



**NOTICE OF A REGULAR COUNCIL MEETING  
VIA TELEPHONE/VIDEO CONFERENCE  
FAIRVIEW TOWN COUNCIL  
TUESDAY, AUGUST 4, 2020  
7:30 P.M  
AGENDA  
**\*\*RESULTS\*\*****

**NOTICE IS HEREBY GIVEN** in accordance with order of the Office of the Governor issued June 11, 2020, the Town of Fairview will conduct its Regular Meeting scheduled at 7:30 p.m. on Tuesday, August 4, 2020, located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069 by telephone or video conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). There will be limited public access to the location described above.

This Notice and Meeting Agenda, will be posted online at [fairviewtexas.org](http://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/webinar/register/WN\\_7\\_9sIaQeQAWUagmIBMfo0Q](https://webinar.ringcentral.com/webinar/register/WN_7_9sIaQeQAWUagmIBMfo0Q)

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 **7:33 p.m**
2. Pledge of Allegiance.
3. Texas Pledge
4. Citizen’s Comment

*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.*

5. Presentations & Reports
  - a. Municipal Mosquito to give a presentation related to contracted activities related to mosquito control and take any necessary action. **Discussion Only**
6. Consent Agenda **Approved**
  - a. Approve the minutes of the June 23, 2020 Special Council meeting.
  - b. Approve the minutes of the June 30, 2020 Special Council meeting.
  - c. Approve the minutes of the July 7, 2020 Regular Council meeting.
  - d. Approve the minutes of the July 21, 2020 Special Council meeting.
  - e. Approve an ordinance calling for a Local Option Election to be held on November 3, 2020.
  - f. Approve an ordinance calling the November 3, 2020 General Election and authorizing the Town Manager to execute a joint agreement with Collin County for the provision of election services.

*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 June 30, 2020
  - b. Quarterly Financial Report – Period ending June 30, 2020
  - c. Monthly Police Report – Period Ending July 31, 2020
  - d. Monthly Fire Report – Period Ending June 30, 2020
  - e. Town construction projects
8. Public Hearings **Approved**
  - a. Conduct a public hearing and consider approval on a request for amending plat of Lot 50, Block A of the Village of Fairview Addition and Lot 2R of the Campbell Knight Place Addition, to relocate a common lot line, and a zoning change of a 5,240 square foot area created by the above mentioned relocated lot line, from the (RE-1) One-acre Ranch Estate District to the (CPDD) Commercial Planned Development District with the Neighborhood General sub-district. The sites are located at 5552 Emerson Ct. and 340 Murray Road. Owners: Biviana Gonzales (Lot 50) and Jack & Susan Warren (Lot 2R).
9. Council Action/Discussion Items
  - a. Consider, discuss and take any necessary action on the approval of design alternates to the construction contract with Byrne Construction and related matters. **Tabled for further discussion**
  - b. Consider, discuss and take any necessary action to award a bid for the Countryside water line replacement. **Approved**
  - c. Consider, discuss and take any necessary action on the Ridgeview Rd TxDOT agreement. **Approved**
  - d. Consider, discuss and take any necessary action on a Resolution affirming the status of Bush Road. **Approved**

- e. Discuss budget process, meeting dates, and other related matters. **Discussion Only**
  - f. Discuss COVID-19 activities and actions and take any necessary action. **Discussion Only**
  - g. Discuss Harper's Landing developer's agreement. **Discussion Only**
  - h. Discuss the town regulations regarding the operation of golf carts in Town. **Held to next meeting**
  - i. Discuss status of maintenance in Fairview Town Center **Discussion Only**
  - j. Discuss Boards & Commissions and take any necessary action. **Technology Committee Chair ppointment 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; council procedures; town policies regarding litigation; business regulations; Robert Bruce Kelly and Shannon Shirey Kelly vs. Town of Fairview, Case No. 380-04945-2018 in the 380<sup>th</sup> Judicial District, Collin County, Texas; Mark Edward Stoddard and Bertel Morgan Stoddard vs. Town of Fairview, Case No. 296-04944-2018 in the 296<sup>th</sup> Judicial District, Collin County, Texas.; Michael Pezzulli & Diane Pezzulli vs. Town of Fairview, Case No. 219-06333-2019 in the 219<sup>th</sup> 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.

- 11. Take any necessary action as a result of executive session. **Approved Kelly settlement agreement**

*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 **11:55 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 31<sup>st</sup> day of July, 2020 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

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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.