

**OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
WORK SESSION**

April 24, 2007
6:30 P.M. – Town Hall
5300 Belt Line Road
Upstairs Conference Room

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

Absent: None

Work Session

Item #WS1 - Presentation and discussion regarding relocating the Historic Addison Train Depot to the Town of Addison and related matters.

Nancy Cline led the discussion regarding relocating the Historic Addison Train Depot to the Town of Addison and related matters.

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

Mayor

Attest:

City Secretary

**OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
REGULAR SESSION**

April 24, 2007
7:30 P.M. – Town Hall
5300 Belt Line Road
Council Chambers

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

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Tim Hastings with the Environmental Health Department, Jack Burns with the Police Department, Justin Bass with the City Manager's Office and Cedric Gray with the Utilities Department.

Mike Gillen with the Police Department gave a report on his participation in the 2007 World Police and Fire Games in Australia.

Item #R2 - Consent Agenda.

Items #2a, #2b and #2c were considered separately.

#2a - Approval of the Minutes for the April 10, 2007, Council Meeting. (Approved with one correction)

Councilmember Chow moved to duly approve the Minutes for April 10, 2007, to include one correction.

Councilmember Kraft seconded. Motion carried.

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

Voting Nay: None

Absent: None

#2b - Consideration and approval to authorize the City Manager to approve a resolution amending the Town of Addison's Purchasing Manual to clarify provisions regarding change orders, contingency budgets and to allow electronic submission of bids and proposals.

#2c - Consideration and approval to authorize the City Manager to establish a contingency budget for the Addison Road capital project.

Councilmember Niemann moved to duly table Items #2b and #2c.

Councilmember Braun seconded. The motion carried.

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

#2d - Consideration and approval to authorize the City Manager to enter into a contract with Northstar Construction, Inc., for miscellaneous pavement repairs to various streets for \$139,900.

Councilmember Mallory moved to duly authorize the City Manager to enter into a contract with Northstar Construction, Inc., for miscellaneous pavement repairs to various streets for \$139,900.

Councilmember Niemann seconded. The motion carried.

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

Item #R3 - Consideration and approval to authorize the City Manager to enter into an Early Termination of Ground Lease Agreement with, and acquisition of, the Omniflight Helicopters, Inc., Ground Lease 0080-2501 at 15809 Addison Road on Addison Airport.

Councilman Mallory moved to duly authorize the City Manager to enter into an Early Termination of Ground Lease Agreement with, and acquisition of, the Omniflight Helicopters, Inc., Ground Lease 0080-2501 at 15809 Addison Road on Addison Airport.

Councilmember Niemann seconded. The motion carried.

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

Item #R4 - Consideration and approval of a Contract of Sale in an amount not to exceed \$40,000, by and between Mark Hitchcock d/b/a Hitchcock House Movers, as seller, and the Town of Addison, as buyer, regarding the Town's purchase, move and all permitting costs of the historic Addison Train Depot building.

Councilman Mellow moved to duly approve of a Contract of Sale by and between Mark Hitchcock d/b/a Hitchcock House Movers, as seller, and the Town of Addison, as buyer,

regarding the Town's purchase of the historic Addison Train Depot building.

Councilmember Kraft seconded. The motion carried.

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

Voting Nay: None

Absent: None

Item #R5 - Consideration of and approval to authorize the City Manager to execute a master agreement with Cunningham Architects.

Councilmember Niemann moved to duly authorize the City Manager to execute a master agreement with Cunningham Architects, subject to City Attorney's approval.

Councilmember Mellow seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R6 - Consideration and approval to authorize the City Manager to enter into an agreement with Cunningham Architects to assist with the Belt Line Road redevelopment plan in an amount not to exceed \$50,000.

Councilmember Mallory moved to duly authorize the City Manager to enter into an agreement with Cunningham Architects to assist with the Belt Line Road redevelopment plan in an amount not to exceed \$50,000.

Councilmember Niemann seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R7 - Consideration and approval of an Ordinance to amend Section 78-165, which section designates certain no parking and permitted parking areas, by amending the table designating streets on which stopping, standing, or parking, except at certain times, is allowed by modifying the provisions for LeGrande Drive, by removing the allowance to stop, stand or park on the east side of 14700 and 14701 of LeGrande Drive.

