D R A F T

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL
REGULAR MEETING

May 13, 2014
7:30 PM
Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254
7:30 PM Regular Agenda
Posted by: Matthew McCombs, May 9, 2014, 5:00pm

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore; Resnik

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REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Consent Agenda.

R2a Approval of the Minutes for the April 22, 2014 Work Session and Regular Council Meeting.

RECOMMENDATION:
Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by DeFrancisco

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R2b Approval of the addition of three full-time positions to serve as jailers for the Addison Jail.

RECOMMENDATION:
Administration recommends approval.

Motion made by Clemens to approve, as submitted,
Seconded by DeFrancisco

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

Regular Items

R3 Discussion regarding recent Oncor power outages in the Town of Addison.

Charles Elk, Oncor Vice President of Dallas Customer Operations, spoke regarding this item.

R4 **PUBLIC HEARING.** Public hearing, discussion, consider and take action regarding the annual approval of an ordinance of the Town establishing standards of care for youth programs conducted by the Town for elementary age children ages 5 through 13; providing for compliance with Section 42.041(b)(14) of the Texas Human Resources Code

RECOMMENDATION:
Administration recommends approval.

Randy Rogers, Recreation Manager, spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted,
Seconded by Moore

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R5 **PUBLIC HEARING** Case 1690-SUP/AMC Theater. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 220, which property is currently zoned PD, Planned Development, through Ordinance 012-001, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from AMC ITD, Inc. represented by Mr. Alex Heckathorn.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on April 24, 2014, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 220, which property is currently zoned PD, Planned Development, through Ordinance 012-001, by approving for that property a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs that are visible from the public right of way.

Voting Aye: Groce, Hewitt, Hughes, Oliver, Smith, Wheeler
Voting Nay: none
Absent: Doherty

RECOMMENDATION:
Administration recommends approval.

Charles Goff, Assistant to the City Manager, spoke regarding this item.

There were no individuals who spoke regarding this item.

Motion made by Arfsten to approve, subject to the conditions listed, Seconded by Moore

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R6 **PUBLIC HEARING** Case 1691-SUP/Holiday Inn Express. Public hearing, discussion, consider and take action regarding approval of an ordinance approving a Special Use Permit for a hotel, located in a Commercial-1 district (C-1), at 14930 Landmark Boulevard, on application from Whitestone Hospitality/Addison Hotels, represented by Mr. Maxwell Fisher.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on April 24, 2014, voted to recommend approval of an ordinance amending the zoning on a piece of property located at 14930 Landmark Blvd, which is currently zoned Commercial-1 (C-1) by approving for that property a Special Use Permit for a hotel, subject to the following conditions:

- The applicant shall provide the Town with an official height determination from the FAA (form 7460-1) before a building permit is issued.
- The property owner shall provide an Avigation Easement to the Town prior to the issuance of a building permit for the project.

Voting Aye: Groce, Hewitt, Hughes, Oliver, Smith, Wheeler
Voting Nay: none
Absent: Doherty

RECOMMENDATION:
Administration recommends approval.

Charles Goff, Assistant to the City Manager, spoke regarding this item.

Maxwell Fisher, Whitestone Hospitality/Addison Hotels representative, also spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, subject to the conditions listed,
Seconded by Gunther

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik
Passed

R7 Presentation, discussion, consider and take action approving and authorizing the City Manager to execute a Professional Services Agreement with a consulting team comprised of Strategic Community Solutions LLC, Jacobs, Inc., and Ricker-Cunningham, Inc. to provide professional support with the special area study for the Sam's Club site and areas south in an amount not to exceed $104,000.

RECOMMENDATION:
Administration recommends approval.

Charles Goff, Assistant to the City Manager, and Lea Dunn, City Manager, spoke regarding this item.

Motion made by Moore to approve, subject to final approval of the City Manager and City Attorney,
Seconded by Clemens

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R8 Discussion, consider and take action approving and authorizing the City Manager to enter into an agreement with Strategic Government Resources (SGR) to conduct national searches for the Deputy City Manager and Building Official positions in an amount not to exceed $48,000.

