

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
WORK SESSION

February 10, 2009
6:00 P.M. – Town Hall
5300 Belt Line Road
Upstairs Conference Room

Council Members Present:

Mayor Chow, Councilmembers Braun, Hirsch, Lay, Mellow and Niemann

Absent: None

Work Session

Item #WS1 - Discussion regarding the Town of Addison Worldfest Special Event for 2009.

Barbara Kovacevich led the discussion regarding the Town of Addison Worldfest Special Event for 2009.

There was no action taken.

Item #WS2 - Discussion regarding tree replacement and protection provisions of the Town's comprehensive zoning ordinance.

Slade Strickland led the discussion regarding tree replacement and protection provisions of the Town's comprehensive zoning ordinance.

There was no action taken.


Mayor-Joe Chow

Attest:


City Secretary-Lea Dunn

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

February 10, 2009
7:30 P.M. – Town Hall
5300 Belt Line Road
Council Chambers

Present: Mayor Chow, Councilmembers Braun, Hirsch, Lay, Mellow and Niemann

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Kimberly Bettis with the Human Resources Department and Raymond Wiley with the Parks and Recreation Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

January 27, 2009, Regular City Council Meeting and Work Session

Councilmember Niemann moved to duly approve the January 27, 2009, Regular City Council Meeting and Work Session Minutes.

Councilmember Braun seconded. Motion carried.

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

Item #R3 - Discussion and consideration of approval of award of a contract to One Hall Environmental, Dallas, Texas, to demolish structures at 15810 and 15812 Addison Road, and remove and recycle resultant debris and recyclable materials.

Councilmember Braun moved to duly approve of a contract to One Hall Environmental, Dallas, Texas, to demolish structures at 15810 and 15812 Addison Road, and remove and recycle resultant debris and recyclable materials.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R4 - Discussion and consideration of approval of a contract with Schwartz Construction Company, Inc., totaling \$47,298.00, for park structure painting and repairs.

Councilmember Mellow moved to duly approve a contract with Schwartz Construction Company, Inc., totaling \$47,298.00, for park structure painting and repairs.

Councilmember Lay seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R5 - Discussion and consideration of approval of a contract with American Landscape Systems totaling \$44,144.75, for miscellaneous landscape renovation work.

Councilmember Niemann moved to duly approve a contract with American Landscape Systems totaling \$44,144.75, for miscellaneous landscape renovation work, subject to changing the threshold to \$10,000.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R6 - Discussion and consideration of approval of maintaining Airport Access Fee Rates at their current levels of \$.08 per gross square foot of land area for Commercial Aviation Uses and \$750/year flat rate for Recreational/Incidental Business Use through September 30, 2010.

Councilmember Mellow moved to duly approve maintaining Airport Access Fee Rates at their current levels of \$.08 per gross square foot of land area for Commercial Aviation Uses and \$750/year flat rate for Recreational/Incidental Business Use through September 30, 2010.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R7 - Presentation, discussion and **PUBLIC HEARING** regarding a proposed structure for the management agreement for Addison Airport.

Mayor Chow opened the meeting as a public hearing.

The following Addison residents spoke:

Mr. Todd Meier, 3785 Park Place, Addison, TX 75001
Mr. Ray Ryland, 14817 Surveyor, Addison, TX 75001

Mayor Chow closed the meeting as a Public Hearing.

Chris Terry introduced this Item and John Hill presented an overview of the proposed structure for the management agreement. Councilmember Niemann led the discussion regarding the proposed structure for the management agreement for Addison Airport.

There was no action taken.

Item #R8 - **PUBLIC HEARING** (Case 1570-SUP/The Melting Pot) on and discussion and consideration of approval of an ordinance approving an amendment to an existing Special Use Permit for a restaurant, and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 4900 Belt Line Road, Suite 200, on application from The Mad Mango Group, Dallas, represented by Mr. Jeff Raines.

Mayor Chow opened the meeting as a public hearing. No one spoke. Mayor Chow closed the meeting as a Public Hearing.

Councilmember Niemann moved to duly approve Ordinance 009-001 approving an amendment to an existing Special Use Permit for a restaurant, and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 4900 Belt Line Road, Suite 200, on application from The Mad Mango Group, Dallas, represented by Mr. Jeff Raines, subject to the following condition:

-The remainder of this building shall be fully provided with fire sprinklers prior to the issuance of a Certificate of Occupancy for the expansion of this restaurant.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Councilmember Braun recused himself for Item #R9 and left Council Chambers. He did not participate in the discussion or vote.

Item #R9 - **PUBLIC HEARING** (Case 1573-Z/Town of Addison) on and discussion and consideration of an ordinance amending Planned Development Ordinance #007-034, in order to amend Exhibit D, Street Standards, Street A – Residential Boulevard, located on a 99.176 acre tract of land located in the Brookhaven Club area of the Town (an area being bounded on the north by Spring Valley Road, on the east by the City of Farmers Branch, on the south by Brookhaven Community College and the City of Farmers Branch, and on the west by Marsh Lane), on application from the Town of Addison.

