

**FAIRVIEW TOWN COUNCIL
MEETING MINUTES
JULY 25, 2024**

The Town Council met in special session on July 25, 2024 at 7:00 PM at 372 Town Place, Fairview, Texas.

Council present: Mayor Henry Lessner and Mayor Pro Tem John Hubbard, and Council members Rich Connelly, Gregg Custer, Ricardo Doi, Larry Little, and Ken Logsdon.

Staff present: Town Manager, Julie Couch; Assistant Town Manager Adam Wilbourn; Town Attorney, Clark McCoy; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Police Chief, Chris Chandler; and Town Secretary, Joshua Stevenson.

1. Call to Order

Mayor Lessner called the meeting to order at 7:05PM and declared a quorum was present.

There were five (5) members of the public present in the audience when the meeting was called to order.

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

Mayor Lessner called for Citizen Comments.

There were none when called for.

Mayor Lessner closed Citizen Comments.

3. Public Hearings

- a. Conduct a public hearing to consider, discuss, and take final action on a request for approval of a Major Warrant to allow a dooryard frontage, in lieu of stoop frontage, for buildings with less than four (4) residential units within the Fairview Townhome Addition. The 15.2-acre sites are generally located on both sides of Fairview Parkway, north of Latham Drive intersection and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Mike Molge, Kimley-Horn and Associates, representing owners Impression Homes Murray Manor, LLC.

Mayor Lessner called for the item.

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

Councilmember Doi recused himself from this item.

The Council and staff had discussion regarding this item.

The applicant spoke regarding this item.

Mayor Lessner opened the public hearing.

No one requested to speak.

Mayor Lessner closed the public hearing.

Council passed the motion by Councilmember Logsdon, seconded by Mayor Pro Tem Hubbard, to approve an ordinance granting a Major Warrant to allow a dooryard frontage, in lieu of stoop frontage, for buildings with less than four (4) residential units within the Fairview Townhome Addition in a vote of Yes 6, No 0, Abstained 1. Councilmember Doi abstaining.

- b. Conduct a public hearing to consider, discuss and take final action on a request for approval of a Conditional Use Permit (CUP) for accessory structures (greenhouse & covered patio). The 2.01-acre lot is located at 440 Michelle Way and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Holden Snider, Weisz Selection Outdoor Living, representing owners Adam and Jevanna Cherrington.

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.

The Applicant spoke regarding this item.

Mayor Lessner opened the public hearing.

No one requested to speak.

Mayor Lessner closed the public hearing.

Council passed the motion by Councilmember Doi, seconded by Councilmember Connelly, to approve a Conditional Use Permit (CUP) for accessory structures (greenhouse & covered patio) with the condition that the Engineering Department will review and approve drainage plans at 440 Michelle Way in a vote of Yes 7, No 0, Abstained 0.

- c. Conduct a public hearing, consider and take final action on a request for approval of a Conditional Use Permit (CUP) for a multi-use sports court. The

1.9-acre site is located at 910 Katherine Court and is zoned for a (RE-1.5) Ranch Estate District. Applicant: Jennifer Bradley, Land Pro Creations representing owners Uma and Prashanth Reddy.

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.

The Applicant spoke regarding this item.

Mayor Lessner opened the public hearing.

No one requested to speak.

Mayor Lessner closed the public hearing.

Council passed the motion by Councilmember Doi, seconded by Councilmember Custer, to approve a Conditional Use Permit (CUP) for a multi-use sports court at 910 Katherine Court in a vote of Yes 7, No 0, Abstained 0.

4. Action/Discussion Items

- a. Consider, discuss and take final action on a request for approval of a Replat of the Southern Springs Farms Addition and 5.6-acres of unplatted property into three (3) lots. The 11.3-acre tract of land is located west of the intersection of Orr Road and Fitzhugh Mill Road and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Brandon Davidson, Corwin Engineering representing owners Dan and Joanie Anderson, and Ted and Ruth Kerico.

Mayor Lessner called for the item.

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

The Council and staff had discussion regarding this item.

The Applicant spoke regarding this item.

Council passed the motion by Councilmember Logsdon, seconded by Mayor Pro Tem Hubbard, to approve a Replat of the Southern Springs Farms Addition in a vote of Yes 7, No 0, Abstained 0.

- b. Consider, discuss, and take any necessary action on an ordinance granting Atmos Energy Corp. a franchise to construct, maintain and operate pipelines

and equipment within the Town

Mayor Lessner called for the item.

Mr. Wilbourn spoke regarding this item and stated that the public hearing for this item was conducted at the regular meeting of the Town Council on July 2, 2024. At that meeting, the public hearing was closed and action on the item was tabled pending the changes requested by Council.

The Council and staff had discussion regarding this item.

Council passed the motion by Councilmember Connelly, seconded by Councilmember Logsdon, to approve an ordinance granting Atmos Energy Corp. a franchise to construct, maintain and operate pipelines and equipment within the Town in a vote of Yes 7, No 0, Abstained 0.

- c. Consider, discuss the proposed 2024-2025 fiscal year budget including budget priorities, revenues, expenditures, rates, staffing, capital planning, long-range planning, and any related items

Mayor Lessner called for the item.

