



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
MONDAY, JULY 8, 2019
7:30 P.M.
AGENDA
*RESULTS***

1. Call to Order **7:43 p.m.**
2. Pledge of Allegiance.
3. Texas Pledge
4. Oath of Office
5. Presentations and Reports
 - a. Presentation of Life Saving Award to Fire Station #1.
6. Citizen's Input

At this time, any person with business before the council not scheduled for public hearing 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.
7. Consent Agenda **Approved**
 - a. Approve the minutes of the June 4, 2019 regular Council meeting.
 - b. Approve the minutes of the June 21, 2019 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.
8. Public Hearings
 - a. Continue public hearing and consider a request for approval of an Ordinance for a revised Conditional Use Permit for the Faith Church of Collin County. The 2.9-acre site is located at the southwest corner of Highway 5 and Murray Road and is zoned for the (RE-

1) One-Acre Ranch Estate District. Applicant: Josh Lincoln, HP Civil Engineering, representing Faith Church of Collin County. (CUP2019-02) **Approved**

9. Action/Discussion Items

- a. Consider, discuss and take any necessary action on a request for approval of a Final Plat of the Southern Springs Farm Addition. The 6.1-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: Dan Anderson, representing owners Ted and Ruth Kerico. **Approved**
- b. Consider, discuss and take any necessary action for approval of the First Amendment to the Water Tower License agreement with Skybeam, LLC dba Rise Broadband. **Approved**
- c. Consider, discuss and take any necessary action on adoption of an ordinance establishing a pro-rata fee for Town reimbursement for a regional detention pond.
- d. Discuss Boards & Commissions and take any necessary action.

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

- a. Monthly Financial Report – Period ending May 31, 2019.
- b. Town construction projects.

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 and ordinances for services and programs; regulations related to TABC permits; lawsuit regarding the provisions of SB 1004 approved in the 85th regular session of the Texas Legislature; potential litigation regarding SB 1152 approved in the 87th regular session of the Texas Legislature; potential litigation regarding drainage; 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 **10:10 p.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 5th day of July, 2019 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.