

**FAIRVIEW TOWN COUNCIL
MEETING MINUTES
JUNE 4, 2024**

The Town Council met in executive session on June 4, 2024 at 5:00 PM at 372 Town Place, Fairview, Texas.

Council present: Mayor Henry Lessner and Mayor Pro Tem John Hubbard; and Councilmembers Rich Connelly, Gregg Custer, and Ken Logsdon.

Council absent: Councilmembers Ricardo Doi and Larry Little.

Staff present: Town Manager, Julie Couch; Assistant Town Manager Adam Wilbourn; Town Attorney, Clark McCoy; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Fire Chief, Jeff Bell; Assistant Fire Chief, Travis Green; Firefighter, Michael Tharp; Police Chief, Chris Chandler; Assistant Police Chief, Michael Sullivan; Detective, Sonia Golgoun; CFO Steven Ventura; HR Director Whitney Casey; and Town Secretary, Joshua Stevenson.

At 5:00 p.m., the Council adjourned into executive session in accordance with the Texas Government Code:

A. Section 551.071 – to consult with legal counsel regarding pending or contemplated litigation and/or on matters 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 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; religious land uses; transportation matters; state law review and compliance.

B. Section 551.072 - discuss or deliberate the purchase, exchange, sale, lease, or value of real property, acquisition of right-of-way, easements, or land.

C. Section 551.074 Personnel - appointment of members of all non-advisory boards and commissions.

D. Section 551.087 – to discuss or deliberate Economic Development

Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Town of Fairview has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Fairview and with which the Town is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). Proposed commercial/retail developments.

Mayor Lessner reconvened from executive session and adjourned the executive

session meeting at 7:21 PM.

The Town Council met in regular session on June 4, 2024 at 7:30 PM at Accasia's Event Venue at 351 Southwind Lane, Fairview, Texas.

1. Call to Order

Mayor Lessner called the meeting to order at 7:34 PM and declared a quorum was present.

There were approximately five hundred (500) members of the public present when the meeting was called to order.

2. Pledge of Allegiance: U.S. and Texas Flags

Mayor Lessner invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

3. Administer Oaths of Office

- a. Administer the Oath of Office for Town Council Seat 2

Mayor Lessner called for the administration of the Oath of Office for Town Council Seat 2.

The Town Secretary administered the Oath of Office to Gregg Custer for Town Council Seat 2.

4. Public Hearings

- a. Conduct a public hearing to consider, discuss, and take any necessary action on a request for approval of an ordinance granting a Conditional Use Permit (CUP) for an accessory structure (greenhouse). The 3.6-acre lot is located at 100 Seattle Slew and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Timothy and Charlotte Czmil

Mayor Lessner called for the item

Mr. Roberts spoke regarding this item. Staff and the Planning & Zoning Commission recommended approval.

The Council and staff had discussion regarding this item.

Mayor Lessner opened the public hearing.

The applicant spoke regarding this item.

Mayor Lessner closed the public hearing.

Council passed the motion by Councilmember Logsdon, seconded by Councilmember Custer, to approve an ordinance granting a Conditional Use Permit (CUP) for an accessory structure located at 100 Seattle Slew in a vote of Yes 5, No 0, Abstained 0.

- b. Conduct a public hearing to consider, discuss, and take any necessary action on a request for approval of a Conditional Use Permit (CUP) for a religious facility. The 8.1-acre site is located on the north side of Stacy Road, west of Meandering Way and is zoned for the (RE-1) One-acre Ranch Estate District. Applicant: Tom Coppin, Kimley-Horn and Associates representing owners The Church of Jesus Christ of Latter-Day Saints

Mayor Lessner called for the item.

Mr. Roberts spoke regarding this item.

The applicant spoke regarding this item and requested a continuance of the item to a later date.

The Council and staff had discussion regarding this item.

Mayor Lessner opened the public hearing.

Mary Price, 579 Meandering Way, Fairview, TX 75069, spoke in opposition.
Dick Price, 579 Meandering Way, Fairview, TX 75069, spoke in opposition.
Darion Culbertson, 700 Maple Creek, Fairview, TX 75069, spoke in opposition.
Jay Jones, 360 Collinwood Drive, Fairview, TX 75069, spoke in favor.
Douglas Stilgoe, [no address given], Oxford, England, spoke in opposition.
Michelle Countryman, 205 Newchester Drive, Fairview, TX 75069, spoke in favor.
Gay Kiser, 100 Man O War Lane, Fairview, TX 75069, spoke in opposition.
Steven Foradori, 190 Horseshoe Bend, Fairview, TX 75069, spoke in opposition.
Susan Hedgpeth, 417 Rosemont Lane, Fairview, TX 75069, spoke in opposition.
Jason Jones, 380 Collinwood Drive, Fairview, TX 75069, spoke in favor.
Ben Khuene, 171 Horseshoe Bend, Fairview, TX 75069, spoke in opposition.
Nikki Smith, 1670 Ashcroft, Fairview, TX 75069, spoke in opposition.
Brooke Willard, 350 Kentucky Lane, Fairview, TX 75069, spoke in opposition.
Gary Carter, 1000 Timber Lane, Fairview, TX 75069, spoke in opposition.
Terry James, 801 Creekwood Drive South, Fairview, TX 75069, spoke in favor.
Ben Brown, 717 Mustang Drive, Fairview, TX 75069, spoke in opposition.
Dan Trythall, 821 Parchman Place, Lucas, TX 75002, spoke in favor.
Marji Smith, 281 Paddock Trail, Fairview, TX 75069, spoke in opposition.
Bryan Johnson, 481 Windmill Lane, Fairview, TX 75069, spoke in opposition.
Amy Campbell, 2406 Forest Grove Estates Road, Allen, TX 75002, spoke in opposition.
Karla Gant, 1917 Country Brook Lane, Allen, TX 75002, spoke in opposition.
Julie Clark, 500 Whitley Place Drive, Prosper, TX 75078, spoke in favor.
Pamela Sailor, 199 Newchester Drive, Fairview, TX 75069, spoke in opposition.

