

**TOWN COUNCIL
MEETING MINUTES
OCTOBER 3, 2018**

The Town Council met in regular session on Wednesday, October 3, 2018 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson; Mayor Pro Tem Paul Hendricks; Councilmembers Bill Nicol, Cynthia Brugge, Henry Lessner, Anthony Mattei and Roland Feldman. Staff present included Town Manager, Julie Couch; Planning Manager, Israel Roberts; Economic Development Manager, Ray Dunlap; Police Chief, Granver Tolliver; Town Engineer, James Chancellor; CFO, Steven Ventura; Assistant to the Town Manager, Adam Wilbourn; Town Intern, Cynthia Alegria; and Town Attorney, Clark McCoy.

Mayor Culbertson called the meeting to order at 6:00 p.m. and declared a quorum was present.

At 6:01 p.m., the Council then adjourned into executive session regarding a consultation with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:30 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

CONSENT AGENDA: All items listed under the Consent Agenda are considered routine and are acted on by one motion, with no separate discussion of these items. If discussion is desired, an item may be removed from the consent agenda and be considered separately. A) Approve the minutes of the August 7, 2018 regular Council meeting. B) Approve the minutes of the August 8, 2018 special Council meeting. C) Approve the minutes of the September 4, 2018 regular Council meeting. D) Approve the minutes of the September 17, 2018 special Council meeting. E) Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding jail services. F) Approve a Final Plat of the Ebersohl Addition. The proposed 6.9-acre, three (3) lot single-family subdivision is located on the south side of Hart Road, west of Country Club Road, and is zoned for the (RE-2) Two-Acre Ranch Estate District. Owners/Applicant: Jay and Katrina Ebersohl.

Mayor Culbertson pulled item A for discussion.

Councilmember Lessner made a motion to approve consent agenda items B-F. Councilmember Mattei seconded the motion and the motion was unanimously approved.

Regarding item A, Mayor Culbertson stated that it has been a practice of the Council that if a councilmember wishes to abstain from voting on an agenda item then the abstention is made at the public meeting when the item is being discussed by Council, rather than making an abstention know after the meeting has concluded. Mayor Culbertson stated that transparency with regards to how councilmembers vote is important. The rest of the Council concurred with Mayor Culbertson's comments.

Councilmember Hendricks made a motion to approve consent agenda item A. Councilmember Feldman seconded the motion and the motion was unanimously approved.

PUBLIC HEARING - MAJOR WARRANTS AND A REPLAT TO ACCOMMODATE THE DEVELOPMENT OF A FITNESS FACILITY: Mr. Roberts gave a presentation on agenda item 5(a), consider and make a recommendation on a request for approval of Major Warrants and a replat to accommodate the development of a fitness facility. The proposed 36,900+/- square foot facility is located at the southwest corner of Indian Springs Road and Fairview Parkway and is zoned for the Commercial Planned Development District (CPDD) with the Urban Village Sub-district.

Mr. Roberts stated that the applicant is requesting four Major warrants and a replat of the subject site. The Major Warrants being requested include: 1) tilt-wall shall be permitted as a primary façade material; 2) canopy percentage on the north and south elevations shall be a minimum of 62% and 66%, respectively; 3) windows may use spandrel glazing and minimum percentage shall be 20% on western elevation, 15% on eastern elevation, 4% on northern elevation, and 16% on southern elevation; and 4) subject site shall generally be developed in accordance with the site, landscape and elevations exhibits (A, B, C, and D).

Mr. Roberts stated that the proposed replat subdivides the subject site into two lots and dedicates the easements necessary to accommodate the proposed fitness facility as well as future development. Additionally, the proposed replat reflects right-of-way dedication for the future expansion and realignment of Fairview Parkway.

Mr. Roberts stated that twenty-four adjacent property owners within 500' of the subject properties were notified in accordance with Town and state requirements and that no feedback has been received. Additionally, the Planning and Zoning Commission recommended approval of the application as presented at their September 13, 2018 meeting.

Mr. Roberts stated that town staff recommends approval of the subject major warrants and the replat subject to the site being developed generally in accordance with the development plan exhibits provided to Council. The development plan exhibits provided to Council consisted of: 1) location map of the subject site; 2) Site Plan; 3) Landscape Plan; 4) Tree Preservation Plan; 5) exterior elevations; and 6) replat for the subject site.

Mr. Roberts concluded his presentation by stating that the representative for the applicant was present and is prepared to answer any questions the Council may have.

Mayor Culbertson opened the public hearing and asked that the applicant come forward first to address the Town Council.

The applicant's representatives, Tim Smith, Lincoln Property Company, and Mandy McDaniel, SMA Architects, introduced themselves and responded to questions posed by the Council.

John Harkins, 411 Oak Ridge Drive, asked Police Chief Tolliver if the police department would see an increased workload since this business would be open twenty-four hours every day. Police Chief Tolliver stated that he didn't foresee anything causing an increase in workload.

Mayor Culbertson closed the public hearing.

Councilmember Nicol made a motion to approve the subject major warrants and the replat subject to the site being developed generally in accordance with the attached development plan exhibits

consisting of 1) location map of the subject site; 2) Site Plan; 3) Landscape Plan; 4) Tree Preservation Plan; 5) exterior elevations; and 6) replat for the subject site. Councilmember Brugge seconded the motion and the motion was unanimously approved.

COUNCIL POLICIES AND PROCEDURES: Ms. Couch introduced agenda item 6(a), discuss council policies and procedures and take any necessary action.

