

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
WORK SESSION

May 26, 2009
6:30 P.M. – Town Hall
5300 Belt Line Road
Upstairs Conference Room

Council Members Present:

Mayor Chow, Councilmembers Braun, Clemens, Daseke, Lay, Mellow and Noble

Absent: None

Work Session

Item #WS1 - Presentation and discussion regarding the 2009 Master Plan for Parks, Recreation and Open Space, and submission of the master plan to the Texas Parks and Wildlife Department Outdoor Grant Program.

Slade Strickland led the presentation and discussion regarding the 2009 Master Plan for Parks, Recreation and Open Space, and submission of the master plan to the Texas Parks and Wildlife Department Outdoor Grant Program.

There was no action taken.



Mayor-Joe Chow

Attest:



City Secretary-Lea Dunn

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

May 26, 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 - Swearing in of Mayor and new Councilmembers and recognition of outgoing Councilmembers.

Mayor Chow was sworn in as Mayor by Lea Dunn, Deputy City Manager and City Secretary. Councilmembers Daseke, Clemens, Lay and Noble were sworn in by Mayor Chow.

Greg Hirsch and Jimmy Niemann were recognized as outgoing Councilmembers and addressed the new Council.

Item #R2 - Consideration of Old Business.

Introduction of Employees

Discussion of Upcoming Events

The following employees were introduced to the Council: Bruce Hopewell with the Development Services Department, Ricardo Garcia with the Parks and Recreation Department and Jeff Douthit with the Police Department.

Item #R3 - Consent Agenda.

#3a - Approval of the Minutes for:

May 12, 2009, Regular City Council Meeting and Work Session

Councilmember Braun moved to approve the Minutes for the May 12, 2009, Regular City Council Meeting and Work Session.

Councilmember Lay seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R4 - Appointment of Mayor Pro Tempore and Deputy Mayor Pro Tempore.

Councilmember Braun moved to appoint Roger Mellow as Mayor Pro Tempore.

Councilmember Lay seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Councilmember Lay moved to appoint Tom Braun as Deputy Mayor Pro Tempore.

Councilmember Daseke seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R5 - Discussion and consideration of approval of an appointment of a member to the Planning and Zoning Commission to replace Ted Bernstein whose third term on the Commission expired on April 10, 2009. (Appointment recommendation to be received from Councilmember Lay.)

Councilmember Braun moved to approve the appointment of Neil Resnik to the Planning and Zoning Commission to replace Ted Bernstein whose third term on the Commission expired on April 10, 2009.

Councilmember Daseke seconded. Motion carried,

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R6 - Presentation, discussion and consideration of an award of bid in the amount of \$52,222.00 to Philpott Motors for the purchase of (1) 2010 Ford F-750 Dump Truck.

Councilmember Mellow moved to award a bid in the amount of \$52,222.00 to Philpott Motors for the purchase of (1) 2010 Ford F-750 Dump Truck.

Councilmember Clemens seconded. Motion carried.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R7 - **PUBLIC HEARING** on, and presentation, discussion and consideration of approval of a resolution approving the 2009 Master Plan for Parks Recreation and Open Space, and submission of the master plan to the Texas Parks and Wildlife Department Outdoor Grant Program.

Mayor Chow opened the meeting as a public hearing.

The following resident spoke:

Paul Hayes, 4100 Leadville Place

Mayor Chow closed the meeting as a public hearing.

Councilmember Daseke moved to approve Resolution R09-013 approving the 2009 Master Plan for Parks Recreation and Open Space, and submission of the master plan to the Texas Parks and Wildlife Department Outdoor Grant Program, subject to corrections and additional language stipulated.

Councilmember Mellow seconded.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R8 - Presentation, discussion and consideration of approval of a three (3) year contract (one year with two option years) to Yellow Rose Landscape Services, 4325 Reeder Dr., Carrollton, Texas, for compliance mowing and maintenance of certain non-irrigated land parcels owned by the Town of Addison.

Councilmember Braun moved to approve a three (3) year contract (one year with two option years) to Yellow Rose Landscape Services, 4325 Reeder Dr., Carrollton, Texas, for compliance mowing and maintenance of certain non-irrigated land parcels owned by the Town of Addison.

Councilmember Lay seconded.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

Item #R9 - Presentation and discussion regarding the Second Quarter 2009 Fiscal Year Financial Review of the Town of Addison.

Jason Cooley made the presentation and led the discussion regarding the Second Quarter 2009 Fiscal Year Financial Review of the Town of Addison.

There was no action taken.

Item #R10 - Presentation and update of Vitruvian Park Infrastructure Phase I construction and expenditures.

Clay Barnett made the presentation and gave the update of Vitruvian Park Infrastructure Phase I construction and expenditures.

There was no action taken.

Councilmember Braun recused himself for Item #R11 and left Council Chambers. He did not participate in the discussion or vote.

Item #R11 - Presentation, discussion and consideration of approval of an ordinance for a meritorious exception to Sec. 62-162 Premises signs and Sec. 62-163 Area, of the Sign Ordinance for UDR at their property located at 3850 Brookhaven Club Drive.

Councilmember Mellow moved to approve Ordinance 009-020 for a meritorious exception to Sec. 62-162 Premises signs and Sec. 62-163 Area, of the Sign Ordinance for UDR at their property located at 3850 Brookhaven Club Drive.

Councilmember Daseke seconded.

Voting Aye: Chow, Clemens, Daseke, Lay, Mellow and Noble

Voting Nay: None

Absent: None

Abstaining: Braun

Councilmember Braun returned to Council Chambers.

Item#R12 - REPLAT/Meridian Square. Presentation, discussion and consideration of approval of a replat for 45 townhome lots and three (3) condominium lots, located at the southeast corner of Quorum Drive and Airport Parkway, on application from Addison Urban Land Development Partners, LLC, represented by Mr. Casey Ross of Dowdey, Anderson & Associates.

Councilmember Mellow moved to approve a replat for 45 townhome lots and three (3) condominium lots, located at the southeast corner of Quorum Drive and Airport Parkway, on application from Addison Urban Land Development Partners, LLC, represented by Mr. Casey Ross of Dowdey, Anderson & Associates, subject to condition and subject to a correction due to the addition and renumbering of lots.

Councilmember Lay seconded.

Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble

Voting Nay: None

Absent: None

At 9:27 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 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 10:10 P.M.

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



Mayor-Joe Chow

Attest:

City Secretary-Lea Dunn