

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

October 13, 2009
8:00 P.M. – Town Hall
5300 Belt Line Road
Council Chambers

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

Absent: None

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Mike Hardin with the Police Department and Tom Hess with the General Services Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

September 22, 2009, Regular City Council Meeting

Item #2b - Approval of (i) a Contract for Services with each of the following non-profit entities: Communities in Schools–Dallas, Contact Crisis Line, Dance Council, Metrocrest Chamber of Commerce, Metrocrest Family Medical Clinic, Metrocrest Social Services, Richardson Symphony Orchestra, Second Thought Theatre, Senior Adult Services, Special Care and Career Services, The Family Place, and WaterTower Theatre, Inc., and (ii) an Agreement for Use of the Addison Theatre Centre with WaterTower Theatre, Inc., and an Agreement for Use of the Addison Theatre Centre with Second Thought Theatre; subject to the final review and approval of the City Manager and the City Attorney.

Councilmember Braun moved to approve Items #2a and #2b.

Councilmember Clemens seconded the motion. Motion carried.

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

Item #R3 - Presentation, discussion and consideration of approval of the appointment of a member to the Planning and Zoning Commission to replace Jamie Gaines (appointment recommendation to be received from Councilmember Noble).

Councilmember Noble moved to appoint John Oliver to the Planning and Zoning Commission to replace Jamie Gaines.

Councilmember Braun seconded the motion. Motion carried.

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

Item #R4 - Presentation and consideration of approval of the payment of \$50,000.00 to assist with advertising for Cavanaugh Museum.

Councilmember Clemens moved to approve the payment of \$50,000.00 to assist with advertising for Cavanaugh Museum.

Councilmember Lay seconded the motion. Motion carried.

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

Item #R5 - Presentation, discussion and consideration of approval of an ordinance amending the Town's investment policy set forth in Chapter 2, Article IV, Division 3 of the Town's Code of Ordinances.

Councilmember Daseke moved to approve Ordinance 009-035 amending the Town's investment policy set forth in Chapter 2, Article IV, Division 3 of the Town's Code of Ordinances.

Councilmember Clemens 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 approval of a resolution adopting the Town of Addison Investment Strategy for Fiscal Year 2009-2010.

Councilmember Braun moved to approve Resolution R09-017 adopting the Town of Addison Investment Strategy for Fiscal Year 2009-2010.

Councilmember Clemens seconded. Motion carried.

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

Item #R7 - Presentation, discussion and consideration of approval of a resolution modifying the Addison Airport fuel flowage fee applicable to non-public fuelers (non-public operators) by establishing the said fee in an amount equal to twenty cents (\$0.20) for each gallon of aviation fuel received by non-public fuelers, and providing for the continuation of the fuel flowage fee applicable to public fuelers in the amount equal to twelve cents (\$0.12) for each gallon of aviation fuel received by public fuelers.

Councilmember Daseke moved to approve Resolution R09-018 modifying the Addison Airport fuel flowage fee applicable to non-public fuelers (non-public operators) by establishing the said fee in an amount equal to twenty cents (\$0.20) for each gallon of aviation fuel received by non-public fuelers, and providing for the continuation of the fuel flowage fee applicable to public fuelers in the amount equal to twelve cents (\$0.12) for each gallon of aviation fuel received by public fuelers.

Councilmember Braun seconded. Motion carried.

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

Item #R8 - Presentation, discussion and consideration of approval of radio agreements between the Town of Addison and the City of Carrollton.

Councilmember Lay moved to approve radio agreements between the Town of Addison and the City of Carrollton.

Councilmember Daseke seconded. Motion carried.

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

Item #R9 - **PUBLIC HEARING** Case 1586-Z/Vitruvian Park, Phase 1-B. Presentation, discussion and consideration of approval of an ordinance approving development plans for a multi-family project in a Planned Development District, (007-034), located on 3.64 acres at 3900 Brookhaven Club Drive, on application from United Dominion Realty, represented by Mr. Matt Brendel.

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

Tom Lamberth with United Dominion Realty gave an update on the Vitruvian Park Project.

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

Mayor Chow closed the meeting as a Public Hearing.

Councilmember Clemens moved to approve Ordinance 009-036 approving development plans for a multi-family project in a Planned Development District, (007-034), located on 3.64 acres at 3900 Brookhaven Club Drive, on application from United Dominion Realty, represented by Mr. Matt Brendel, subject to the following conditions:

Prior to the issuance of a building permit, the drawings shall be revised as follows:

A landscaping plan showing the landscaping along both streets shall be provided.

The sidewalk connections shown from the east side of the Phase I- B building shall be specified to match the rock-salt concrete finish proposed for the park trail.

Landscaping planting plans for the private open space contained in the courtyard areas shall be submitted.

On sheet A321 (east elevation of Building B), the sixth-story structures shall be redrawn so that it is clear they do not enclose air-conditioned space.

On sheet A102 the partial fire lane shown between Building A and Building B shall be extended out to Vitruvian Way (currently Brookhaven Club Drive).

On sheet LO.02, the fences between the pool and the park property that appears to be enclose public space shall be deleted.

Councilmember Lay seconded. Motion carried.

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

Councilmember Braun returned to Council Chambers.

Item #R10 - Presentation, discussion and approval of a five year contract in the amount of \$26,400.00 with Metrocrest Medical Services for pre-hospital emergency medical control and EMS continuing education purposes.

Councilmember Clemens moved to approve a five year contract in the amount of \$26,400.00 with Metrocrest Medical Services for pre-hospital emergency medical control and EMS continuing education purposes, with the understanding that this is a five year contract in the amount of \$26,400.00 for each of the first two years and is subject to the approval of the City Attorney.

Councilmember Braun seconded. Motion carried.

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

Item #R11 - Presentation, discussion and consideration of approval of a supplemental agreement to the Engineering Services Agreement with Freese & Nichols, Inc., in an amount not to exceed \$56,155.00, for additional design services on the proposed 1.5 Million Gallon Elevated Storage Tank.

Councilmember Braun moved to approve a supplemental agreement to the Engineering Services Agreement with Freese & Nichols, Inc., in an amount not to exceed \$56,155.00, for additional design services on the proposed 1.5 Million Gallon Elevated Storage Tank.

Councilmember Daseke seconded. Motion carried.

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

Item #R12 - Presentation, discussion and consideration of a Resolution providing that the Town pursue available energy efficiency and conservation block grant funding from the American Recovery and Reinvestment Act of 2009 and allocated by the State Energy Conservation Office.

Councilmember Clemens moved to approve Resolution R09-019 providing that the Town pursue available energy efficiency and conservation block grant funding from the American Recovery and Reinvestment Act of 2009 and allocated by the State Energy Conservation Office.

Councilmember Daseke seconded. Motion carried.

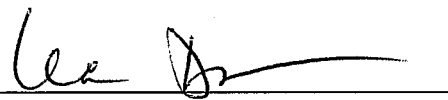
Voting Aye: Chow, Braun, Clemens, Daseke, Lay, Mellow and Noble
Voting Nay: None
Absent: None

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



Mayor-Joe Chow

Attest:



City Secretary-Lea Dunn