

DRAFT
**OFFICIAL ACTIONS OF THE
ADDISON CITY COUNCIL
WORK SESSION & REGULAR SESSION**

December 10, 2019

**Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254
5:00 p.m. Executive Session & Work Session
7:30 p.m. Regular Meeting**

Present: Mayor Joe Chow; Mayor Pro Tempore Tom Braun; Deputy Mayor Pro Tempore Lori Ward; Council Member Ivan Hughes; Council Member Guillermo Quintanilla; Council Member Paul Walden; Council Member Marlin Willesen.

1. **Call Meeting to Order:** Mayor Chow called the meeting to order.
2. **Closed (Executive) Session** of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, pertaining to: City Manager Evaluation

Executive Session convened at 5:10 p.m.

3. **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. No action was taken as a result of the Executive Session.

Open Session reconvened at 8:04 p.m.

WORK SESSION

4. **Present and Discuss the Potential Adoption of the Town's Building Codes Including the International Code Council 2018 Codes and the 2017 National Electrical Code.**

Due to time constraints, this item was tabled to a future meeting.

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5. **Present and Discuss an Update of the Addison Circle Special Area Study Presentation Made to The Urban Land Institute and Next Steps for the Implementation of the Transit-Oriented Development Adjacent to the Silver Line (Cotton Belt) Commuter Rail Project.**

Due to time constraints, this item was tabled to a future meeting.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment: *The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to **three (3) minutes**, unless otherwise required by law. To address the Council, please fill out a **City Council Appearance Card** and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.*

No residents or audience members requested to speak.

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.*

6. **Consider Action on the Minutes of the October 29, 2019 City Council Meeting.**

(This item pulled from Consent Agenda by Council Member Hughes for separate discussion.)

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7. **Consider Action on the November 12, 2019 City Council Meeting Minutes, November 18, 2019 Special Council Meeting Minutes, November 18, 2019 City Council Joint Meeting with Planning & Zoning Minutes , and the November 21, 2019 City Council Meeting Minutes.**
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8. **Consider Action on a Resolution Declaring an Emergency for Needed Replacement and Repairs on the Boiler at The Addison Athletic Club and Ratifying Actions to Replace the Boiler in an Amount Not to Exceed \$55,108.**
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9. **Consider Action on Change Order Number 3 to the Contract with Teague, Nall, and Perkins, Inc., for Midway Road Revitalization Design Project Adding 30 Days to the Design Contract Time and Increasing the Design Fee for Work Related to Additional Water and Wastewater Design, the Development of Temporary Construction Easements for Seventeen Parcels, and Conceptual Level Design of a Parking Lot Adjacent to 14951 Midway Road, and Authorizing the City Manager to Execute the Change Order in an Amount Not to Exceed \$73,000.**
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10. **Consider Action on a Resolution to Approve a Project Specific Agreement to the Master Agreement Governing Major Capital Improvement Program (MCIP) Between the Town of Addison and Dallas County, for Transportation Improvements on the Midway Road Revitalization MCIP Project 20301 Spring Valley Road to Keller Springs Road and Authorize the City Manager to Execute the Agreement for the Receipt of Grant Funding in an Amount Not to Exceed \$2,781,873.50.**
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11. **Consider Action on a Resolution to Approve an Agreement for Professional Engineering Services Between the Town of Addison and Kimley-Horn Associates Inc. for the Belt Line Road Signals Design Project and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$57,000.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion. Council Member Hughes requested to remove Item Number 6 for separate discussion. Mayor Chow called for a motion to approve Consent Agenda Items 7,8,9,10, and 11 as submitted.

MOTION: Deputy Mayor Pro Tempore Ward moved to approve Consent Items 7,8,9,10 and 11. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

Regarding Consent Agenda Item Number 6: Council Member Hughes requested a change to the revisions proposed by Council Member Willeesen concerning the October 29, 2019 minutes, Work Session Item 2, last paragraph. He requested a minor change to the next to the last sentence to read as follows:

“There was a general agreement among Council members that a new Advisory Committee be formed to review the existing study and determine whether any of the plan needs to be revised *or if a new study is created.*”

MOTION: Council Member Hughes moved to approve Item 6 as amended (above). Council Member Willesen seconded the motion. Motion carried unanimously.

