

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

October 26, 2021

**6:45 p.m. Work Session
7:30 p.m. Regular Meeting & Executive Session**

**Addison TreeHouse
14681 Midway Rd., Addison, TX 75001**

The Addison City Council conducted its Regular Council Meeting on Tuesday, October 26, 2021, at the Addison TreeHouse with a quorum of the City Council physically present. Limited seating for members of the public was available using CDC recommended social distancing measures. The Town utilized telephone and videoconferencing to facilitate participation in the meeting. Interested parties were able to make public comments and address the Council via emailed comments submitted to the City Secretary at iparker@addisontx.gov by 3:00 pm on the meeting day. Members of the public were also entitled to participate remotely via Toll-Free Dial-in Number: 877.853.5247; Meeting ID: 409.327.0683 Participant ID: #. Detailed instructions on how to participate in this meeting were available on the Town's website on the Agenda Page. The meeting was live streamed on Addison's website at www.addisontexas.net

Present: Mayor Joe Chow; Mayor Pro Tempore Guillermo Quintanilla; Deputy Mayor Pro Tempore Paul Walden; Council Member Tom Braun; Council Member Kathryn Wheeler; Council Member Marlin Willesen.

Absent: Council Member Lori Ward

Call Meeting to Order: Mayor Chow called the meeting to order.

Pledge of Allegiance: Mayor Chow led the Pledge of Allegiance

EXECUTIVE SESSION

* * * ITEM MOVED * * *

Mayor Chow announced that the Executive Session items would be discussed following discussion of the Regular Agenda Items.

WORK SESSION

1. **Present Citizen's Academy Graduation Certifications to the Citizen's Academy Class of 2021.**

Mayor Chow presented graduation certificates to participants of the Citizen's Academy Class of 2021 who were present. Participants in this year's class included: Adrienne Wright, Bob Queen, Bonnie Somer, Charles Hunter, Charles Shaw, Darren Gardner, David Collins, Gail LeVine, Harold Branson, Jimmy Barker, Jose Iglesias, Jose Torrealba, Joseph Hornisher, Lawrence Jones, Lilly Anyanwu, Marvin Perez, Nancy Williams, Urenna Onyewuchi, Richard Teza, Shelia Wooldridge, Suzanne Schoenthaler, and Zoran Arula. Several participants offered positive comments regarding the program.

2. **Present and Discuss Aesthetic Changes to the DART Silver Line Station as Approved by the Art and Design Committee.**

Ashley Mitchell, Deputy City Manager, presented this item. She reviewed that DART's Silver Line Art & Design Program includes the art and design of 10 stations along the 26-mile Silver Line Corridor. Under this program, a team of architects, artists, engineers, and neighborhood advisory committee members collaborated on each station's design from station concept to completion. This includes determining architectural elements such as paving and column cladding, site elements, landscaping, and site-specific artwork.

Addison's City Council appointed the following members to the DART Cotton Belt Art and Design Committee (Committee) in April 2019 to provide input on the Addison station. Those members include Patricia Adkins, Judy Barrett, Jon Birney, Kim Boyle, Barbara Daseke, Margie Gunther, Jay Ihrig, Yasue Kulhanek, Harriet Mellow, Robin Moss, Barbara Papas, Derek Underwood, Allen Weatherford, and Ron Whitehead.

In conjunction with Town staff and artist Eric McGeheraty, the Committee selected a theme to promote the idea of *Sophisticated Fun* by use of traditional and easy to maintain materials such as stone, bronze and brick pavers, windscreens engraved with artist depictions of sculptures around Addison, enhanced fencing along ramps at the entrance to the station that resemble fireworks, and fiber optic lights embedded in ramps.

Ms. Mitchell advised that DART determined that the fiber optic lighting in the ramps leading up to the Addison Station platform could not be constructed. DART and the Silver Line Corridor construction company, Archer Western Herzog, worked together to give the Committee a second option which was to illuminate all the columns of the station and fully light them. This would illuminate the capital "A" and the blue polycarbonate strip in each column. It was recommended that the Committee consider using the diamond cut pattern in the concrete ramps to match the pattern in Addison Circle. Graphic depictions of the design elements were presented as well as a schedule for the project.

