that practice discontinued in the future.

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.

Councilmember Bruce Arfsten requested Item #9 be pulled for separate consideration.

Mayor Pro Tem Janelle Moore requested Item #10 be pulled for separate consideration.

Mayor Pro Tem Janelle Moore moved to approve Items 6-8. Councilmember Ivan Hughes seconded the motion. The vote was cast 7-0 in favor of the motion.

6. Consider **Approval Of The February 23, 2016 Regular Worksession And Meeting Minutes.**

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7. Consider A **Resolution Establishing Signage Guidelines For Open Carry At Open Meetings.**

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8. Consider And Approve Authorizing The City Manager To **Approve A Construction Contract For The Installation Of 137 Illuminated Street Name Signs with Durable Specialties, Inc** In An Amount Not To Exceed \$71,925.00.

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9. Consider Approval Of The **Purchase Of Fourteen (14) Ford Police Pursuit Vehicle (PPV) Through An Inter Local Agreement With The Houston Galveston Area Council Of Government (HGAC)** In An Amount Not To Exceed \$343,866.70.

Councilmember Bruce Arfsten requested this item be pulled for Separate Consideration. He asked Director of General Services, Mark Acevedo, about the savings in the budget line and how those funds would be allocated after the purchase of the vehicles.

Mr. Acevedo stated that part of those funds would be used for graphic design for the vehicles. It is unknown at this time how much that will cost. The wrap already being used on vehicles is budgeted in the cost as of now. Any additional graphics will be an extra cost and will come out of that savings.

Councilmember Arfsten stated he would like to see that savings put back into another area to help with costs that may not be budgeted. He would like to see the Town save as much of that savings as possible and not use it all in graphic design that may not be necessary.

Mayor Meier stated that he agreed the savings is important to put aside but he would like to also see the branding and uniqueness of Town be shown through the new vehicles. He would like to see the opportunity to use the vehicles to promote the Town be used.

Councilmember Arfsten stated that he agreed with branding and uniqueness but he didn't think that the entire amount needed to be spent on graphic design services.

Mayor Meier moved to approve the item as submitted. Deputy Mayor Pro Tem David Heape seconded the motion. The vote was cast 7-0 in favor of the motion.

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10. Consider A **Resolution Increasing The Public Fuel Flowage Fee From \$0.12 To \$0.14 And The Non-Public Fuel Flowage Fee From \$0.20 To \$0.22 At Addison Airport Effective April 1, 2016.**

Mayor Pro Tem Moore requested this item be pulled for Separate Consideration.

Deputy City Manager Cheryl Delaney presented the item to Council. She reviewed that the last fee change was in 1994. She reviewed the budget impacts on this increase.

Mayor Meier stated that a tenant at the airport had requested that Council grandfather the old rate in for their business. They asked for the exception in perpetuity. Council agreed to disagree with the request. They agreed the small amount of change in the tenants cost was not need enough to grant an exception for them.

Mayor Pro Tem Moore moved to approve the item as submitted. Deputy Mayor Pro Tem Heape seconded the motion. The vote was cast 7-0 in favor of the motion.

Regular Items

11. Discuss, Consider And Approve A **Resolution Authorizing The City Manager To Award A Construction Contract to McMahon Contracting, LP For The Construction Of The Northwest Drainage Channel Improvements Located On Addison Airport** In An Amount Not To Exceed \$762,470.09.

Assistant Director of Infrastructure, Jason Shroyer, presented the item to Council. He showed Council a map included in the agenda packet as to where the project will be located at the airport. He stated these are improvements to the channel to help with access on the airport and to help with stormwater issues that have come up recently. He stated that agenda item for the bid award and additive alternate #1. The additive alternate #2 could easy be included in a future project with the future expansion of the perimeter road. the project was budgeted in the Stormwater Capital Projects fund. The project will take approximately 6 months to complete, depending on the weather.

Mayor Pro Tem Moore moved to approve Item #11 as presented. Councilmember Arfsten seconded the motion. The vote was cast 7-0 in favor of the motion.

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12. Discuss, Consider And Approve An **Ordinance Establishing Parameters For The Refunding Of Bonds For The Town Of Addison.**

Interim CFO, Scott Neils, presented the item to Council. He stated that the rate for the bonds the Town currently has is 4.59%. The new proposed rate would be approximately 2.81% with shows a savings of about 2.8 million dollars over the terms of the bonds. A representative from the Town's financial advisors, First Southwest and a representative from the Town's Bond Counsel were on hand to present the details to Council.

The ordinance is to establish parameters for the refunding of the bonds.

Mayor Pro Tem Moore clarified that the term of the bonds, year

2033, is the same but the rate is what is changing.

Mayor Meier discussed the rating the Town received from the agencies and what type of things can make that rating change. The financial advisors stated that many things could affect that rating including the tax rate for the Town. The rating agency looks at the Town's ability to sustain the rating through the tax rate, fund balances and service levels.

Councilmember Hughes moved to approve the item as submitted. Councilmember Carpenter seconded the motion. The vote was cast 7-0 in favor of the motion.

13. Discuss, Consider And Approve An **Ordinance Outlining The Signature Authority Of The City Manager.**

City Manager, Wes Pierson, stated that this is the companion item to the Worksession item in which the Council discussed the ordinance and guidelines set.

Council discussed the ordinance and it's parameters set for the City Managers' signing authority. Council agreed that the ordinance was a good thing to allow for the guidelines for the City Manager.

Deputy Mayor Pro Tem Heape moved to approve the item as submitted. Councilmember Carpenter seconded the motion. The vote was cast 7-0 in favor of the motion.

Adjourn Meeting

Mayor Meier adjourned the meeting at 8:26 pm.

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