



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, FEBRUARY 4, 2020
7:30 P.M.
AGENDA
****RESULTS******

1. Call to Order **7:31 p.m.**
2. Pledge of Allegiance.
3. Texas Pledge
4. Proclamations, Recognition and Awards
 - a. Mayor Lessner to present proclamation declaring the month of March as Developmental Disabilities Month in the Town of Fairview. **Moved to March regular meeting**
5. Citizen's Comment **Discussion Only**

At this time, any person may address the Council regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time, any person may address the Council regarding an item that is not on this meeting agenda. Each person will have up to five minutes. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.
6. Consent Agenda **January 21 minutes approved; January 7 held over to March regular meeting**
 - a. Approve the minutes of the January 7, 2020 Regular Council meeting.
 - b. Approve the minutes of the January 21, 2020 Special Council meeting.

All items listed under the Consent Agenda are considered routine and will be 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 considered separately.
7. Reports from Staff, including any updates on project tracking reports and department activities **Discussion Only**
 - a. Monthly Financial Report – Period ending December 31, 2019

- b. Quarterly Financial Report – Period ending December 31, 2019
- c. Monthly Fire Report – Period Ending December 31, 2019
- d. Monthly Police Report – Period Ending January 31, 2020
- e. Town construction projects

8. Public Hearings

- a. Continue a public hearing and consider approval of an ordinance on a request to amend the zoning to reflect a revised development plan for a portion of the Collinwood Acres Addition. The 11.79-acre site is located on the west side of County Club Drive, north of Old Stacy Road and is zoned for the (PC) Planned Center District. Owners/Applicant: Jay Jones and Vicki Johnston. **Continued to April regular meeting**
- b. Continue a public hearing and consider approval of an ordinance on a request to rezone a 28+/- acre tract of land from the (AG) Agriculture District to a (PC) Planned Center District with the (RE-2) Two-acre Ranch Estate District design standards. The site is located on the north side of Stacy Road, west of Kentucky Lane. Applicant: Stephen DiNapoli, DiNapoli Development representing owners Marvin and Arleen Molodow. (ZA2019-04). **Continued to April regular meeting**

9. Council Action/Discussion Items

- a. Consider and discuss Town drainage, including consideration of an engineering contract with Huit-Zollars for engineering consulting and related items, and take any necessary action. **Approved**
- b. Consider, discuss and take any necessary action on the approval of an ordinance calling for a Local Option Election to be held on May 2, 2020. **Approved**
- c. Consider, discuss and take any necessary action on the approval of an ordinance calling the May 2, 2020 General Election and authorizing the Town Manager to execute a joint agreement with Collin County for the provision of election services. **Approved**
- d. Consider, discuss and take any necessary action on the approval of an ordinance amending the water well guidelines. **Held over**
- e. Consider, discuss and take necessary action on the amending of Section 13.02.034 of the Fairview Code of Ordinances related to solid waste containers and bulk pick up regulations. **Approved**
- f. Discuss Boards & Commissions and take any necessary action. **Appointments made**

10. Receive reports from staff or the Town Council about items of community interest.

Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

CLOSED SESSION (EXCEPTIONS) Under Tex. Gov't Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the following exceptions to the Open Meetings Act under Texas Government Code:

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; town contracts for services; drainage matters; Robert Bruce Kelly and Shannon Shirey Kelly vs. Town of Fairview, Case No. 380-04945-2018 in the 380th Judicial District, Collin County, Texas; Mark Edward Stoddard and Bertel Morgan Stoddard vs. Town of Fairview, Case No. 296-04944-2018 in the 296th Judicial District, Collin County, Texas.; Michael Pezzulli & Diane Pezzulli vs. Town of Fairview, Case No. 219-06333-2019 in the 219th Judicial District, Collin County, Texas; Herman Tafoya vs. Town of Fairview, Case No. 471-05977-2019 in the 471st Judicial District, Collin County, Texas.

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

Section 551.074 Personnel - appointment of members of all non-advisory boards and commissions and Town Manager Evaluation.

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.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

11. Adjourn **12:30 a.m.**

I, Tenitrus Bethel, Town Secretary, hereby certify that notice of the above-named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily accessible to the public at all times, on the 31st day of January, 2020 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Tenitrus Bethel, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, Ext 4234 or by fax at 972-886-4203.