No discussion or action was made.

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

Mayor Lessner called for the item.

The Council and staff had discussion regarding this item.

Council passed the motion by Councilmember Connelly, seconded by Mayor Lessner, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Planning & Zoning Commission:

Removing Jon Cocks from the Planning & Zoning Commission.

Removing Gene Borsattino from the Planning & Zoning Commission.

Appoint Clay Medley as a Commissioner, Term running August 1, 2024 – August 1, 2026.

Appoint Ben Kuehne as a Commissioner, Term running August 1, 2024 – August 1, 2026.

Reappoint Lakia Works as a Commissioner, Term running August 1, 2024 – August 1, 2026.

Appoint John Adler as the Chair of the Commission, Term running August 1, 2024 – August 1, 2026.

The Planning & Zoning Commission roster is as follows:

Name	Expiration Year
John Adler, Chair	2026
Ben Kuehne	2026
Justin Kennedy	2025
Clay Medley	2026
Lakia Works	2026
Dennis Swingle	2025
Willis White	2025

Council passed the motion by Mayor Lessner, seconded by Councilmember Doi, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Economic & Community Development Board:

Reappoint Sim Israeloff as the Chair, Term running August 1, 2024 – August 1, 2026.

Reappoint Darion Culbertson as a Board member, Term running August 1, 2024 – August 1, 2026.

Reappoint John Brown as a Board member, Term running August 1, 2024 – August 1, 2026.

Reappoint Nancy Lewis as a Board member, Term running August 1, 2024 – August 1, 2026.

The Economic Development & Community Development Board roster is as follows:

Name	Expiration Year
Sim Israeloff, Chair	2026
Darion Culbertson	2026
Joe Boggs	2025
John Brown	2026
Carlo Strippoli	2025
Nancy Lewis	2026
Jill Hawkins	2025

Council passed the motion by Mayor Lessner, seconded by Councilmember Connelly, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Zoning Board of Adjustment:

Reappoint Donna Pekarek as a Board member, Term running August 1, 2024 – August 1, 2026.

Reappoint Debbie Malafsky as a Board member, Term running August 1, 2024 – August 1, 2026.

Reappoint Renee Powell as a Board member, Term running August 1, 2024 – August 1, 2026.

The Zoning Board of Adjustment roster is as follows:

Name	Expiration Year
Chris Lee, Chair	2025
Donna Pekarek	2026
Mary Price	2025
Debbie Malafsky	2026
Renee Powell	2026
William Basom (Alt)	2025

Council passed the motion by Mayor Lessner, seconded by Councilmember Custer, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Parks & Recreation Advisory Board:

Reappoint Gary Wittsche as a Board member, Term running August 1, 2024 – August 1, 2026.

Reappoint Renee Powell as the Chair, Term running August 1, 2024 – August 1, 2026.

Reappoint Kailey Saver as a Board member, Term running August 1, 2024 – August 1, 2026.

The Parks & Recreation Advisory Board roster is as follows:

Name	Expiration Year
Renee Powell, Chair	2026
Katherine Ponder	2025
Gary Wittsche	2026
Bruce Bickhaus	2025
Steven Rhoads	2025
Tom Lester	2025
Kailey Saver	2026

Council passed the motion by Mayor Lessner, seconded by Councilmember Logsdon, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Technology Advisory Committee:

Reappoint John Adler as the Chair, Term running August 1, 2024 – August 1, 2026.

Reappoint Chadd Jones as a Committee member, Term running August 1, 2024 – August 1, 2026.

Reappoint Tom Lester as a Committee member, Term running August 1, 2024 –

August 1, 2026.

The Technology Advisory Committee roster is as follows:

Name	Expiration Year
John Adler, Chair	2026
Paul Myers	2025
Imran Khan	2025
John Sunny	2025
Chadd Jones	2026
Tom Lester	2026
<i>Vacant</i>	2026

Council passed the motion by Mayor Lessner, seconded by Councilmember Custer, in a vote of Yes 7, No 0, Abstained 0, to approve the following changes on the Public Art Committee:

Appoint Pamela Sailor a Committee member, Term running August 1, 2024 – August 1, 2026.

The Public Art Committee roster is as follows:

Name	Expiration Year
Ronny Frame	2024
Ryan Riyad	2024
Pamela Sailor	2026
<i>Vacant</i>	2025
<i>Vacant</i>	2025

All Board & Commission appointments serve at the will of the Town Council.

5. Council and Staff Comments

Mayor Lessner called for Council and Staff Comments.

Mr. Chancellor spoke regarding the construction on Orr Road.

6. Closed Session

Mayor Lessner called for the executive session agenda.

At 7:46PM, 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 use; 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.


Mayor Lessner reconvened from executive session at 8:50PM and reopened the public meeting.

7. Adjourn

Mayor Lessner adjourned the meeting at 8:50PM.

These minutes were approved by the Town Council on August 1, 2024.

APPROVED:


Henry Lessner, Mayor

ATTEST:


Joshua Stevenson, Town Secretary
Town of Fairview, Texas