



**NOTICE OF A REGULAR COUNCIL MEETING
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE
FAIRVIEW, TEXAS
TUESDAY, APRIL 5, 2022
7:30 P.M
AGENDA
****RESULTS******

NOTICE IS HEREBY GIVEN the Town of Fairview Town Council will conduct its Regular Meeting scheduled at 7:30 p.m. on Tuesday, April 5, 2022, located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069 by telephone or video conference. The meeting will be accessible through in person or virtual attendance. The use of masks or face coverings is recommended.

This notice and meeting agenda will be posted online at fairviewtexas.org.

The telephonic/video meeting is hosted through RingCentral. To access the meeting via telephone/video conference click the below link:

<https://webinar.ringcentral.com/j/1489959296>

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting.

1. Call to Order **7:31 p.m.**
2. Pledge of Allegiance
3. Texas Pledge
4. Proclamations **(2:00)**
 - a. Mayor Lessner to present proclamation in recognition of Annual Start by Believing Day.
 - b. Mayor Lesser to present proclamation to Fairview resident for measures taken to save the life of a fellow resident.
5. Presentations & Reports **(11:18)**
 - a. Presentation from Weaver & Tidwell regarding the annual independent audit for the fiscal year ended September 30, 2021 and take any necessary action. **Council accepted**

6. Citizen's Comment (30:26)

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.

7. Consent Agenda **Approved (43:10)**

- a. Approve the minutes of the February 22, 2022 Special Council meeting.
- b. Approve the minutes of the March 1, 2022 Regular Council meeting.
- c. Approve the minutes of the March 22, 2022 Special Council meeting.
- d. Approve the contract renewal of the 2022 Municipal Mosquito contract for mosquito management services.
- e. Consider a request for approval of an Amending Plat of Lots 1, 2 and 3 of the Shackelford Estates Addition. The 8.2-acre tract of land is located at the northwest corner of E. Stacy Road and Orr Road (FM 317) and is zoned for the (RE-2) Two-Acre Ranch Estate District. Owner/Applicant: Kelly and Karen Shackelford.

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.

8. Reports from Staff, including any updates on project tracking reports and department activities **Discussion Only (44:49)**

- a. Monthly Financial Report – Period ending February 28, 2022
- b. Monthly Police Report – Period Ending March 31, 2022
- c. Monthly Fire Report – Period Ending March 31, 2022
- d. Town construction projects

9. Public Hearings (1:26:19)

- a. Hold a public hearing and consider approval on a request for approval of a replat of a portion of the Blue Grass Farms Addition into three (3) lots. The 6.4-acre site is located at 431 and 451 Kentucky Lane and is zoned for the (PC) Planned Center District. Applicant: JDRP Kentucky, LLC representing owners Marvin Molodow and JDRP Kentucky, LLC. **Approved**
- b. Hold a public hearing and consider approval on a request of a replat of Lots 17, 18, 19, 20 and 21, Block A of the Harper Landing Addition. The 15.05-acre site is located at 501 Michelle Way; 1181, 1191, 1201 and 1211 Harper Landing and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Gabriela Bell, PE of Huitt-Zollars, INC. representing the owner, Salim Family Enterprises, LTD. **Approved**
- c. Hold a public hearing and consider approval of an ordinance of a Conditional Use Permit (CUP) for an accessory structure. The 2.09-acre lot is located at 500 Home Place and is zoned for the (RE-2) Two-acre Ranch estate District. Applicant: Brandon Johnson. **Approved**

10. Council Action/Discussion Items (3:18:35)

- a. Discuss and consider authorizing the Town Manager to negotiate and execute an agreement with the City of Allen for repair costs on a shared sanitary sewer line. **Approved**
 - b. Discussion on status of Town efforts related to a local zip code and take any necessary action. **Discussion Only**
 - c. Discuss COVID-19 activities and actions and take any necessary action. **Discussion Only**
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; contracts for services; town property and infrastructure; drainage matters; town ordinances.

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.

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 **11:15 p.m.**

I, Adam Wilbourn, Assistant to the Town Manager, 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 1st day of April 2022 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Adam Wilbourn, Assistant to the Town Manager

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.