Councilmember Mellow moved to duly approve Ordinance 009-002 amending Planned Development Ordinance #007-034, in order to amend Exhibit D, Street Standards, Street A – Residential Boulevard, located on a 99.176 acre tract of land located in the Brookhaven Club area of the Town (an area being bounded on the north by Spring Valley Road, on the east by the City of Farmers Branch, on the south by Brookhaven Community College and the City of Farmers Branch, and on the west by Marsh Lane), on application from the Town of Addison.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None
Abstaining: Braun

Councilmember Braun returned to Chambers.

Item #R10 - Discussion and consideration of approval of an appointment of a member to the Board of Zoning Adjustment to replace Bianca Noble (appointed by Councilmember Niemann).

Councilmember Niemann requested Item #R10 be removed for consideration and that it be addressed during a future Council Meeting.

No action was taken.

Item #R11 - Presentation by the Addison Planning and Zoning Commission Chairman and discussion of a proposed Green Building Program for the Town.

Addison Planning and Zoning Commission Chairman Jamie Gaines made the presentation and led the discussion of a proposed Green Building Program for the Town.

There was no action taken.

Item #R12 - Presentation by the Addison Planning and Zoning Commission Chairman and discussion of the Commission's 2008 Annual Report to the City Council.

Addison Planning and Zoning Commission Chairman Jamie Gaines made the presentation and led the discussion of the Commission's 2008 Annual Report to the City Council.

There was no action taken.

Item #R13 - Discussion and consideration of approval of a resolution endorsing certain legislative changes to enhance the competitive electric market supported by the Cities Aggregation Power Project (CAPP).

Councilmember Niemann moved to duly approve Resolution R09-002 endorsing certain legislative changes to enhance the competitive electric market supported by the Cities Aggregation Power Project.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann

Voting Nay: None

Absent: None

Item #R14 - Discussion and consideration of approval of a resolution to enter into a joint election agreement and election service agreement in the amount of \$6,000.00, with Dallas County to conduct Addison's Municipal Elections on May 9, 2009.

Councilmember Braun moved to duly approve Resolution R09-003 to enter into a joint election agreement and election service agreement in the amount of \$6,000.00, with Dallas County to conduct Addison's Municipal Elections on May 9, 2009.

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann

Voting Nay: None

Absent: None

Item #R15 - Consideration and approval of (i) an ordinance calling for a general election to be held on May 9, 2009 for the purpose of electing one (1) Mayor for a two (2) year term and three (3) Councilmembers for two (2) year terms each, and of (ii) a resolution calling for a special election to be held on May 9, 2009 for the purpose of electing one (1) Councilmember for a one (1) year unexpired term.

Councilmember Niemann moved to duly approve (i) Ordinance 009-003 calling for a general election to be held on May 9, 2009 for the purpose of electing one (1) Mayor for

a two (2) year term and three (3) Councilmembers for two (2) year terms each, and of (ii) Resolution R09-004 calling for a special election to be held on May 9, 2009 for the purpose of electing one (1) Councilmember for a one (1) year unexpired term.

Councilmember Braun seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R16 - Discussion and consideration of approval of the Comprehensive Analysis and Strategic Plan for Delivery of Police, Fire and Code Enforcement by the International City/County Management Association (ICMA).

Councilmember Niemann moved to duly approve the Comprehensive Analysis and Strategic Plan for Delivery of Police, Fire and Code Enforcement by the International City/County Management Association (ICMA).

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R17 - Discussion and consideration of the acceptance of the resignation of Todd Meier as a Councilmember of the Addison City Council.

Councilmember Niemann moved to duly approve the acceptance of the resignation of Todd Meier as a Councilmember of the Addison City Council.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Hirsch, Lay, Mellow and Niemann
Voting Nay: None
Absent: None

Item #R18 - Discussion regarding filling the vacancy on the City Council created by the resignation of Todd Meier.

There was no discussion.

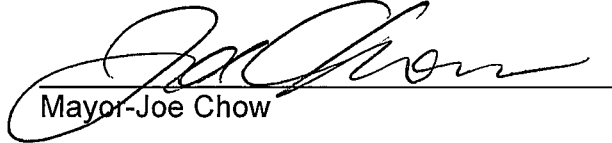
No action was taken.

At 10:08 P.M., Mayor Chow announced that Council would convene into Executive Session to discuss the following Item:

Item #ES1 - Closed (executive) session of the City Council pursuant to Section 551.074, Texas Government Code, to deliberate a performance evaluation and employment of the City Manager.

The Council came out of Executive Session at 11:35 P.M.

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



Mayor-Joe Chow

Attest:



City Secretary-Lea Dunn