MOTION: Council Member Quintanilla made a motion to reconsider the previous approval of Consent Agenda Item Number 7, minutes for November 21, 2019. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

MOTION: Council Member Quintanilla made a motion to include a notation to the November 21, 2019 minutes as follows: “Due to a miscommunication between Addison’s staff and the Town’s provider of video streaming service, the audio and video for the November 21, 2019 Council meeting is not available. The meeting agenda was duly posted however we are unable to provide the video or audio. We apologize for the error.” Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

Resolution No. R19-112 (#8): Emergency Replacement and Repairs for Athletic Club Boiler
Resolution No. R19-113 (#10): Project Specific Agreement with Dallas County
Resolution No. R19-114 (#11): Professional Engineering Services with Kimley-Horn

Regular Items

12. **Hold a Public Hearing, Present, Discuss and Consider Action on an Ordinance to Change the Zoning on Property Located at 5004 Addison Circle, Which Property is Currently Zoned Urban Center, UC, by Approving a Special Use Permit for a Restaurant with the Sale of Alcoholic Beverages for On-Premises Consumption Only. Case 1804-SUP/El Rincon.**

Development Services Director Charles Goff presented this item. He advised this location is currently a vacant restaurant space. He added that El Rincon has two other locations, one in Carrollton and one in Frisco. The plan is to reduce the patio space on the exterior and remodel the interior, including relocating the bar. The restaurant will be 3,826 square feet. Sufficient parking spaces are available.

Mr. Goff advised that the Planning and Zoning Commission voted on November 19, 2019 to recommend approval of a Special Use Permit for a restaurant with the sale of alcoholic beverages for on-premises consumption. The only stipulation is that there shall be no terms or graphic depictions that relate to alcoholic beverages on any exterior signage.

Mayor Chow opened and closed the public hearing with no one wishing to speak. The applicant was not present.

Deputy Mayor Pro Tempore Ward inquired as to where the available parking is located. Mr. Goff replied that in Addison Circle customers may use any of the parking garages. She expressed her concern that people are not aware of where to park and there should be some solution to that issue.

MOTION: Mayor Pro Tempore Braun moved to approve Item 12 as presented. Council Member Hughes seconded the motion. Motion carried unanimously.

Ordinance No. O19-44: Special Use Permit for Case 1804 El Rincon

13. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance to Change the Zoning on Property Located at 5330 Belt Line Road, Which Property is Currently Zoned PD, Planned Development, Through Ordinance 496, by Approving a Special Use Permit for a Restaurant with the Sale of Alcoholic Beverages for On-Premises Consumption Only, in order to Allow an Expansion in Floor Area. Case 1805-SUP/Chamberlain's.**

Development Services Director Charles Goff presented this item. He advised an existing restaurant, Chamberlain's, is requesting to expand the cigar lounge area to 1,367 square feet. There is enough parking for this expansion. There will be some minor exterior work to move an existing doorway.

Mr. Goff advised that the Planning and Zoning Commission voted on November 19, 2019 to recommend approval of a Special Use Permit for a restaurant with the sale of alcoholic beverages for on-premises consumption only to allow expansion in floor area, subject to the stipulation is that there shall be no terms or graphic depictions that relate to alcoholic beverages on any exterior signage.

The applicant, Jeff Barker spoke briefly and advised the Council he plans to begin the work after the first of next year.

Mayor Chow opened and closed the public hearing with no one wishing to speak.

MOTION: Mayor Pro Tempore Braun moved to approve Item 13 as presented. Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

Ordinance No. O19-45: Special Use Permit for Case 1805 Chamberlain's

14. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Changing the Zoning on Property Located at 17001 Addison Road, Which Property is Currently Zoned PD, Planned Development, Through Ordinance O16-040, by Approving a Special Use Permit for a Temporary Portable School Building. Case 1806-SUP/TCA Portable School Building.**

Development Services Director Charles Goff presented this item. He said this request is for Trinity Christian Academy (TCA), which opened in Addison in 1976. He noted that in 2016 the Master Plan was revised and the property was rezoned as a Planned Development. TCA is proposing to locate a 4,032 square foot temporary portable building directly north of the existing Lower School Library Complex for a term of five years.

Mr. Goff advised that the Planning and Zoning Commission voted on November 19, 2019 to recommend approval of a Special Use Permit for a temporary portable school building in order to allow uninterrupted education while phases of the previously approved master plan begin construction, on the condition that the proposed temporary portable school building shall be removed within a maximum of five years from the date of issuance of a Certificate of Occupancy.

