

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

November 28, 2006
7:30 p.m. – Town Hall
5300 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Mallory, Mellow,
Niemann

Absent: None

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council:
Deb Poehling, Rick McCafferty Howard Mane, Isaac Gloger, and Imran Kahn with the
Police Department, Danny Saenz with the Fire Department, and Paul Jackson with the
Parks Department.

Item #R2 - Consent Agenda.

#2a – Approval of the Minutes for the November 14, 2006, Council Meeting. (Approved
as written)

Councilmember Niemann moved to duly approve the above listed items.
Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R3 - Consideration and approval by the City Council authorizing the City Manager
to enter into an agreement with ICMA-RC to establish an Integral Part Trust for
administration of a Retirement Health Savings Plan.

Councilmember Mallory moved to duly approve the City Manager to enter into an
agreement with ICMA-RC to establish an Integral Part Trust for administration of a
Retirement Health Savings Plan.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R4 - Presentation of the Town of Addison financial report for the quarter ended
September 30, 2006..

No action taken.

Item #R5 - Consideration and approval of an ordinance authorizing the Town to impose a 20% collection fee on delinquent personal property taxes 60 days after taxes are considered delinquent and authorizing a contract amendment with the Town's delinquent tax collection law firm of Linebarger, Goggan, Blair, and Sampson, LLP., to allow for the collection of the fee.

Councilmember Niemann duly moved to approve Ordinance No. 006-050 authorizing the Town to impose a 20% collection fee on delinquent personal property taxes 60 days after taxes are considered delinquent and authorizing a contract amendment with the Town's delinquent tax collection law firm of Linebarger, Goggan, Blair, and Sampson, LLP., to allow for the collection of the fee.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R6 – Consideration and approval of an ordinance approving amendment to the Town's Financial Policies.

Councilmember Hirsch duly moved to approve Ordinance No. R06-087 approving the amendment to the Town's Financial Policies.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Councilmember Greg Hirsh recused himself and left the Council Chambers.

Item #R7 - **PUBLIC HEARING**, regarding, and consideration of approval of an ordinance for a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located in a lease space at 4135 Belt Line Road, on application from Which Wich? Sandwich Shop represented by Mr. Charles Isola.

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

Councilmember Niemann duly moved to approve Ordinance No. 006-052 for a Special

Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located in a lease space at 4135 Belt Line Road, on application from Which Wich? Sandwich Shop, subject to the following conditions:

-A C.O. will not be issued on this lease space until a Shell C.O. has been issued for the entire site.

-The doors from the restrooms appear to encroach into the exit corridor more than half the required width of the corridor. The required width of the corridor per the 2003 IBC is 44". Therefore during the course of the swing there would have to be a minimum of 22" between the door and the exit corridor wall.

Councilmember Mallory Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None
Abstain: Hirsch

Councilmember Hirsch returned to the Council Chambers

Item #R8 – Consideration and approval of Asberry Circle final plat for 73 lots in the Belt Line Zoning District, located on the south side of Belt Line Road, on the east and west sides of Commercial Drive, on application from Ashton Dallas Residential, LLC, represented by Mr. Casey Ross of Dowdey, Anderson & Associates, Inc.

Councilmember Mallory duly moved to approve the Asberry Circle final plat for 73 lots in the Belt Line Zoning District, located on the south side of Belt Line Road, on the east and west sides of Commercial Drive, on application from Ashton Dallas Residential, LLC subject to the following conditions:

-Plat meets closure requirements.

-The existing 10-FT Sanitary Sewer Easement (Vol. 82060, Pg. 1624) located along the east side of the property is to remain and will NOT be abandoned.

-Provide the bearing and distance of the alley located between Everwood Lane and Amberwood Drive.

-Provide curve data for all the right-of-way curves on both Asberry Lane (adjacent to C45) and Amberwood Drive (adjacent to C42).

-Dimensions need to be provided for the 10-FT Water Easement in Block B.

-Dimension need to be provided for the north line of the Access & Utility Easement located in Block B.

-The lot designations for Lot 1X, Block B; Lots 2X & 3X, Block C; and Lot 1X, Block D do not match the lot designations shown on Plates 10 & 11 of the construction plans for Asberry Circle. Need to have the plans meet the final plat designations.

-The 15-FT Drainage Easement shown between Lots 14 & 15 of Block C is not clearly defined.

-The applicant has indicated he wants to change the spelling of Asberry to Asbury.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R9 – Consideration of approval of the Addison West Industrial Park replat for two lots on 5.949 acres of land in a LR – Local Retail District, located at 4135 Belt Line Road, on application from Belt Line Realty Partners, Inc., represented by Mr. Ronny Klingbell of RLK Engineering.

