

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

March 27, 2018

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

5:00 p.m. Executive Session & Work Session

7:30 Regular Meeting

Present: Mayor Joe Chow; Mayor Pro Tempore Ivan Hughes; Deputy Mayor Pro Tempore Jim Duffy; Councilmember Al Angell; Councilmember Tom Braun; Councilmember Paul Walden; Councilmember Lori Ward

1. Closed (executive) session of the Addison City Council pursuant to:

Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, pertaining to:

- **Town of Addison v. Landmark Structures, L.P., Urban Green Energy, Freese and Nichols, Inc. v. SWG Energy, Inc. - Cause No. DC-15-07691 44th Judicial Court, Dallas County**
- **The ponds or lakes at Vitruvian Park located within the vicinity and east of the intersection of Vitruvian Way and Ponte Ave., and Farmers Branch Creek**

Executive Session convened at 5:04 p.m.

2. RECONVENE INTO REGULAR SESSION: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Open Session reconvened at 7:02 p.m. There was no action taken.

Work Session began at 7:07 p.m.

WORK SESSION

3. Present and Discuss the **Spruill Dog Park Naming Recognition Policy.**

Mayor Joe Chow and Mayor Pro Tem Ivan Hughes requested this item for discussion. Mr. Hughes expressed concern over language that was included in the naming and recognition policy/resolution for Spruill Dog Park that was adopted by the Town on February 28, 2017. The policy states that only "dog-centric" businesses may donate to the park and be eligible for recognition on a brick paver. Mayor Pro Tem Hughes expressed that other businesses, such as a bank, would be restricted from making a donation the way the policy is worded. Parks Director Michael Kashuba told the Council that at the time staff felt it best to have a way to "filter" the businesses that could have their name on a brick at the park. Following a brief discussion, Council members generally agreed the "dog-centric" language for businesses should be removed from the policy. A resolution amending the language will be presented at a future meeting.

4. Present and Discuss the **Town's Relationship with the Addison Legacy Foundation and Addison Legacy Foundation Bylaws, and Provide an Update on the Big Idea to Include Procurement of Professional Services and Potential Next Steps.**

Mayor Pro Tem Ivan Hughes advised that he and Mayor Joe Chow are members of the Addison Legacy Foundation [by virtue of their positions]. He provided some background on the Foundation, adding that the full name is "Addison Legacy Foundation Fund of the Communities Foundation of Texas". The Foundation was established in 2012 as an avenue for people to give back to the Town [monetarily] if they desired and it is not a 501c3 non-profit organization. Funds donated to the Legacy Foundation are managed and invested by the Communities Foundation of Texas at minimal cost to the fund. Bylaws were adopted in September of 2012 however those Bylaws have not been closely followed.

Mayor Pro Tem Hughes said that he and Mayor Chow attended a Legacy Foundation meeting the day before [this meeting] and made contact with the existing board members to confirm their desire to remain on the board and establish their terms. He noted that the board has 11 members, including the Mayor and Mayor Pro Tem of Addison. Draft By-law changes were reviewed. At a future meeting these will be voted upon by the Board members and officers will be elected. During the discussion, Deputy Mayor Pro Tem Duffy expressed that he does not think the Town should be involved with the Foundation in the future, that it should be an independent entity.

Mayor Pro Tem Hughes continued by summarizing that the "Big Idea" project is a conceptual east-west connection over the Dallas North Tollway in Addison. Previously, Addison Legacy Foundation board members had voted to contribute \$30,000 toward a consultant to explore the economic feasibility of such a project, draw up concept design drawings and provide a rough estimate of costs. In 2017 the Town of Addison also budgeted \$70,000 for a consultant. A consultant was not engaged in 2017 so the funds were budgeted again in 2018. It was proposed that the Urban Land Institute (ULI) Advisory Services perform the professional services needed in lieu of pursuing a Request for Qualification (RFQ) process. ULI Foundation committed to contribute a \$20,000 grant toward the project, however ULI's offer will expire at the end of June 2018. The Addison Legacy

Foundation voted in January 2018 to increase their contribution to \$45,000 (from \$30,000). The total fee for ULI would be \$135,000 and the Town would manage the consultant's contract.

Several Council members expressed that considerably more information is needed before accepting such a grant with limited time to gather information and the Town expending funds toward this project. Mr. Hughes stated that the board doesn't believe they nor the Town are ready to engage in a contract yet. It was suggested that a "working group" be created to investigate the project further. Council direction was requested as to how to proceed. Mayor Chow indicated that the grant deadline should not be a factor since more information is needed prior to engaging a consultant. He suggested the Town communicate with the City of Dallas, the North Texas Tollway Authority (NTTA), Oncor and possibly affected land owners to share the concept and gather information from those entities. City Manager Pierson confirmed the Council's general opinion is that the Town is not ready to move forward within the window of time prior to the expiration of ULI's grant availability. Council can discuss the matter again after the background work is done.

Work Session adjourned at 8:20 p.m.

