

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

January 11, 2005
7:30 p.m. - Council Chambers
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Braun, Chow, Hirsch, Niemann, Silver, Turner
Absent: None

Item #R1 – Consideration of Old Business

The following employees and guests were introduced to the Council: Darren Jones (Fire), Beverly Gaume (General Services), Bruce Ellis (Development Services), Jamie Gaines, Cowles and Thompson.

Item #R2 – Consent Agenda

Items #2a, #2c, #2d, and #2e were considered separately.

Item #2b – Consideration of approval of a Resolution authorizing the City Manager to enter into a contract in the amount of \$35,000 with Teague Nall and Perkins, Inc. for engineering, survey, and Easement prep services. (Approved R05-001)

Councilmember Niemann moved to duly approve the above-listed item. Councilmember Chow seconded. Motion carried.

Item #2a – Approval of the Minutes for the December 14, 2004 Council Meeting (Approved).

Councilmember Chow moved to approve the Minutes of the December 14, 2004 meeting subject to two corrections. Councilmember Niemann seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into an interlocal agreement with Texas Local Government Purchasing Cooperative for the purpose of cooperative purchasing.

Councilmember Niemann moved to duly approve Resolution R05-002 authorizing the City Manager to enter into an interlocal agreement with Texas Local Government Purchasing Cooperative for the purpose of cooperative purchasing. Councilmember Silver seconded. Motion carried.

Item #2d – Consideration of a Resolution authorizing the City Manager to enter into an advertising contract with Krause Advertising to provide marketing consultation, creative ad production services, administrative and account oversight for the Town marketing and special events initiatives.

Councilmember Silver moved to duly pass Resolution R05-003 authorizing the City Manager to enter into an advertising contract with Krause Advertising to provide marketing consultation, creative ad production services, administrative and account oversight for the Town marketing and special events initiatives. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #2e – Consideration of a Resolution authorizing the City Manager to enter into an Interlocal Agreement in an amount not to exceed \$20,000 with the City of Farmers Branch for the construction of an Emergency Water System Interconnection, subject to the final review and approval of the City Manager and City Attorney.

Councilmember Niemann moved to duly pass Resolution R05-004 authorizing the City Manager to enter into an Interlocal Agreement in an amount not to exceed \$20,000 with the City of Farmers Branch for the construction of an Emergency Water System Interconnection, subject to the final review and approval of the City Manager and City Attorney. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #R3 – Presentation of the Government Finance Officers Association (GFOA) “Certificate of Achievement for Excellence in Financial Reporting” to the Town of Addison for its Comprehensive Annual Financial Report (CAFR).

Mayor Wheeler made the presentation of the award to Finance Director Randy Moravec.

Item #R4 – **PUBLIC HEARING** and consideration of an ordinance approving concept plan for four tracts, and a preliminary development plan for one tract of land located in the UC, Urban Center district, on 9.919 acres at the northwest corner of Quorum Drive and Goodman Avenue, on application from Fairfield Residential, LLC, represented by Mr. Paul Johnston.

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 Turner moved to duly pass Ordinance 005-001 amending the concept plan for four tracts of land located in the UC Urban Center district, on 9.919 acres at the northwest corner of Quorum Drive and Goodman Avenue, as follows:

-Expand the size of the park (O-7 on the plan) from 1.43 acres to 1.57 acres.

-Move the R-1 Residential Street at the north property line down to the northern edge of the Park boundary.

Councilmember Braun seconded. The motion carried.

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

Voting Nay: None

Absent: None

Councilmember Niemann moved to approve preliminary development plans for one tract of land located in the UC, Urban Center, district, located at the northwest corner of Quorum Drive and Goodman Avenue, approving the following waivers:

Waiver 1 – Maximum Lot Coverage 85% for Multifamily Use and Maximum Lot Coverage 65A% for Townhouse/Condominium

Waiver 4 – Patios may not be constructed within the required setback zones. This limitation, however, does not apply to sidewalk cafes.

Waiver 5 (a) – At least 90 percent of the exterior cladding of all exterior walls fronting or visible from public streets (including above grade parking structures) shall be brick construction.

and subject to the following conditions:

-The applicant will be required to follow the UC district standards, with the exception of the tree fencing shown on the tree pit plans.

-The proposed street north of the development shows a 23-foot wide drive lane. This width must be a minimum of 24 feet.

-Fire hydrant locations are not shown on the plan. Current codes call for a hydrant every 300 feet along the length of streets or fire lanes. Placing a hydrant on each of the four corners surrounding the property will satisfy this requirement.

-Information on the submittal seems to indicate this building will meet the criteria of a high-rise building. As such, it will be subject to the provisions of Section 403 of the Building Code.

-The plans should address how Tract I and the remaining tracts will be provided sanitary sewer service.

-The proposed improvements to the median area within Quorum Drive are not shown correctly.

-A grading and drainage plan will be necessary for Tract I and the overall addition.

-The development plan does not address on-site storm water detention requirements by ordinance.

-Landscaping, irrigation and other streetscape development along the west side of Quorum Drive are not adequately shown on the plan and responsibility for performing the improvements must be finalized.

