

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

May 13, 2003  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Barrett, Chow, Mallory, Turner, Silver,  
Ways

Absent: None

Item #R1 – Presentation of Certificates of Election and Administration of Oath of Office for newly elected Mayor and Councilmembers.

Item #R2 – Consideration of Old Business.

The following employees were introduced to the Council: Zach Nelson (Public Works), Sandra Star (Human Resources), Monica Hernandez (Fire) and Michele Covino (City Manager).

Item #R3 – Consent Agenda

#2a – Approval of the Minutes for the April 22, 2003 Council Meeting.

Mayor Wheeler moved to approve the Minutes of the April 22, 2003 Council meeting subject to clarification of appointment of two members to the Charter Review Commission. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R4 – Appointment of Mayor Pro Tempore and Deputy Mayor Pro Tempore.

Mayor Wheeler moved to duly approve the appointment Councilmember Fredric Silver as Mayor Pro Tempore and Councilmember Joe Chow as Deputy Mayor Pro Tempore. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R5 – Presentation of a Proclamation for Peace Officers Memorial Day.

Mayor Wheeler presented a Proclamation for Peace Offices Memorial Day to Chief Don Franklin, Town of Addison Police Department.

Item #R6 – Presentation of a Proclamation for Emergency Medical Services Week.

Mayor Wheeler presented a Proclamation for Emergency Medical Services Week to Chief Noel Padden, Town of Addison Fire Department.

Item #R7 – **PUBLIC HEARING** and approval of replat to subdivide four existing duplex lots, located on Morman Lane, on application from Circuit Investors #4, Danvers Limited Partnership, represented by Mr. David C. Dick, Surveyor.

Mayor Wheeler opened the meeting as public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Mallory moved to approve a replat to subdivide four existing duplex lots, located on Morman Lane, on application from Circuit Investors #4, Danvers Limited Partnership, subject to a correction of a typographical error and the following condition.

1. Submit site/civil drawings to the Town that clearly indicate the separation of water and sewer service for each subdivided lot, including metering, etc. Drives that require re-alignment for individual or joint access must also be shown.

Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R8 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for the sale of alcoholic beverages for on-premises consumption in an existing restaurant, located at 5100 Belt Line Road, Suite 402, Village on the Parkway, Alara Restaurant, (formerly Yoshi's).

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Mallory moved to duly pass Ordinance 003-011 approving a Special Use Permit for the sale of alcoholic beverages for on-premises consumption in an existing restaurant, located at 5100 Belt Line Road, Suite 402, Village on the Parkway, Alara Restaurant, (formerly Yoshi's), subject to the following conditions:

1. The broken sprinkler heads in the center shall be repaired.
2. The ornamental landscape lights, wrapped around the trunks of the live oak trees in the center, are damaging the trunks and shall be removed.
3. The applicant/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.

4. The building must meet all applicable food service, building and fire safety codes.

Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R9 – Approval of a Change Order in an amount not to exceed \$52,000 to AUI for emergency renovation repairs to the men’s shower rooms at the Addison Athletic Club.

Councilmember Silver moved to duly approve a Change Order in an amount not to exceed \$52,000 to AUI for emergency renovation repairs to the men’s shower rooms at the Addison Athletic Club. Councilmember Chow seconded. The motion carried.

Voting Aye: Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: Wheeler

Absent: None

Item #R10 – Consideration of approval of funding in the amount of \$11,113.00 for the grand opening of the Addison Athletic Club expansion and outdoor leisure pool to be held on June 30, 2003.

Councilmember Turner moved to duly approve funding in the amount of \$11,113.00 for the grand opening of the Addison Athletic Club expansion and outdoor leisure pool to be held on June 30, 2003. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R11 - Consideration of the payment of the Award of the Special Commissioners into the registry of the Court in order that the Town can take possession of the Motel 6 property for the Arapaho Road project.

Councilmember Turner moved to duly approve payment of the Award of the Special Commissioners into the registry of the Court in order that the Town can take possession of the Motel 6 property for the Arapaho Road project. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R12 - Consideration of the payment of the Award of the Special Commissioners into the registry of the Court in order that the Town can take possession of Absolute Systems, LTD., for the Arapaho Road project.

Councilmember Mallory moved to duly approve payment of the Award of the Special Commissioners into the registry of the Court in order that the Town can take possession of the Absolute Systems, LTD., for the Arapaho Road project. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R13 - Consideration and approval of the Assumption and Assignment of the Ground Lease between the Town of Addison as Landlord and Associated Air Center International Inc., (the Assignor) to Piedmont/Hawthorne Holdings, Inc., (the "Assignee").

Councilmember Turner moved to duly approve the Assumption and Assignment of the Ground Lease between the Town of Addison as Landlord and Associated Air Center International Inc., (the Assignor) to Piedmont/Hawthorne Holdings, Inc., (the "Assignee"), subject to City Attorney's satisfaction on guarantor. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R14 - Consideration of a Resolution regarding certain matters pertaining to a Ground Lease at Addison Airport between the Town, as Landlord, and Eagle Land & Cattle Company, Inc., as Tenant, as follows: (i) Consent to the change of control of ownership of Tenant, (ii) approval of an estoppel letter for Gateway National Bank and an estoppel letter for Harrington and McCormack (former owners) in connection with the sale of Tenant, and (iii) consent to a sublease by Tenant to American Flyers, Inc. (subtenant).

Councilmember Turner moved to duly pass Resolution R03-051 approving certain matters pertaining to a Ground Lease at Addison Airport between the Town, as Landlord, and Eagle Land & Cattle Company, Inc., as Tenant, as follows: (i) Consent to the change of control of ownership of Tenant, (ii) approval of an estoppel letter for Gateway National Bank and an estoppel letter for Harrington and McCormack (former owners) in connection with the sale of Tenant, and (iii) consent to a sublease by Tenant to American Flyers, Inc. (subtenant), subject to City Attorney's approval. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R15 - Presentation and discussion of proposed study of analysis and development of utility fund cost of service and rate schedule.

No action taken.

Item #R16 – Presentation and discussion of the 2002 Comprehensive Annual Financial Report (CAFR) and Auditor’s Report to Management.

No action taken.

Item #R17 – Introduction to the Budget Process.

No action taken.

There being no further business before the Council, the meeting was adjourned.

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Mayor

Attest:

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City Secretary