Rick Jakus was called, but did not respond.

Inga Fredrickson, 1917 Baltimore Drive, Allen, TX 75002, spoke in opposition.
Gretchen Thompson-Wild, 501 Lakewood Drive, Fairview, TX 75069, spoke in opposition.

Joyce Dreiling was called, but did not respond.

Clay Medley, 710 Oakdale Circle, Fairview, TX 75069, spoke in opposition.
Lee Moore, 1840 Hammerly Drive, Fairview, TX 75069, spoke in opposition.
Corbin Petersen, 8500 White Stallion Trail, McKinney, TX 75070, spoke in opposition.
Joel Schue, 690 Forest Oaks Drive, Fairview, TX 75069, spoke in opposition.
Shirin Baldwin, 590 Forest Oaks Court, Fairview, TX 75069, spoke in opposition.
Brian Gelles, 680 Forest Oaks Drive, Fairview, TX 75069, spoke in opposition.

The Council continued discussion regarding this item.

Mayor Lessner motioned to hold open and continue the public hearing and item to the Town Council meeting of August 6, 2024 at 7:30 P.M. at Accasia's Event Center.

The Council continued with the discussion.

Richard Abernathy, applicant, spoke regarding the item.
The Council and the applicant continued discussing the item.

Mayor Pro Tem Hubbard seconded the motion to continue the public hearing and item to the August 6, 2024 meeting of the Town Council.

Council passed the motion by Mayor Lessner, seconded by Mayor Pro Tem Hubbard, to continue the public hearing and the request for approval of a Conditional Use Permit (CUP) for a religious facility in a vote of Yes 4, No 1, Abstained 0. Councilmember Logsdon voted no.

This item will be on the agenda for the Town Council meeting of August 6, 2024 at 7:30 P.M. The meeting will take place at Accasia's Event Venue located at 351 Southwind Lane, Fairview, TX 75069.

6. **Consent Agenda**

Mayor Lessner called for the Consent Agenda.

Councilmember Logsdon requested item 6(c) to be considered individually.

Council passed the motion by Mayor Pro Tem Hubbard, seconded by Councilmember Logsdon, to approve Consent Agenda items (a) and (b) in a vote of Yes 5, No 0, Abstained 0.

The following items were approved:

- a. Approve the minutes of the May 7, 2024, Regular meeting of the Town Council
- b. Approve a resolution adopting the Town's written investment policy

Mayor Lessner called for Consent Agenda item 6c.

- c. Approve legal services engagement letter for zoning and land use matters

Council passed the motion by Councilmember Logsdon, seconded by Mayor Pro Tem Hubbard, to take no action on legal services engagement letter for zoning and land use matters in a vote of Yes 5, No 0, Abstained 0.

5. Citizen's Comment (for Non-Public Hearing Items)

Mayor Lessner called for Citizen Comments.

Victoria Higgins, 3980 Summit Court, spoke regarding multiple subjects.
Katherine Ponder, 970 Foxdale, spoke regarding drainage in the Town.

Mayor Lessner closed Citizen Comments.

7. Reports from Staff

Mayor Lessner asked the Council if Reports from Staff can be skipped in the interest of time.

The Council agreed.

The Mayor requested for Fire Chief Bell to review the Monthly Fire Report – Period ending May 31, 2024.

8. Action/Discussion Items

- a. Consider, discuss, and take any necessary action on awarding the bid for the Foxglen Groundwater Drainage Project

Mayor Lessner called for the item.

Mr. Chancellor spoke regarding this item.

The Council and staff had discussion regarding this item.

Council passed the motion by Councilmember Connelly, seconded by Councilmember

Custer, to approve awarding the bid for the Foxglen Groundwater Drainage Project to RNO Construction in the amount of \$99,615.00 in a vote of Yes 5, No 0, Abstained 0.

- b. Consider, discuss, and take any necessary action on Board & Commission Appointments

Mayor Lessner called for the item.

Mayor Lessner recommended John Sunny to fill a vacancy on the Technology Advisory Committee with a term expiration of August 2025.

Council passed the motion by Mayor Lessner, seconded by Councilmember Logsdon, to appoint John Sunny to the Technology Advisory Committee in a vote of Yes 5, No 0, Abstained 0.

John Sunny's term on the Technology Advisory Committee will run from June 4, 2024 - August 1, 2025, at the will of the Council.

9. Council and Staff Comments

Mayor Lessner called for Council and Staff Comments.

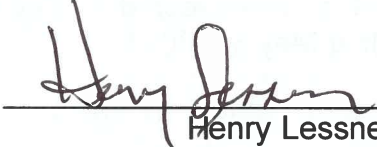
Ms. Couch reminded the Council that the pre-budget Work Session will take place on June 24, 2024, starting at 3:00 P.M.

11. Adjourn

Mayor Lessner adjourned the meeting at 10:35 PM

These minutes were approved by the Town Council on July 2, 2024.

APPROVED:


Henry Lessner, Mayor

ATTEST:


Joshua Stevenson, Town Secretary
Town of Fairview, Texas