Councilmember Braun duly moved to approve the Addison West Industrial Park replat for two lots on 5.949 acres of land in a LR – Local Retail District, located at 4135 Belt Line Road, on application from Belt Line Realty Partners, Inc., subject to the following conditions:

-Certificate of Approval needs to be revised to show approval by the City Council, not Planning and Zoning Commission. Signature blanks need to be provided for the Mayor and City Secretary. Notary of these signatures is not required.

Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R10 - Consideration and approval of the City Council authorizing the City Manager to enter into a contract for the purchase of three replacement cardiac monitors and related equipment and two new automatic external defibrillators in an amount not to exceed \$60,000 from Medtronic Emergency Response System.

Councilmember Kraft duly moved to approve to authorize the City Manager to enter into a contract for the purchase of three replacement cardiac monitors and related equipment and two new automatic external defibrillators in an amount not to exceed \$60,000 from Medtronic Emergency Response System.
Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R11 - Consideration and approval of a resolution authorizing the City Manager to accept and enter into a Grant Agreement for Non-Primary Entitlement Funds (NPE) from the Federal Aviation Administration administered by Texas Department of Transportation, for airport improvements to Addison Airport.

Councilmember Kraft duly moved to approve Resolution No. 06-91 authorizing the City Manager to accept and enter into a Grant Agreement for Non-Primary Entitlement Funds (NPE) from the Federal Aviation Administration administered by Texas Department of Transportation, for airport improvements to Addison Airport.

Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R12 – Consideration and approval of the City Council authorizing the purchase of (2) 2007 Multi-Use Vehicles, under the Town's Inter-local Agreement with the Texas Local Government Purchasing Cooperative – known as BuyBoard.

Councilmember Niemann duly moved to authorize the purchase of (2) 2007 Multi-Use Vehicles, under the Town's Inter-local Agreement with the Texas Local Government Purchasing Cooperative – known as BuyBoard.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann
Voting Nay: None
Absent: None

Item #R13 - Consideration and approval of the City Council authorizing the purchase of (1) 2007 Hybrid Electric SUV, (15) 2007 Police Package Sedans (3) 2007 1 Ton Trucks and (1) 2007 Zero Turn Mower, under the Town's Inter-local Agreement with the Houston-Galveston Area Council (HGAC).

Councilmember Mellow duly moved to authorize the purchase of (1) 2007 Hybrid Electric SUV, (15) 2007 Police Package Sedans (3) 2007 1 Ton Trucks and (1) 2007 Zero Turn Mower, under the Town's Inter-local Agreement with the Houston-Galveston Area Council (HGAC).

Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R14 - Discussion of an expanded volunteer program for the Town.

No action taken.

Item #R15 - Consideration and approval of an ordinance amending the Town's policy on employee drug and alcohol testing.

Councilmember Mallory duly moved to approve Ordinance No. 006-053 amending the Town's policy on employee drug and alcohol testing.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R16 - Consideration and approval of a resolution authorizing the contract amendments with Blue Cross/Blue Shield of Texas, Delta Dental Insurance Company, Hartford Life Insurance Company, and Unumprovident.

Councilmember Kraft duly moved to approve Resolution No. 06-092 authorizing the contract amendments with Blue Cross/Blue Shield of Texas, Delta Dental Insurance Company, Hartford Life Insurance Company and Unumprovident, pending review and final approval of the City Attorney.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R17 - Consideration and approval of a resolution authorizing the City Manager to enter into an agreement with Liz Oliphant & Associates to assist the Town with special projects as specified by the City Manager.

Councilmember Mallory duly moved to approve Resolution No.06-093 authorizing the City Manager to enter into an agreement with Liz Oliphant & Associates to assist the Town with special projects as specified by the City Manager, subject to final review of the City Attorney.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R18 - Consideration of approval of an Ordinance amending Chapter 14(Aviation) of the Code of Ordinances of the Town by amending Division 3 (Off-Premise Access to Airport) of Article III (Municipal Airport) thereof relating to access from property adjacent to Addison Airport, and providing for, among other things, standards and fees for such access and the issuance of an access permit.

Councilmember Hirsch duly moved to approve Ordinance No. 006-054 amending Chapter 14(Aviation) of the Code of Ordinances of the Town by amending Division 3 (Off-Premise Access to Airport) of Article III (Municipal Airport) thereof relating to access from property adjacent to Addison Airport, and providing for, among other things, standards and fees for such access and the issuance of an access permit.

Mayor Chow recognized Bob Jacoby of 4016 Rive Lane and he spoke regarding this agenda item.

Councilmember Mallory seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Kraft, Mallory, Mellow, Niemann

Voting Nay: None

Absent: None

Item #R19 - Discussion regarding the sale of off-premise consumption of alcoholic beverages.

No action taken.

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

Mayor 

Attest:


City Secretary