

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
WORK SESSION

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

Council Members Present:

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

Absent: None

Work Session


Item #WS1 - Discussion regarding the Gershman, Brickner & Bratton, Inc., (GBB) Recycling Study.

Lauren Clark introduced Gershman, Brickner & Bratton, who led the discussion regarding the Gershman, Brickner & Bratton, Inc., (GBB) Recycling Study.

There was no action taken.


Mayor-Joe Chow

Attest:


City Secretary-Lea Dunn

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

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

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

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Alyssa Dent with the Development Services Department, Matthew McNally with the Public Works Department and Chad Gruver with the Addison Fire Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

February 24, 2009, Regular City Council Meeting and Work Session

Councilmember Niemann moved to approve the Minutes for the February 24, 2009, Regular City Council Meeting.

Councilmember Mellow seconded. Motion carried.

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

Voting Nay: None

Absent: None

Item #R3 - Discussion regarding (i) delay of public hearing on the agreement(s) to operate and manage the Addison Airport on March 10, 2009, (ii) anticipated presentation, discussion and public hearing on the agreement(s) to be held by the City Council at its March 24, 2009 meeting, and (iii) anticipated finalization of the agreement(s) to be discussed and considered by the City Council meeting to be held on April 14, 2009.

Jimmy Niemann led the discussion regarding (i) delay of public hearing on the agreement(s) to operate and manage the Addison Airport on March 10, 2009, (ii) anticipated presentation, discussion and public hearing on the agreement(s) to be held

by the City Council at its March 24, 2009 meeting, and (iii) anticipated finalization of the agreement(s) to be discussed and considered by the City Council meeting to be held on April 14, 2009.

There was no action taken.

Item #R4 - Discussion and consideration of approval of a revision to the Tuition Reimbursement Policy #4.08 of the Town of Addison Employee Handbook.

Councilmember Niemann moved to approve a revision to the Tuition Reimbursement Policy #4.08 of the Town of Addison Employee Handbook.

Councilmember Braun seconded. Motion carried.

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

Item #R5 - Discussion and consideration of approval of an ordinance for an exception to Sec 62-162 Premises signs and Sec 62-163 Area, for Wells Fargo, located at 3701 Belt Line Road.

Councilmember Hirsch moved to approve the denial of an ordinance for an exception to Sec 62-162 Premises signs and Sec 62-163 Area, for Wells Fargo, located at 3701 Belt Line Road.

Councilmember Braun seconded. Motion carried to deny approval of an ordinance for a sign exception.

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

Item #R6 - Discussion and consideration of approval of a resolution consenting to the assignment of a license agreement for the installation and maintenance of a telecommunications cable under Surveyor Boulevard and approval of a related Amendment to License Agreement and authorizing the City Manager to execute the same.

Councilmember Braun moved to approve Resolution R09-006 consenting to the assignment of a license agreement for the installation and maintenance of a telecommunications cable under Surveyor Boulevard and approval of a related Amendment to License Agreement and authorizing the City Manager to execute the same, with the condition that the relocation time is to be ninety (90) days.

Councilmember Niemann seconded. Motion carried.

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

Item #R7 -Discussion and consideration of approval of award of bid No 09-06 to Durable Specialties, Inc., in the amount of \$367,900.00, to install traffic signal equipment as part of the Town Wide Signal Upgrade Project.

Councilmember Niemann moved to approve of award of bid No 09-06 to Durable Specialties, Inc., in the amount of \$367,900.00, to install traffic signal equipment as part of the Town Wide Signal Upgrade Project.

Councilmember Braun seconded.

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

Item #R8 - REPLAT/Lot 2, Block A, Beltwood North – Airport Addition. Discussion and consideration of approval of a replat of one lot of 5.642 acres, located in an Industrial-3 zoning district, on the east side of Midway Road, between Kellway Drive and Commander Drive (in Carrollton), on application from S&B Investments, represented by Mr. Robert Wright of Pate Engineers.

Councilmember Niemann moved to approve a replat of one lot of 5.642 acres, located in an Industrial-3 zoning district, on the east side of Midway Road, between Kellway Drive and Commander Drive (in Carrollton), on application from S&B Investments, represented by Mr. Robert Wright of Pate Engineers, subject to the following conditions:

1. Provide a drainage easement for Line 'A' as it accepts off-site drainage.
2. Label P.O.B.
3. Provide a reference distance from the proposed 10' water easement to a property corner.
4. Line Table – L4 and L19 must be the same bearing as property line.
5. Town does not require fire lane easements. Change fire lane easement to mutual access easement.
6. Is Volume 95041, Page 1058 a mutual access easement on Lot 3? Show bearings and distances for this existing easement so that its connection with the on-site easement can be confirmed.
7. Confirm if there's a gap between the off-site water easement and the north boundary. If so please indicate the distance. Please note that if a gap does exist between the north property line and

the easement, an offsite easement will be necessary for this construction.

8. Extend proposed water easements on the plat around all meters, fire hydrants and the double check detector assembly for the fire service.
9. The location of the municipal boundary between Addison and Carrollton is incorrect. Please correct as required.
10. Specify to abandon the building line by this plat.
11. Indicate the site location in the Vicinity Map.
12. Label the water easement along Midway Road.
13. Provide a closure sheet.

Councilmember Lay seconded. Motion carried.

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

Voting Nay: None

Absent: None

At 8:05 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, et al, Cause No. 08-00463, 95th 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.*

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 matters 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 (i) the taxation of improvements at Addison Airport, and to (ii) *Ryan L. Adams v. Town of Addison*, U.S. Equal Employment Opportunity Commission (EEOC) Charge No. 450-2009-01945.

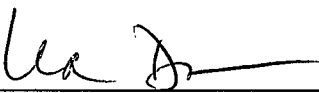
The Council came out of Executive Session at 9:12 P.M.

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



Mayor-Joe Chow

Attest:



City Secretary-Lea Dunn