

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

June 12, 2007
6:00 P.M. – Town Hall
5300 Belt Line Road

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

Absent: None

Item #WS1 - Discussion regarding Police Department equipment.

Chief Ron Davis and Lt. Paul Spencer led the discussion regarding Police Department equipment.

Item #WS2 - Discussion regarding economic development proposal from Authentix, Inc.

Ron Whitehead led the discussion regarding Authentix, Inc.

Item #WS3 - Discussion regarding adopting Goals and Policies for the Brookhaven Village neighborhood as an amendment to the Town of Addison's Comprehensive Plan.

Carmen Moran led the discussion regarding Goals and Policies for the Brookhaven Village neighborhood.

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

June 12, 2007
7:30 P.M. – Town Hall
5300 Belt Line Road

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

Absent: None

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Jeff King with the Public Works Department and Rod Williams with the Fire Department .

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for the May 22, 2007, Council Meeting. (Approved as written)

#2b - Consideration and approval to authorize the City Manager to approve the purchase of 447 water meters from Hersey Meter Company in an amount not to exceed \$86,380.20. (Councilman Mellow asked for clarification that the meters purchased should be wireless.)

Councilmember Mellow asked that Items #2a and #2b be considered separately.

Councilman Niemann moved to duly approve the above listed items.

Councilmember Braun seconded. Motion carried.

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

Item #R3 - **PUBLIC HEARING** regarding and consideration of approval of an Ordinance adopting Goals and Policies for the Brookhaven Village neighborhood as an amendment to the Town of Addison's Comprehensive Plan.

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

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 The item was withdrawn by Staff.

Item #R4 - **FINAL PLAT/Karta Addition**. Consideration of approval of a final plat for one lot, located on a tract of .05027 acres, in a C-1 (Commercial-1) zoning district, at 4397 Westgrove Drive, on application from Karta Geospatial Consultants, LLC, represented by Mr. Lynn Kadleck of Kadleck and Associates.

Councilmember Niemann moved to duly authorize the City Manager to approve a final plat for one lot, located on a tract of .05027 acres, in a C-1 (Commercial-1) zoning district, at 4397 Westgrove Drive, on application from Karta Geospatial Consultants, LLC, represented by Mr. Lynn Kadleck of Kadleck and Associates, subject to conditions.

Councilmember Meier seconded. Motion carried.

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

Item #R5 - PUBLIC HEARING Case 1541-Z/Authentix. Consideration of approval of an amendment to an existing Planned Development zoning District (Ordinance 000-016) in order to add an allowed use, that use being: light assembly to include scientific production of security taggants and specialty ink systems through the use of materials engineering processes and other laboratory techniques. Allowed uses would also include nanotechnology which is the control of matter on the scale of smaller than one micrometer, located at 4355-4555 Excel Parkway, on application from Authentix, Inc.

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

Authentix, Inc., was represented by Tim Driscoll, Vice President.

Councilmember Niemann moved to table this item until the next Council Meeting on 6/26/07 and that it should be continued as a Public Hearing.

Councilmember Meier seconded. Motion carried.

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

Councilmember Niemann recused himself from Item #R6.

Item #R6 - PUBLIC HEARING Case 1534-Z/Intervest Ventures Group. Consideration of approval of a change of zoning from UC-Commercial sub-district to UC – Residential sub-district, and consideration of a final development plan, for property 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.

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

Proponents for the Project were:
Sara McCurry, resident on Calloway
Joe Stoller, 5022 Calloway
Royce Ceal, 5026 Calloway
M.E. Gawati, 5024 Parkview
Amy Dane, 5091 Parkview

J.J. Horan, (In a written statement)

Mike Shift spoke on behalf of Intervest Ventures Group.

Mayor Chow closed the meeting as a public hearing.

Councilmember Braun moved to duly authorize the City Manager to approve Ordinance 007-016, for a change of zoning from UC-Commercial sub-district to UC – Residential sub-district, and consideration of a final development plan, for property 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, with the following conditions:

Approval of the concept plan, as submitted by the applicant, for a development in an UC – Residential sub-district.

Approval of the following waivers to design standards:

Waiver of design standards in order to allow lot widths to be 20 feet as opposed to the 25 feet required by the ordinance.

Waiver to design standards in order to allow depths of 45 feet as opposed to the 55 feet required by the ordinance.

Waiver to design standards in order to allow lot coverage of 100% of the lot as opposed to the 65% of the lot required by the ordinance.

Waiver to design standards in order to allow a minimum two-foot build-to line against the Category C, (Residential) Streets as opposed to the five-foot build-to line required by the ordinance, and a waiver to design standards in order to allow a seven-foot build-to line against the Category D (Quorum, Spectrum, Airport Parkway) streets as opposed to the ten-foot build-to line required by the ordinance.

Waiver to design standards in order to use stucco or plaster as a siding material on an exterior façade, those facades being on the alleys only.

Approval of the final development plans, subject to the following conditions:

-All air conditioning screening fences shall be of a solid material, and shall screen the air conditioning units from all sides.

-All paving and drainage design and construction shall meet city standards.

-A final site plan shall be approved by the Fire Department before

issuance of a building permit.