Regular Session began at 8:25 p.m.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

City Manager Wes Pierson recognized Metrocrest Hospital Authority for a grant provided to the Town in the amount of [approximately] \$83,000. The funds will be used to purchase new equipment, including two patient loading systems that were requested but not funded in the current budget and a Lucas Chest Compression System. He congratulated Fire Chief David Jones and his team for receiving the grant. Mr. Pierson also announced that Rob Bourestom has accepted the position of Director of General Services effective immediately. He added that recently retired Mark Acevedo's position as director of General Services and Special Events is being separated into two positions. The Town is seeking someone for the Special Events director. Communications Director Mary Rosenbleeth is temporarily acting as director of Special Events.

Discussion of Events/Meetings

There will be a Belt Line Streetscape Community meeting on April 3, 2018 at the Addison Athletic Club. There are two time slots for community members to attend and provide input: 5pm - 6pm and 7pm - 8pm. The Town will give an overview of the current Belt Line beautification project. Announcements of special project committee meetings are posted through the Town's agenda distribution/email system.

5. Recognition of **Fire Department Members John Lage and Tim Tomlinson for Completion of the National Fire Academy's Managing Officer Program.**

Fire Chief David Jones recognized Addison Fire Department members, Captain John Lage and Fire Equipment Operator Tim Tomlinson for successfully completing the two year "Managing Officer Program" with the National Fire Academy. This accomplishment represents their commitment to strive for personal and professional excellence, and desire to enhance their department and community. Mayor Chow offered his congratulations and thanked fire fighters from Farmers Branch and Addison for their effort to contain a recent hotel fire.

Public Comment.

The City Council invites citizens to address the City Council on any topic not on this agenda. Please fill out a **City Council Appearance Card** and submit it to a city staff member prior to Public Participation. Speakers are allowed **up to three (3) minutes per speaker** with **fifteen (15) total minutes** on items of interest or concern and not on items that are on the current agenda. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. The Council may choose to place the item on a future agenda.

Five residents of Farmers Branch addressed the Council concerning issues and negotiations between Farmers Branch and the Town of Addison regarding Farmers Branch Creek. All speakers expressed concern for their residential properties that they feel have been affected by the actions of Addison and cited environmental concerns. All speakers encouraged the Council to take action to alleviate the problems and comply with the TCEQ permit.

Speakers included John Norwood, Todd Womble, Hooman Sedighi, John Brownlee, and Mike Bomgardner.

Consent Agenda:

All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

7. Consider Action to Approve the **February 27, 2018 and the March 6, 2018 City Council Meeting Minutes.**

Councilmember Ward pulled Item 7 from the Consent Agenda for separate discussion and requested verbiage changes be made and a typo be corrected.

Motion to approve as amended- Councilmember Ward; second by Councilmember Angell; motion passed with a vote of 7-0.

8. Consider Action to Approve a **Resolution for a Professional Services Agreement with Kimley-Horn and Associates, Inc., for the Design and Implementation of the Town-wide Traffic Signal Optimization Project and Authorize the City Manager to Execute the Agreement** in an Amount not to Exceed \$171,000.

Councilmember Walden requested Item 8 be pulled from the Consent Agenda for separate discussion. He requested an explanation of the process and expected improvements. Assistant Director of Infrastructure Development Services Jason Shroyer told the Council that the previous contract of this kind was entered into in 2009. The process should be repeated every 7-10 years. He described the impact of not coordinating traffic signals with surrounding cities (Dallas, Carrollton, and Farmers Branch) and that an optimization project needs to be done in order to maintain an efficient system. The data gathering portion of the contract will be conducted prior to Summer 2018 and improvements made will be completed in December 2018.

Motion to approve- Councilmember Walden; second by Councilmember Ward; motion passed with a vote of 7-0.

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9. Consider Action to Approve a **Resolution for the Selection of a Plan for the Addison Circle Park Interactive Display Fountains located at the Addison Circle Park.**

Motion to approve- MPT Hughes; second by DMPT Duffy; motion passed with a voted of 7-0.

Regular Items

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10. Present, Discuss, and Consider Action on an **Ordinance Granting a Meritorious Exception from the Code of Ordinances Chapter 62 Section 62-140. - Gasoline Signs and Section 62-162. - Premises Signs for Race Trac Located at 15196 Marsh Lane on the Northeast Corner of Marsh Lane and Arapaho Road, in Order to Permit Gas Price Signage on the Canopy and to Permit Additional Signage on the West Facade of the Building.**

Assistant Director of Development Services Charles Goff reviewed this item. He stated the Race Trac has requested they be allowed to post fuel price per gallon signs on the canopy above the fuel pumps rather than their current location on the pump pillars. In addition, Race Trac is requesting permission to install a second sign on the exterior facade of the building; the ordinance only allows one.

Andrew Malzer representing Race Trac was given the opportunity to address the Council. He provided a visual depiction of how the signage would be changed. Mr. Goff advised that no other gas stations have been allowed to place pricing signs on the canopies. A brief Council discussion followed.

Motion to deny- DMPT Duffy; second by Councilmember Walden; motion passed with a vote of 5-2 [Braun and Ward voted no.]

Meeting Adjourned at 9:20 p.m.

Mayor-Joe Chow

Attest:

Interim City Secretary- Christie Wilson