RECOMMENDATION:
Administration recommends approval.

Passion Hayes, Director of Human Resources, and Lea Dunn, City Manager, spoke regarding this item.

Ron Holifield, Chief Executive Officer of Strategic Government Resources (SGR), spoke regarding this item.

Motion made by Arfsten to approve, as submitted,
Seconded by Clemens

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R9 Discussion regarding a staffing update of the City Manager's Office and/or Town employees.

Lea Dunn, City Manager, spoke regarding this item.

R10 Discussion, consider and take action approving and authorizing the City Manager to execute a contract with Landmark Structures to remove the wind energy system to include the wind turbines and associated system elements from the Surveyor Elevated Water Storage Tank for an amount not to exceed $112,000.

RECOMMENDATION:
Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, Lea Dunn, City Manager, and Ron Davis, Chief of Police, spoke regarding this item.

Motion made by Resnik to approve, as submitted but to continue the investigation of the damage regarding the wind energy system, Seconded by DeFrancisco

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R11 Discussion, consider and take action regarding releasing the retainage and final payment to Landmark Structures for the completion of the Surveyor Elevated Storage tank project in the amount of $329,773.71.

RECOMMENDATION:
Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, and Lea Dunn, City Manager, spoke regarding this item.

Jim Salvitti with Landmark Structures spoke regarding this item.

Motion made by Meier to withhold the retainage until investigation is completed.

There was no second to Mayor Meier's motion.

Motion made by DeFrancisco to approve, as submitted,
Seconded by Resnik

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Moore, Resnik
NAY: Meier
Passed

R12 Discussion, consider and take action approving and authorizing the City Manager to execute a construction contract with John Burns Construction Company of Texas, Inc. for the construction of the Belt Line Road Underground Utilities and Right-of-Way Enhancement project for an amount not to exceed $8,820,802.

RECOMMENDATION:
Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, and Lea Dunn, City Manager, spoke regarding this item.

Motion made by Arfsten to approve, as submitted,
Seconded by Resnik

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik
Passed

R13 Discussion, consider and take action approving and authorizing the City Manager to execute a contract with Alliance Geotechnical Group for the construction materials testing and geotechnical services associated with the Belt Line Road Underground Utilities and Right-of-Way Enhancement project for an amount not to exceed $60,834.

RECOMMENDATION:
Administration recommends approval.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke regarding this item.

Motion made by DeFrancisco to approve, as submitted,
Seconded by Gunther

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R14 Presentation, discussion, consider and take action regarding an ordinance amending the Town of Addison, Employee Handbook sections 6.01, 6.02, 6.04 and 6.05 relating to dispatcher work hours.

RECOMMENDATION:
Administration recommends approval.

Paul Spencer, Police Captain, spoke regarding this item.

Motion made by Clemens to approve, as submitted,
Seconded by Arfsten

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R15 **PUBLIC HEARING**. Public hearing, Discussion, consider and take action on a resolution denying the rate increase requested by ATMOS Energy Corp., Mid-Tex Division under the company's 2014 annual rate review mechanism filing in all cities exercising original jurisdiction and providing for other materials related thereto.

RECOMMENDATION:
Administration recommends approval.

Eric Cannon, Chief Financial Officer, spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by Clemens to approve, as submitted,
Seconded by Arfsten

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

R16 Presentation and discussion of the Finance Department Quarterly Financial Review and Capital Projects Update of the Town for the quarter and year-to-date ended March 31, 2014.

RECOMMENDATION:

Eric Cannon, Chief Financial Officer, Lisa Pyles, Director of Infrastructure Operations and Services, and Slade Strickland, Director of Parks and Recreation, spoke regarding this item.

Executive Session

ES1 Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

RECOMMENDATION:

The City Council entered Executive Session at 10:53 pm.
The City Council closed Executive Session at 11:02 pm.

Regular Items Continued

R17 Discussion, consider, and take action regarding a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or regarding the offer of a financial or other incentive to such business prospect or business prospects.

RECOMMENDATION:

Motion made by Clemens to approve, as discussed in the executive session,

Seconded by Moore

AYE: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Passed

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs