



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, APRIL 2, 2019
7:30 P.M.
AGENDA
****RESULTS******

1. Call to Order **7:41 p.m.**
2. Pledge of Allegiance.
3. Texas Pledge
4. Proclamations, Recognition and Awards **Discussion Only**
 - a. Mayor Darion Culbertson to present a proclamation declaring the month of April 2019 as Sexual Assault Awareness Month in the Town of Fairview.
 - b. Mayor Darion Culbertson to present a proclamation declaring the month of April 2019 as Autism Awareness Month in the Town of Fairview.
5. Presentations & Reports
 - a. Presentation from Weaver and Tidwell regarding the annual independent audit for the fiscal year ended September 30, 2018 and take any necessary action. **Approved**
 - b. Presentation from ESCI regarding the review of fire operations. **Discussion Only**
 - c. NTTA to give a presentation related to Red Thumb Day and Mayor Culbertson to present a proclamation declaring April 23, 2019 Red Thumb Day in the Town of Fairview.
6. Consent Agenda **Approved**
 - a. Approve the minutes of the February 5, 2019 regular Council meeting.
 - b. Approve the minutes of the March 5, 2019 regular Council meeting.
 - c. Approve the minutes of the March 25, 2019 special Council meeting.
 - d. Approve the minutes of the March 27, 2019 special Council Town Hall meeting.
 - e. Approve an ordinance amending the solid waste rate.
 - f. Approve a resolution authorizing continued participation with the Atmos Cities Steering Committee and payment of assessed dues for 2019.

- g. Approve a resolution authorizing continued participation with the Oncor Cities Steering Committee and payment of assessed dues for 2019.
- h. Approve a resolution directing publication of notice of intention to issue certificates of obligation; and resolving other matters relating to the subject.

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. Public Hearings

- a. Conduct a public hearing, consider approval of an ordinance on a request for a Conditional Use Permit for an accessory structure. The 1.05-acre site is located at 1100 Sloan Crossing and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Curtis Campbell **(CUP2019-01) Approved**
- b. Conduct a public hearing, consider and consider approval of an ordinance on a request for a change in zoning from the (AG) Agriculture District to the (RE-2) Two-acre Ranch estate District. The 11.8-acre site is located on the west side of the intersection of Orr Road and Fitzhugh Mill Road. Applicant: Dan Anderson representing owners Ted and Ruth Kerico. **(ZA2019-01) Approved**

8. Action/Discussion Items

- a. Discuss, consider, and take any necessary action to award a bid for Lift Station removal.
- b. Discuss zoning changes that have been requested. **Approved**
- c. Discuss Town Park and trail plan, including update process, current components of the plan and funding. **Discussion Only**
- d. Discuss ideas for applying for funds with Collin County Parks & Open Space Project Funding Assistance Program. **Discussion Only**
- e. Discuss fire department budget. **Discussion Only**
- f. Discuss landscaping plans for medians along Stacy Road between Highway 5 and Country Club. **Discussion Only**
- g. Discuss the upcoming May 4, 2019 election. **Discussion Only**
- h. Discuss feedback regarding Desoto Fire Station. **Deferred to May meeting.**
- i. Discuss Boards and Commissions, and take any necessary action. **Deferred to May meeting.**

9. Citizen's Input **Discussion Only**

At this time, any person with business before the council not scheduled on the agenda may speak. Each person will have up to five minutes. No formal discussion or action may be taken on these items at this meeting.

10. Reports from Staff, including any updates on project tracking reports and department activities

- a. Monthly Financial Report – Period ending February 28, 2019.
- b. Stacy Road update

11. 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; 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.

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.

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.

12. Adjourn **12:37 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 29th day of March, 2019 at or before 6:00 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.