-Water and storm drainage facilities within Artist Way and the west end of Goodman Avenue are drawn as proposed improvements. However, these improvements are beyond the limits of Tract I. The effected sections of roadway appear to have sufficient need for street reconstruction, in accordance with the development plan layout. Some proposed utilities may be relocated onto the proposed park property to reduce the impact on the existing street pavement.

-Existing drainage swale along the west end of the addition must be placed underground and be tied into the proposed storm drainage facilities on Artist Way.

-Engineer must provide written proof that plans and specifications have been submitted and approved by the Texas Department of Licensing and Regulations for compliance with the Americans with Disabilities Act. (ADA).

-All construction shall comply with the 2000 IBC, IPC, IMC, IECC, IFC. and 2002 NEC.

-The building shall be sprinklered throughout, including the parking garage.

-The provisions of Section 403, High-Rise Buildings, of the 2000 IBC shall apply if the building has an occupied floor located more than 75 feet above the lowest level of fire department vehicle access.

Councilmember Chow seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R5 – Consideration of an Ordinance approving a meritorious exception to Chapter 62, Signs, Section 62-162, Premises Signs, for Charter Furniture, located at 15101 Midway Road, on application from Charter Furniture.

Councilmember Niemann moved to duly pass Ordinance No. 005-003 approving a meritorious exception to Chapter 62, Signs, Section 62-162, Premises Signs, for Charter Furniture, located at 15101 Midway Road, on application from Charter Furniture. Councilmember Braun seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R6 – **PUBLIC HEARING** and first reading of an ordinance granting an electric utility franchise to TXU Electric Delivery Company.

Councilmember Niemann recuses and steps out of meeting.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing. Mayor read ordinance caption. No Action Taken.

Councilmember Niemann returns to meeting.

Item #R7 – Consideration of a resolution of the Town of Addison, Texas authorizing intervention before the Railroad Commission of Texas in Gas Utilities Docket (GUD) No. 9630; authorizing participation with other cities served by Atmos Energy Corporation, formerly known as TXU Gas Company, in administrative and court proceedings involving a gas cost prudence review related to a filing made in September of 2004 as required by the final order in GUD No. 8664; designating a representative of the city to serve on a steering committee; requiring reimbursement of reasonable legal and consultant expenses.

Councilmember Chow moved to duly pass Resolution No. R05-005 authorizing intervention before the Railroad Commission of Texas in Gas Utilities Docket (GUD) No. 9630; authorizing participation with other cities served by Atmos Energy Corporation, formerly known as TXU Gas Company, in administrative and court proceedings involving a gas cost prudence review related to a filing made in September of 2004 as required by the final order in GUD No. 8664; designating a representative of the city to serve on a steering committee; requiring reimbursement of reasonable legal and consultant expenses. Councilmember Niemann seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R8 – Consideration of a Resolution of the Town of Addison, Texas suspending the proposal by Atmos Energy Corp. to implement interim Gas Reliability Infrastructure Program (GRIP) rate adjustments for gas utility investment in 2003; authorizing participation with other cities served by Atmos Energy Corp., Mid-Tex Division, in a review and inquiry into the basis and reasonableness of the proposed rate adjustments; authorizing intervention in administrative and court proceedings involving the proposed GRIP rate adjustments; designating a representative of the Town to serve on a steering committee; requiring reimbursement of reasonable legal and consultant expenses.

Councilmember Silver moved to duly pass Resolution No. R05-006 suspending the proposal by Atmos Energy Corp. to implement interim Gas Reliability Infrastructure

Program (GRIP) rate adjustments for gas utility investment in 2003; authorizing participation with other cities served by Atmos Energy Corp., Mid-Tex Division, in a review and inquiry into the basis and reasonableness of the proposed rate adjustments; authorizing intervention in administrative and court proceedings involving the proposed GRIP rate adjustments; designating a representative of the Town to serve on a steering committee; requiring reimbursement of reasonable legal and consultant expenses. Councilmember Turner seconded.

After some discussion, Councilmember Turner moved to amend Councilmember Turner's motion so as to define all acronyms and provide that the final resolution be subject to approval of City Attorney. Councilmember Chow seconded the amendment to the motion. Motion for the amendment carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Motion for the original motion, as amended, carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #R9 – Consideration of approval and a Resolution authorizing the City Manager to award three additional five-year lease extension options with Brinker Texas, L.P. on property located at 4500 Belt Line Road within the Town.

Councilmember Niemann moved to duly pass Resolution R05-007 authorizing the City Manager to award three additional five-year lease extension options with Brinker Texas, L.P. on property located at 4500 Belt Line Road within the Town. Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #R10 – Consideration of a Resolution authorizing the City Manager to negotiate and enter into a contract with Allyn & Company to provide public affairs and media relations consultation for the Town.

Councilmember Niemann moved to duly pass Resolution R05-008 authorizing the City Manager to negotiate and enter into a contract with Allyn & Company to provide public affairs and media relations consultation for the Town. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Braun, Chow, Hirsch, Niemann, Silver, Turner
Voting Nay: None
Absent: None

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

Mayor

Attest:

City Secretary