Councilmember Braun moved to duly approve Ordinance No. 007-011 to amend Section 78-165, which section designates certain no parking and permitted parking areas, by amending the table designating streets on which stopping, standing, or parking, except at certain times, is allowed by modifying the provisions for LeGrande

Drive, by removing the allowance to stop, stand or park on the east side of 14700 and 14701 of LeGrande Drive.

Councilmember Kraft seconded. Motion carried.

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

Item #R8 - **PUBLIC HEARING**, discussion and consideration of approval of a change of zoning from UC - Commercial sub-district to UC - Residential sub-district, and approval of a concept and preliminary development plan, located on 3.918 acres at the southeast corner of Airport Parkway and Quorum Drive, on application from Intervest Ventures Group, represented by Mr. David Simmons (Case 1534-Z – Intervest Ventures Group).

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

The Applicant presented a Letter of Withdrawal.

Councilmember Kraft moved to duly withdraw Item #R8, **PUBLIC HEARING**, discussion and consideration of approval of a change of zoning from UC - Commercial sub-district to UC - Residential sub-district, and approval of a concept and preliminary development plan, located on 3.918 acres at the southeast corner of Airport Parkway and Quorum Drive, on application from Intervest Ventures Group, represented by Mr. David Simmons (Case 1534-Z – Intervest Ventures Group).

Councilmember Hirsch seconded. Motion carried.

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

At 8:35 P.M., Mayor Chow announced that Council would convene into Executive Session to discuss the following items:

Item #ES1 - Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with its attorney(s) to (i) seek the advice of its attorney(s) about pending litigation, to wit: *In re Calla Davis, et al*, Case No. 07-0147, Supreme Court of Texas, and (ii) on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, regarding and relating to the sale of alcoholic beverages, and including House Bill No. 2957 and Senate Bill 1735 filed with the 80th Regular Session of the Texas Legislature.

No action was taken on this item. The item was withdrawn by Staff.

Item #ES2 - Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) regarding certain pending litigation, to wit: *The City of Addison, Texas v. Transcontinental Realty Investors, Inc., et al.*, No. 05-05-01554-CV, Fifth District Court of Appeals, Dallas, Texas, and on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, regarding and relating to matters concerning access to Addison Airport and including House Bill 2955 and Senate Bill 1462 filed with the 80th Regular Session of the Texas Legislature.

Item #ES3 - Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with its attorney(s) on a matter in which the duty of the attorney(s) to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, regarding and relating to matters concerning and including the Dallas Area Rapid Transit 2030 Transit System Plan and the Cotton Belt Rail Line, and House Bill No. 107 filed with the 80th Regular Session of the Texas Legislature.

No action was taken on this item. The item was withdrawn by Staff.

The Council came out of Executive Session at 8:58 P.M.

Item #R9 - Discussion and consideration of any action in connection with or related to pending litigation, to wit: *In re Calla Davis, et al*, Case No. 07-0147, Supreme Court of Texas, and/or relating to the sale of alcoholic beverages, and including House Bill No. 2957 and Senate Bill 1735 filed with the 80th Regular Session of the Texas Legislature.

No action was taken on this item. The item was withdrawn by Staff.

Item #R10 - Discussion and consideration of any action regarding pending litigation, to wit: *The City of Addison, Texas v. Transcontinental Realty Investors, Inc., et al.*, No. 05-05-01554-CV, Fifth District Court of Appeals, Dallas, Texas, and/or regarding and relating to matters concerning access to Addison Airport, including House Bill 2955 and Senate Bill 1462 filed with the 80th Regular Session of the Texas Legislature.

No action was taken on this item.

Item #R11 - Discussion and consideration of any action in connection with or related to the Dallas Area Rapid Transit 2030 Transit System Plan and the Cotton Belt Rail Line, and House Bill No. 107 filed with the 80th Regular Session of the Texas Legislature.

No action was taken on this item. The item was withdrawn by Staff.

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

Mayor

Attest:

City Secretary