Ms. Couch stated that there's currently no formal policy in place for determining how councilmembers can add items to meeting agendas and that it would be helpful both for the Council and town staff to have some approved guidelines on the process. The Town Charter provision stating that special meetings of the Council shall be called by the Town Secretary upon written request of the Mayor, Town Manager or two members of the Town Council has been informally used as the process for adding items to meeting agendas.

In the past, generally, if a Councilmember wanted to have an item added, the item was discussed with the Mayor and the determination of its inclusion was made at that time. In recent months several councilmembers have used the informal policy of two councilmembers to request that items be added to agendas.

There was Council discussion on this item and the Council agreed that the following two guidelines for determining how councilmembers can add items to meeting agendas should be formally adopted: 1) the process for how agenda items can be added and the number of people required to add an agenda item should stay as they currently are; and 2) requests for adding items to regular or special council meeting agendas should be due no later than noon on the Wednesday occurring the week prior to the subject meeting

Councilmember Mattei made a motion to formally adopt the guidelines the Council agreed to for determining how councilmembers can add items to meeting agendas. Councilmember Feldman seconded the motion and the motion was unanimously approved.

Mayor Culbertson moved item 6(c) up in the agenda before item 6(b).

DISCUSS AVAILABILITY OF COUNCIL PACKETS ONLINE: Mr. Wilbourn introduced agenda item 6(c), discuss and take any necessary action on availability of council packets online at the same time as delivery to Council and Mayor.

Mr. Wilbourn presented the Council with information about what cities are publishing supporting documents on their websites for council meeting agenda items prior to the meeting where those items will be discussed.

There was discussion on this item and the Council directed town staff to begin publishing memorandums the Council receives in their meeting packets on the Town website prior to the subject meeting occurring and following completion of the meeting packet by town staff and delivery of said meeting packet to the Council. The Council agreed that memorandums published to the Town website should be treated like information requested as part of a public information request (PIR) and said information should be redacted if the State of Texas would require or give cities the option to redact. The Council also agreed that discretion should be used when redacting

information from memorandums so that the privacy and security of Fairview residents is maintained.

DISCUSS ARCHITECTURAL DESIGNS: Councilmembers Mattei and Feldman requested that item 6(b) be added to the agenda. Councilmember Mattei introduced agenda item 6(b), discuss competitive architectural designs to pursue design alternatives for FS#1 prior to seeking competitive bids for the agreed upon designs /work.

The Council had a discussion with Ms. Couch regarding fire station #1 (FS #1) pertaining to the architectural design work and planning efforts that have already been performed, contractual obligations between the Town and the architect, and funds that have been expended for services performed and estimated to be expended for proposed services that haven't been performed.

After considerable discussion, Councilmember Brugge made a motion to conduct a study to determine the feasibility of operating two fire stations in the Town of Fairview and whether or not fire station #2 can service the entire Town. The motion failed due to lack of a second.

The Council gave direction to Ms. Couch to investigate fire department operation models that other cities are utilizing, such as Ft Worth, and determine if there are actions the Town could take based on that research to operate more efficiently.

DISCUSS BOARDS AND COMMISSIONS: Mayor Culbertson introduced agenda item 6(d), discuss Boards & Commissions and take any necessary action.

Councilmember Mattei made a motion to request that town staff prepare an ordinance for the Town Council to consider and take action on at their November 6, 2018 meeting that would abolish the Environmental Management Advisory Committee. Councilmember Lessner seconded the motion and the motion was unanimously approved.

Councilmember Lessner made a motion to appoint Jill Hawkins to the Economic and Community Development Corporations. Councilmember Brugge seconded the motion and Mayor Culbertson, Councilmember Nicol and Councilmember Hendricks voted in the affirmative resulting in the motion being approved. Councilmember Mattei and Councilmember Feldman both abstained from voting.

UPCOMING COUNCIL WORK SESSIONS: Ms. Couch introduced agenda item 6(e), discuss upcoming Council work sessions.

The Council tabled this item until their next regular meeting.

MCKINNEY AIRPORT UPDATE: Councilmember Hendricks gave a presentation regarding agenda item 6(f), update of the McKinney Airport Master Plan and Layout Plan.

CITIZENS INPUT:

John Harkins, 411 Oak Ridge Drive, expressed interest in wanting to present fire department data that citizens have analyzed.

Jerry Quam, 390 Oakwood Trail, expressed concern regarding spending that has taken place for the planning of a new fire station.

Tom Palmer, 5139 Stream Crest Way, stated that he recently researched a fire station being built by the City of Desoto for 5.25 million and thinks town staff should contact them regarding facility costs.

Roy Serpa, 412 Saddleback Drive, submitted to the alternate town secretary a set of questions regarding the Economic and Community Development Corporations.

REPORTS FROM STAFF:

Mr. Ventura gave a presentation on the Monthly Financials ending August 31, 2018.


Mr. Chancellor gave an update on the Stacy Road projects.

Mr. Dunlap stated Saturday is the Showdown Half Marathon and 5K and the radio station 1310 The Ticket would be broadcasting in town. He also stated the Allen-Fairview Chamber of Commerce will be hosting a membership luncheon on October 23.

Councilmember Lessner stated the Fairview Rotary will have County Commissioner candidates David Asad and Darrell Hale speak at the Thursday, October 11 meeting being held at Wild Salsa at noon.

Ms. Couch stated the Fairview Rotary had a trash pick-up this past weekend with the Boy Scouts and they picked up between 20 -25 bags of trash on Ridgeview and US 75.

Mayor Culbertson adjourned the meeting at 10:52 p.m.


Adam Wilbourn, Alternate Town Secretary


Darion Culbertson, Mayor