School Master David Delph told the Council that they began this project four or five years ago with fund-raising efforts, and this Library renovation is the first portion of the building project. The portable building will house the Library during the renovation. It was explained that the portable building may be used for purposes other than the Library during the five-year period.

John Vincent spoke on behalf of TCA regarding the project.

Mayor Chow opened and closed the public hearing with no one wishing to speak.

Mayor Pro Tempore Braun added for the record that Addison has an agreement with the Dallas Independent School District that prohibits the use of portable buildings on their property to prevent overcrowding schools by having more students than they could occupy. This allowance for portable buildings with TCA is different because it is not for the purpose of adding additional students, but because some of their buildings are being redone.

MOTION: Council Member Hughes moved to approve Item 14 as presented. Council Member Willesen seconded the motion. Motion carried unanimously.

Ordinance No. O19-46: Special Use Permit for Case 1806 TCA Portable School Building

15. Present, Discuss and Consider Action on a Resolution Recognizing Former City Manager Ron Whitehead and Former Director of Development Services Carmen Moran in Accordance with the Town's Naming and Recognition Policy.

Parks and Recreation Director Janna Tidwell presented this item. Ms. Tidwell presented the same presentation that had previously been presented to Council on November 21, 2019. She reviewed the background of this item, and Mr. Ron Whitehead's wishes regarding recognition. Ms. Tidwell also presented information on other recognitions that past Councils have done for former Mayors, an employee who died in the line of duty, and prominent Addison landowners. Ms. Tidwell also presented some of the recognitions led by Town Staff to recognize employees lost in the line of service, in remembrance of an employee that passed, and to recognize the retirement of an employee. Ms. Tidwell also reviewed the Town's current Naming Policy that was adopted in 2017.

Ms. Tidwell reviewed the wishes of the Council that Mr. Whitehead be recognized by installing a plaque in the pavers dedicating the Plaza at Addison Circle Park in honor of Mr. Whitehead. She provided depictions of what the plaque would look like and the proposed location. Ms. Tidwell also noted Council's request that the Vitruvian Park Amphitheater be named after Carmen Moran. Ms. Tidwell provided a depiction of what Carmen Moran's Plaque and engraved medallion would

look like at the entry location of the Vitruvian Park Amphitheater. Ms. Tidwell advised that the cost for both plaques would be approximately \$3,000, however, costs may fluctuate when staff receives formal designs for the project. Ms. Tidwell advised both projects should be completed by Spring 2020.

Mayor Pro Tempore Braun noted that Mr. Whitehead requested that this recognition be done with private funding and expressed that request should be adhered to. City Manager Pierson advised that Council could proceed with collecting private donations and noted that Staff would bring forth an official cost estimate for the projects at a future meeting.

Deputy Mayor Pro Tempore Ward expressed that Ronnie Cox, who died in the line of duty, should be recognized for his sacrifice. Ms. Ward mentioned the recognition for Stephen C. Webb, who also died in the line of duty, as an example.

MOTION: Deputy Mayor Pro Tempore Ward moved to approve honoring Mr. Whitehead at Addison Circle Park Plaza and Mrs. Carmen Moran at Vitruvian Park Entry Plaza, to be funded through private donations. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

Resolution No. R19-115: Former Town Employee Recognition

16. Present, Discuss, and Consider Action on a Resolution Appointing a Member to the Planning and Zoning Commission to Fill an Unexpired Term.

Development Services Director Charles Goff advised that Linda Groce was appointed to the Planning and Zoning Commission by Council Member Quintanilla for a term from January 1, 2019 through December 31, 2020. Ms. Groce resigned from the Planning and Zoning Commission and an appointment needs to be made to serve the remainder of the term.

Council Member Quintanilla voiced his appreciation to Linda Groce and recognized her for years of volunteerism and dedication to the Town of Addison.

MOTION: Council Member Quintanilla moved to nominate Nancy Craig to serve the unexpired Planning and Zoning Commission term in Place 2. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

Resolution No. R19-116: Planning and Zoning Commission Appointment for Place 2 Unexpired Term

17. Present, Discuss and Consider Action on a Resolution Appointing a Member to the Board of Adjustment to Fill an Unexpired Term.

