

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

June 10, 2008  
6:00 P.M. – Town Hall  
5300 Belt Line Road  
Upstairs Conference Room

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

Absent: Councilmember Kraft

Work Session

Item #WS1 - Discussion regarding Fairfield Development Future Park Design Review.

Slade Strickland and Kevin Bernauer led the discussion. There was no action taken.

Item #WS2 - Discussion and update regarding the Cotton Belt Rail Line and Dallas Area Rapid Transit (DART).

Ron Whitehead led the discussion. There was no action taken.

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Mayor-Joe Chow

Attest:

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City Secretary-Mario Canizares

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

June 10, 2008  
7:30 P.M. – Town Hall  
5300 Belt Line Road  
Council Chambers

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

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Lauren Clark with the Public Works Department, Brian Hogan with the Finance Department and Scott Wigley with the Fire Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

May 20, 2008, Special Meeting and Work Session  
May 27, 2008, Regular City Council Meeting and Work Session

Councilmember Braun moved to duly approve the Minutes for:

May 20, 2008, Special Meeting and Work Session  
May 27, 2008, Regular City Council Meeting and Work Session

Councilmember Niemann seconded. Motion carried.

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

Item #R3 - Discussion and consideration of appointment of members and alternates to the Board of Zoning Adjustment.

Mayor Chow nominated Chick Martin as a member to the Board of Zoning Adjustment.

Councilmember Braun seconded. Motion carried.

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

Councilmember Hirsch nominated Lori Ward as a member to the Board of Zoning Adjustment.

Councilmember Meier seconded. Motion carried.

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

Councilmember Meier nominated Kathryn Wheeler as a member to the Board of Zoning Adjustment.

Councilmember Braun seconded. Motion carried.

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

Item #R4 - Discussion and consideration of appointment of a member to the Planning & Zoning Commission.

Councilmember Hirsch motioned to reappoint Jamie Gaines to a second term on the Planning and Zoning Commission. Ms. Gaines' first term expired on June 13, 2008.

Councilmember Meier seconded. Motion carried.

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

Item #R5 - Discussion and consideration of approval of an agreement between the Town of Addison and Oncor Electric Delivery Company to purchase street light facilities in the Belt Line Road median between Marsh Lane and the Dallas North Tollway.

Councilmember Kraft moved to duly approve an agreement between the Town of Addison and Oncor Electric Delivery Company to purchase street light facilities in the Belt Line Road median between Marsh Lane and the Dallas North Tollway, subject to City Attorney comments and approval.

Councilmember Niemann seconded. Motion carried.

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

Item #R6 - **PUBLIC HEARING** Case 1558-Z/UDR, Inc. Public hearing on and discussion and consideration of approval of an ordinance approving development plans for a multi-family project in a Planned Development District, (007-034), located at 3900 Brookhaven Club Drive, on application from United Dominion Realty, represented by Mr. Matt Brendel.

Mayor Chow opened the meeting as a public hearing. Mr. Jeff Parnell spoke. He resides at 4028 Rive Lane, Addison. Mayor Chow closed the meeting as a public hearing.

Councilmember Niemann moved to duly approve Ordinance No. 008-022, approving development plans for a multi-family project in a Planned Development District, (007-034), located at 3900 Brookhaven Club Drive, on application from United Dominion Realty, represented by Mr. Matt Brendel, subject to the following conditions:

-The applicant needs to clarify where the trash/recycling rooms are located and verify that they are large enough to hold facilities for both trash and recycling.

-A solid screening wall, eight feet in height, and the double row of trees, as shown on the plan, between this project and the Brooktown Townhomes, located to the west of this project, shall be installed prior to the issuance of a Certificate of Occupancy for any building in the proposed development.

Councilmember Meier seconded. Motion carried.

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

Item #R7 - Preliminary Plat/Vitruvian Park I. Discussion and consideration of approval of a preliminary plat for Lots 1-3, Block A, Lots 1-3, Block B, Lots 1, Block C, and Lot 1, Block D, located on 45.16 acres at 3900 and 4010 Brookhaven Club Drive (south side of Brookhaven Club Drive), on application from UDR, Inc., represented by Mr. Bruce Dunne of Icon Consulting Engineers.

Councilmember Niemann moved to duly approve a preliminary plat for Lots 1-3, Block A, Lots 1-3, Block B, Lots 1, Block C, and Lot 1, Block D, located on 45.16 acres at 3900 and 4010 Brookhaven Club Drive (south side of Brookhaven Club Drive), on application from UDR, Inc., represented by Mr. Bruce Dunne of Icon Consulting Engineers, subject to the following conditions:

1. Provide street names.

2. The property lines along the south and east boundaries of the platted property do not appear to be identified. Additionally, the electric easement along the east property line is not shown. Please insure that all property lines and easements within 150' of the property boundary are shown and labeled on any and all final plat submittals.
3. The official name of the waters passing through the project is "Farmers Branch" as opposed to "Farmers Branch Creek." Please correct this on any and all final plat submittals.
4. Several of the recording information labels for the adjacent properties do not appear to be correct. Please correct this on any and all final plat submittals.

Councilmember Kraft seconded. Motion carried.

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

Item #R8 - Discussion and consideration of an Ordinance approving and adopting the new Town of Addison Employee Handbook, providing for the repeal of the Town of Addison Employee Handbook adopted by the Town Council on November 11, 1996, and all ordinances, resolutions, and/or other actions related thereto, and providing for other related matters.

Councilmember Niemann moved to duly approve Ordinance 008-023, approving and adopting the new Town of Addison Employee Handbook, providing for the repeal of the Town of Addison Employee Handbook adopted by the Town Council on November 11, 1996, and all ordinances, resolutions, and/or other actions related thereto, and providing for other related matters.

Councilmember Mellow seconded. Motion carried.

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

At 8:13 P.M., Mayor Chow announced that Council would convene into Executive Session to discuss the following Items:

Item #ES1 - Closed (Executive) session of the Addison 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(s) about pending litigation, to wit:

A. *Eddins Enterprises, Inc. dba Friendly Aviation and RSP Management Services, Inc. v. The Town of Addison, Texas*, Case No. 05-08-00194-CV, Fifth District Court of Appeals, Dallas, Texas.

B. *Thielsch Engineering, Inc. v. Town of Addison, Texas*, Cause No. 08-00463, 95<sup>th</sup> District Court, Dallas County, Texas.

C. *AN Collision Center of Addison, Inc. d/b/a Bankston Collision Center v. Dallas Area Rapid Transit (DART) and The Town of Addison, et al*, Cause No. 07-11965-A, 14th Judicial District Court, Dallas County, Texas.

D. *In re Calla Davis, et al*, Case No. 07-0147, Supreme Court of Texas.

Item #ES2 - Closed (Executive) session of the Addison City Council, pursuant to Section 551.071, 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 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.

The Council came out of Executive Session at 8:52 P.M.

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

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Mayor-Joe Chow

Attest:

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City Secretary-Mario Canizares