On September 30, 2021, the Committee met with DART and voted to move forward with the new recommendations without objection.

3. Present and Discuss Results of the Compensation Market and Merit Survey Conducted by Town Staff.

City Manager Wes Pierson reviewed that the adopted budget for Fiscal Year 2022, included a 4% merit pool for employee compensation. At the Town’s Budget Workshop on August 4, 2021, the City Council asked if the proposed 4% merit pool would keep the compensation for Addison employees relative to their counterparts in Addison’s 13 comparison cities. Mr. Pierson responded that other cities’ actions will affect the averages, however he plans to have a future discussion with the Council regarding which of the comparison cities are appropriate for Addison to compare itself to.

Mr. Pierson advised that staff has determined that for the same amount of funding approved in the FY 2022 budget, the merit pool could be increased to 4.25%.

4. Present and Discuss the Council Calendar for November and December 2021 and January 2022.

City Secretary Irma Parker advised the Council that historically in November and December the second council meeting is canceled due to the holidays and advised that is reflected in the calendars presented. She reviewed other Town events as noted on the calendars. She added that the January 2022 calendar includes a new holiday for employees, Martin Luther King Day, and the first day for city council candidates to file for a place on the May 7th election ballot which is January 12, 2022.

Mayor Chow announced that there would be a brief recess prior to the start of the 7:30 Regular Meeting.

REGULAR MEETING

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.*

City Secretary Parker advised that no citizens had requested to address the City Council.

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.

5. **Consider Action on the Minutes from the October 12, 2021 City Council Meeting.**
6. **Consider Action on a Resolution Approving an Agreement Between the Town of Addison and Weatherproofing Services for Roofing Restoration and Replacement at the Service Center, Fire Station 2, Addison Theatre Centre, Surveyor Pump Station, and the Addison Circle Pavilion and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$802,831.49.**
7. **Consider Action on a Resolution Approving an Agreement Between the Town of Addison and CTJ Maintenance for Custodial Services and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$199,773.84.**
8. **Consider Action on a Resolution Approving the Purchase of (1) 2022 F-350 Crew Cab Truck, (1) 2022 Ford F-350 Crew Cab Dump Body Truck, and (1) 2022 Ford F-250 Crew Cab Service Body Truck from Silsbee Ford Through the Purchasing Cooperative Known as TIPS USA in an Amount Not to Exceed \$157,673.50.**
9. **Consider Action on a Resolution Approving a Professional Services Agreement Between the Town of Addison and Garver, LLC. for Construction Project Management Services Related to the Addison Athletic Club Renovations and Authorizing the City Manager to Execute the Agreement in an Amount Not to Exceed \$69,950.**
10. **Consider Action on a Resolution Approving a Second Amendment to Ground Lease Between the Town of Addison and Duke's Ice House, LLC for Commercial Aviation and Restaurant use on Property Located at 16101 Addison Road, Addison Airport, and Authorizing the City Manager to Execute the Second Amendment.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion.

Mayor Pro Tempore Quintanilla requested Item 6 be pulled for separate discussion.

MOTION: Council Member Willesen moved to approve Consent Agenda Items 5, 7, 8, 9 and 10 as submitted. Deputy Mayor Pro Tempore Walden seconded the motion. Motion carried unanimously.

***** *Consent Item 6* *****

Mayor Pro Tempore Quintanilla requested City Manager Pierson provide comments on Item 6.

City Manager Pierson advised funding for this project was approved by voters at the November 2019 Bond Election for improvements at existing municipal facilities including the restoration or

replacement of roofs. Phase One of these projects includes the restoration or replacement of the roofs at the Service Center, Fire Station 2, Addison Theatre Centre, Surveyor Pump Station, and the Addison Circle Park Pavilion. He added that staff is working diligently to have the roofing work completed in a timely manner.

MOTION: Mayor Pro Tempore Quintanilla moved to approve Consent Agenda Item 6. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R21-061: Facilities Roofing Restoration & Replacement – Weatherproofing Services

Resolution No. R21-063: Custodial Services - CTJ Maintenance

Resolution No. R21-069: TIPS USA Vehicle Purchases - Silsbee Ford

Resolution No. R21-070: AAC Construction Management Services

Resolution No. R21-071: 2nd Amendment to Ground Lease–Duke’s Ice House, LLC, 16101 Addison Road.