-Detailed streetscape plans shall be submitted for review and approval for lighting, paving, irrigation, site furniture, and planting prior to the issuance of a building permit.

-The on-going open space maintenance shall be the owners/homeowners association's responsibility, which includes the maintenance of the living screen area along Airport Parkway.

-Plans shall include a solution for the problem of noise generated by the chiller that is across the street on the Madison office building property.

-Composition shingles, as a roofing material, are prohibited.

Councilmember Meier seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow, Hirsch

Abstained: Niemann

Councilmember Niemann returned to the Council Chambers.

Item #R7- **PUBLIC HEARING** Case 1542-SUP/Town of Addison, consideration of approval of a change of zoning by the approval of a Special Use Permit for an installation of a public utility (a Public meeting facility), on property zoned C-1 (Commercial-1) district located generally in the 4800 block of Broadway, on application from the Town of Addison, represented by Mr. Clay Barnett.

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 Braun moved to duly authorize the City Manager to approve Ordinance 007-017 for a change of zoning by the approval of a Special Use Permit for an installation of a public utility (a Public meeting facility), on property zoned C-1 (Commercial-1) district located generally in the 4800 block of Broadway, on application from the Town of Addison, represented by Mr. Clay Barnett.

Councilmember Kraft seconded. Motion carried.

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

Item #R8 - Consideration of approval of contract with FirstCall Interactive Network, Inc., to provide a fully hosted and managed Multi-Media Emergency Community Notification Solution in the amount of \$5,000, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Niemann moved to duly authorize the City Manager to approve a contract with FirstCall Interactive Network, Inc., to provide a fully hosted and managed Multi-Media Emergency Community Notification Solution in the amount of \$5,000, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Mellow seconded. Motion carried.

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

Item #R9 - Consideration of approval of a contract with Sigma Surveillance, Inc., for the purchase and installation of a Video Camera Monitoring System at the Addison Athletic Club in the amount of \$36,297, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Kraft moved to duly authorize the City Manager to approve a contract with Sigma Surveillance, Inc., for the purchase and installation of a Video Camera Monitoring System at the Addison Athletic Club in the amount of \$36,297, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Braun seconded. Motion carried.

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

Item #R10 - Consideration of approval of a contract with Allied Network Solutions, Inc., for the purchase and installation of 182 PCs and two (2) integrated Laptops in the amount of \$168,118.62, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Kraft moved to duly authorize the City Manager to approve a contract with Allied Network Solutions, Inc., for the purchase and installation of 182 PCs and two (2) integrated Laptops in the amount of \$168,118.62, and authorizing the City Manager to execute the same, subject to the City Attorney's final approval.

Councilmember Niemann seconded. Motion carried.

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

Item #R11 - Consideration of approval of an agreement with PPI Marketing to provide sponsorship services to the Town from June 1, 2007 through May 31, 2009, and authorizing the City Manager to execute the same.

Councilmember Niemann moved to duly authorize the City Manager to approve an agreement with PPI Marketing to provide sponsorship services to the Town from June 1, 2007 through May 31, 2009, and authorizing the City Manager to execute the same, subject to City Attorney approval.

Councilmember Mellow seconded. Motion carried.

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

EXECUTIVE SESSION. At 10:44 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, Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney about contemplated litigation, and/or on a matter or matters in which the duty of the attorney(s) to the Town Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding and relating to the design and construction of the Addison Airport Bulk Fuel Storage Facility.

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/or a settlement offer in connection therewith.

The Council came out of Executive Session at 12:25 P.M.

Item #R12 - Consideration of approval of Change Order No. 3, encompassing all unresolved additions and modifications to the original project design associated with the contract for the construction of the Addison Airport Bulk Fuel Storage Facility, and authorizing the City Manager to execute the same.

Councilmember Niemann moved to duly authorize the City Manager to approve Change Order No. 3 encompassing all unresolved change orders and any and all additions and/or modifications to the original project design associated with the contract for the construction of the Addison Airport Bulk Fuel Storage Facility (including a full release in connection therewith), and authorizing the City Manager to execute the same.

Councilmember Braun seconded. Motion carried.

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

Item #R13 - Consideration of approval of the appointment of the City Attorney.

Councilmember Niemann moved to duly appoint Attorney John Hill from Cowles and Thompson to the position of City Attorney.

Councilmember Mellow seconded. Motion carried.

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

Item #R14 was moved after Item #R11.

Item #R14 - Consideration of and approval to authorize the City Manager to enter into an agreement with MPF Services to produce a video on "The Addison Way" in an amount not to exceed \$10,000.

Councilmember Meier moved to duly authorize the City Manager to enter into an agreement with MPF Services to produce a video on "The Addison Way" in an amount not to exceed \$10,000.

Councilmember Braun seconded. Motion carried.

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

Item #R15 - Consideration of action in connection with 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/or a settlement offer in connection therewith.

Councilmember Neimann moved to approve a proposed settlement reached in mediation, subject to the same being reduced to writing and considered by the Council at a future meeting, in connection with 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.

Councilmember Meier seconded. Motion carried.

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

There being no further business before the Council, the meeting was adjourned at 12:27 A.M.

Mayor

Attest:

City Secretary