

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

December 11, 2007  
7:30 P.M. – Town Hall  
5300 Belt Line Road

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

Absent: None

### Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: David Jones with the Fire Department and Zeis Chen with the Information Technology Department.

Scott Glendale, a Boy Scout and Jeff Glendale, Scott's father, were recognized at the beginning of the Council Meeting.

### Item #R2 - Consent Agenda.

#### #2a - Approval of the Minutes:

November 19, 2007, 5 pm Special Meeting and Work Session  
November 19, 2007, 6 pm Special Meeting and Work Session  
November 27, 2007, Regular City Council Meeting

The Minutes for November 19, 2007, 5 pm Special Meeting and Work Session, were approved as written.

The Minutes for November 19, 2007, 6 pm Special Meeting & Work Session, were approved as written.

The Minutes for November 27, 2007, Regular City Council Meeting, were approved as written.

Councilmember Braun made a motion to approve the Minutes.

Councilmember Kraft seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R3 - Discussion and consideration of approval of a Consulting Services Agreement between the Town of Addison and Public Werks, Inc. for the provision of

consulting services to the Town regarding transportation matters, and authorizing the City Manager to execute the Agreement.

Councilmember Kraft made a motion to approve the consideration of a Consulting Services Agreement between the Town of Addison and Public Werks, Inc. to set a cap of \$100,000 for the provision of consulting services to the Town regarding transportation matters, and authorizing the City Manager to execute the Agreement, subject to approval of the City Attorney.

Councilmember Niemann seconded. Motion carried.

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

Item #R4 - Consideration and approval authorizing the City Manager to enter into an Interlocal Cooperative Agreement between the North Central Texas Council of Governments (NCTCOG) and the Town for implementation of the Thoroughfare Assessment Program Phase 3.2 and reimbursement of the 20 percent local match contribution of \$31,136.

Councilmember Braun made a motion to approve the City Manager to enter into an Interlocal Cooperative Agreement between the North Central Texas Council of Governments (NCTCOG) and the Town for implementation of the Thoroughfare Assessment Program Phase 3.2 and reimbursement of the 20 percent local match contribution of \$31,136.

Councilmember Kraft seconded. Motion carried.

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

Item #R5 - Discussion of the reclassification of the Administrative Assistant Position for the Public Works Department as a Management Assistant Position.

Chris Terry, Assistant City Manager, and Nancy Cline, Director of Public Works, presented this item.

No action was taken.

Item #R6 – Consideration and approval of a Contract with Curtco, Inc. for the Street Joint and Crack Sealing Bid for work to be performed on Belt Line Road and Addison Road in the amount of \$48,500.

Councilmember Hirsch made a motion to approve the Contract with Curtco, Inc. for the Street Joint and Crack Sealing Bid for work to be performed on Belt Line Road and Addison Road in the amount of \$48,500.

Councilmember Niemann seconded. Motion carried.

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

Item #R7 - Consideration and approval of a contract with Blade Turners Maintenance totaling \$164,302 for annual mowing services.

Councilmember Braun made a motion to approve the contract with Blade Turners Maintenance totaling \$164,302 for annual mowing services.

Councilmember Mellow seconded. Motion carried.

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

Item #R8 – Consideration and approval of a contract with Palm Springs Pool Service totaling \$73,883 for annual maintenance of five display fountains.

Councilmember Kraft made a motion to approve the contract with Palm Springs Pool Service totaling \$73,883 for annual maintenance of five display fountains.

Councilmember Niemann seconded. Motion carried.

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

Item #R9 – Consideration and approval of substituting Encore Addison FBO, LLC in place of Encore FBO Acquisition, LLC in connection with 1) the assignment of R. Stern FBO LTD ground leases at Addison Airport, 2) the early termination of R. Stern FBO LTD ground leases in favor of a new ground lease, and 3) granting a Public FBO (fixed base operator) Fuel Farm License agreement, the said assignment, early termination, and Public FBO Fuel Farm License agreement having been previously approved by the Town Council on November 17, 2007 in favor of Encore FBO Acquisition, Inc.

Councilmember Kraft made a motion to approve substituting Encore Addison FBO, LLC in place of Encore FBO Acquisition, LLC in connection with 1) the assignment of R. Stern FBO LTD ground leases at Addison Airport, 2) the early termination of R. Stern FBO LTD ground leases in favor of a new ground lease, and 3) granting a Public FBO

(fixed base operator) Fuel Farm License agreement, the said assignment, early termination, and Public FBO Fuel Farm License agreement having been previously approved by the Town Council on November 17, 2007 in favor of Encore FBO Acquisition, Inc.

Councilmember Mellow seconded. Motion carried.

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

Item #R10 - Discussion of possible repeal of existing Special Use Permits for vacant restaurants and corresponding Special Use Permits at such restaurants for the sale of alcoholic beverages for on-premises consumption, and possible change in the definition of a restaurant to exclude prepared food shops.

Carmen Moran, Director of Development Services, presented this item.

No action was taken.

Item #R11 - Consideration and approval of an ordinance amending the Code of Ordinances of the Town by deleting and repealing section 74-32 regarding the taxation of motor vehicles leased for personal use for tax (calendar) years 2008 and thereafter.

Councilmember Hirsch made a motion to approve an ordinance amending the Code of Ordinances of the Town by deleting and repealing section 74-32 regarding the taxation of motor vehicles leased for personal use for tax (calendar) years 2008 and thereafter.

Councilmember Kraft seconded. Motion carried.

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

Item #R11 failed.

Item #R12 - Consideration and approval of a 9-1-1 billing agreement with Foremost Telecommunications which has received a Service Provider Certificate of Operating Authority (SPCOA) from the Texas Public Utilities Commission.

Councilmember Niemann made a motion to approve a 9-1-1 billing agreement with Foremost Telecommunications which has received a Service Provider Certificate of Operating Authority (SPCOA) from the Texas Public Utilities Commission.

Councilmember Mellow seconded. Motion carried.

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

At 9:24 P.M., Mayor Chow announced that Council would convene into Executive Session to discuss the following items:

Item #ES2 was discussed first.

Item #ES2 - Closed (executive) session of the Addison City Council, pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body 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 taxation of improvements at Addison Airport.

No action was taken on #ES2.

Item #ES1 - Closed (executive) session of the Addison City Council, pursuant to Section 551.072 of the Texas Government Code, to deliberate the purchase, exchange, lease, or value of various tracts or parcels of real property located within the Town of Addison.

The Council came out of Executive Session at 10:09 P.M.

Item #R13 - Discussion and consideration of any action concerning the purchase, exchange, lease, or value of various tracts or parcels of real property located within the Town of Addison.

Councilmember Niemann made a motion to take action concerning the purchase, exchange, lease, or value of various tracts or parcels of real property located within the Town of Addison.

Councilmember Braun seconded. Motion carried.

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

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

---

Mayor

Attest:

---

City Secretary