Regular Items

At this time Mayor Chow read Agenda Items 11 and 12 and requested they be discussed together.

11. **Present, Discuss, and Consider Action on a Resolution Approving a Commercial Lease Between the Town of Addison and Jani-King International, Inc. for The Cavanaugh Flight Museum’s Use on Property Located at 4572 Claire Chennault Drive, Addison Airport, and Authorizing the City Manager to Execute the Commercial Lease.**

Bill Dyer, Airport Real Estate Manager, presented Item 11 and Item 12. He advised that both leases expire at the end of November. He advised that Jani-King International desires to renew the leases for three years at 4570 and 4572 Claire Chennault Drive to continue its operation of Cavanaugh Flight Museum as they do currently. Discussion regarding the location of the buildings followed.

Mr. Dyer added that over the next two years, two other leases are set to expire and requests for those to be renewed for Cavanaugh are anticipated as well.

MOTION: Deputy Mayor Pro Tempore Walden moved to approve. Council Member Willesen seconded the motion. Motion carried unanimously.

Resolution No. R21-072: Renew Ground Lease, 4572 Claire Chenault Drive – Jani-King International, Inc. for use of Cavanaugh Flight Museum

12. **Present, Discuss, and Consider Action on a Resolution Approving a Commercial Lease Between the Town of Addison and Jani-King International, Inc. for The Cavanaugh Flight Museum’s Use on Property Located at 4570 Claire Chennault**

Drive, Addison Airport, and Authorizing the City Manager to Execute the Commercial Lease.

MOTION: Council Member Willesen moved to approve. Mayor Pro Tempore Quintanilla seconded the motion. Motion carried.

Resolution No. R21-073: Renew Ground Lease, 4570 Claire Chenault Drive – Jani-King International, Inc. for use of Cavanaugh Flight Museum

13. Present, Discuss and Consider Action to Approve an Ordinance Amending Chapter 22 (Businesses) of the Code of Ordinances by Reinstating Article VIII (Short Term Rentals), in order to Continue Regulating Short-Term Rentals.

Ken Schmidt, Director of Development Services, presented this item. He reviewed that in March 2019 the City Council adopted regulations for short-term rentals for single-family residences. The regulations required these properties be registered with the Town and that the owner and occupants agree to abide by certain requirements to minimize their impact on the adjacent neighbors.

Mr. Schmidt advised that the ordinance included a sunset provision after one year, requiring the City Council to review and adjust or extend the requirements by April 30, 2020. Council did elect to extend this program for another year in March 2020. Due to staff transition, these regulations were not brought forward for Council consideration prior to April 30, 2021. As a result, there are no specific regulatory or registration requirements that are currently applicable to short-term rentals in Addison. He advised staff is recommending this ordinance amendment to permanently reinstate the previously adopted short-term rental regulations and to eliminate the sunset provision.

Mr. Schmidt advised that since the initial adoption of the short-term rental regulations, six properties have registered with the Town and only one active registrant remains. Through a cursory review of the most common short-term rental mobile app, it appears that Addison has a limited supply of short-term rentals, with the majority of those opportunities in multifamily dwelling units.

Mr. Schmidt added that staff will monitor implementation of the regulations and will update the Council in 2022 to address any challenges or regulatory refinements. He also provided a brief update on short-term rental litigation ongoing for the cities of Grapevine and Arlington.

Mayor Chow and Deputy Mayor Pro Tempore Walden spoke in favor of the ordinance. It was noted that the only change for this proposed ordinance is to remove the sunset review.

MOTION: Deputy Mayor Pro Tempore Walden moved to approve. Council Member Willesen seconded the motion. Motion carried unanimously.

Ordinance No. O21-38: Amend Chapter 22 of the Code of Ordinances by Reinstating Article VIII Regarding Short Term Rentals and Eliminating the Sunset Review

EXECUTIVE SESSION

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:

- Master Developer Finalists for the Addison Silver Line TOD

Mayor Chow closed the Open Session to convene the City Council into Closed Executive Session at 8:08 p.m.

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.

Mayor Chow reconvened the City Council into Open Session at 9:12 p.m. No action was taken as a result of Executive Session.

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