Development Services Director Charles Goff advised that Chris DeFrancisco was appointed to the Board of Adjustment by Council Member Walden for a term from January 1, 2019 through December 31, 2020. Mr. DeFrancisco has resigned from the Board of Adjustment in order to serve

on the Planning and Zoning Commission and an appointment needs to be made to serve the remainder of the term.

MOTION: Council Member Walden moved to nominate Denise Fransler to serve the unexpired Board of Adjustment term in Place 3. Mayor Pro Tempore Braun seconded the motion. Motion carried unanimously.

Resolution No. R19-117: Board of Adjustment Appointment for Place 3 Unexpired Term

18. Present, Discuss and Consider Action on a Resolution to Approve the Agreement for Professional Engineering Services Between the Town of Addison and Jacobs Engineering Group, Inc., for the design of the Improvements to Keller Springs Road and Airport Parkway and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$1,439,000.

Lisa Pyles, Director of Public Works and Engineering presented this item. She advised this agreement is for professional engineering services with Jacobs Engineering Group, Inc., (Jacobs) for the design of the reconstruction and addition of the Master Transportation Plan elements to Keller Spring Road and Airport Parkway for an amount not to exceed \$1,439,000. Keller Springs Road and Airport Parkway were included in Proposition A of the 2019 Bond Program election that the Addison voters approved on November 5, 2019. She advised that staff recommends that the roads be designed at the same time to save the cost of remobilization for topographic surveying and sub-surface utility exploration services. Once designed however roads are not planned to be reconstructed at the same time.

The estimated construction costs from the 2019 Addison Bond Program cost estimates as developed by Jacobs, is \$8,719,650 for Keller Springs Road and \$5,813,982 for Airport Parkway, totaling \$14,533,632. This amount does not include the total project costs of \$12.9M for Keller Springs Road and \$9.4M for Airport Parkway, which includes costs for right-of-way acquisition and other soft costs, such as engineering, administrative costs, construction management, and materials testing. Jacob's design fee is \$1,439,000, which equates to a fee percentage of 9.9% of the estimated construction cost.

On December 11, 2018 the Council approved a contract with Jacobs for the development of costs associated with the proposed street 2019 Bond Program. Given Jacobs's familiarity of the projects, staff recommends that they design the roadways.

MOTION: Council Member Hughes moved to approve Item 18 as presented. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R19-118 Professional Engineering Services with Jacobs Engineering Group, Inc.

19. Present, Discuss, and Consider Action on a Resolution Establishing the Town's Intent to Reimburse Prior Lawful Expenditures of Funds Relating to the

Replacement of the Boiler at the Addison Athletic Club in the Amount of \$55,108.

Bill Hawley, Acting Chief Financial Officer presented this item. He advised that Proposition D was approved by the voters during the Bond Election held November 5, 2019. Proposition D included authorizing the issuance of general obligation bonds for the purpose of renovating, repairing, or replacing equipment at existing Town facilities, including replacement of the boiler at the Addison Athletic Club. On November 5, 2019 the boiler was found to be leaking and was shut down for health and safety concerns. Staff determined the boiler should be considered an emergency and it was replaced at a cost of \$55,108 with emergency funds from the General Fund. This resolution authorizes reimbursement to the General Fund from the future bond sale for the boiler replacement.

MOTION: Council Member Hughes moved to approve Item 19 as presented. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R19-119 Reimbursement for the Addison Athletic Club Boiler Replacement

20. Present and Discuss the Operations and Financial Reconciliation for the Addison Octoberfest 2019.

Jasmine Lee, Director of Special Events reviewed with the Council changes that were implemented for Octoberfest 2019 that included adjustments to event hours, new adult games, and more free children's games. In addition, a Point-of-Sale software was used rather than the previous Tasty Bucks ticket system. She reviewed the various advantages of this change.

Ms. Lee also provided details of advertising costs, public relations efforts, and sales of hotel stay packages, noting that there were 474 total hotel night stays.

Bill Hawley provided an overview of revenue and expenditures, including pre-sales and event sales, booth rentals and sponsorships. Total revenue for the event was \$707,899 and expenditures totaled \$809,249.

A comparison of the 2019 event with the previous three years' events was presented. An attendance analysis was provided as well as the survey feedback. For the 2020 event, staff plans to review hours of operation, identify ways to enhance the perceived value, focus on authenticity, and continue to support and enhance Addison's partnerships with Paulaner and other sponsors.

Adjourn Meeting

There being no further business to come before the Council, Mayor Chow adjourned the meeting.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary