



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
EXECUTIVE SESSION
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, SEPTEMBER 5, 2023
6:00 P.M.
AGENDA**

1. Call to order in Open Session **6:00 P.M.**
2. Town Council recesses into Executive Session **6:01 P.M.**
3. The Town Council will meet in Closed Session regarding the following items and/or any item posted on the 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; administrative matters; drainage matters; town regulations; transportation matters; state law review and compliance.

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

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, where it is considered necessary and legally justified under the Open Meetings Act.

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.

The Council reserves the right to discuss or take action on Executive Session items on this meeting notice or any item on the Town Council's September 5, 2023, Regular Session meeting agenda/notice, which was posted at the same date, time and place of this Executive Session meeting agenda/notice, said Regular Session meeting being scheduled to begin at 7:30 p.m. on September 5, 2023, at Fairview Town Hall.

4. Adjourn **7:29 P.M.**

I, Joshua Stevenson, 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 1st day of September 2023 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Joshua Stevenson, 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.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, where it is considered necessary and legally justified under the Open Meetings Act.



**NOTICE OF A REGULAR COUNCIL MEETING
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE
FAIRVIEW, TEXAS
TUESDAY, SEPTEMBER 5, 2023
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, September 5, 2023, located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069. A meeting can be held with a member participating by videoconference provided that there is a quorum of members physically present at the location that is open to the public. One or more Council members may attend the meeting via video conference.

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

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 **7:30 P.M.**
2. Pledge of Allegiance
3. Texas Pledge
4. Proclamation
 - a. Mayor Lessner presents a proclamation declaring the first full week of September as National Payroll Week in the Town of Fairview.
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
 - a. Approve the minutes of the July 27, 2023 Special Council meeting. **Approved**
 - b. Approve the minutes of the August 1, 2023 Regular Council meeting. **Approved**
 - c. Approve the minutes of the August 22, 2023 Special Council meeting. **Approved**
 - d. Approve the minutes of the August 22, 2023 Special Council meeting. **Approved**
 - e. Approve the minutes of the August 28, 2023 Special Council meeting. **Approved**
 - f. Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding dispatch services. **Approved**
 - g. Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding jail services. **Approved**
 - h. Authorize the Town Manager to enter into an Interlocal Agreement with Collin County regarding animal control services. **Approved**
 - i. Authorize the Town Manager to enter into an Interlocal Agreement with Collin County regarding animal shelter services. **Approved**
 - j. Approve Interlocal Agreement with the City of Wylie regarding dispatch services. **Approved**
 - k. Approve an ordinance approving a negotiated settlement with Atmos Energy Corp., Mid-Tex Division regarding the company's 2023 Rate Review Mechanism Filing. **Approved**
 - l. Approve resolution ratifying an appointment to the position of Town Secretary. **Approved**
 - m. Accept a Warranty Deed for dedication of right of way for the extension of Sharon Road. **Conditional Approval**

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.
 - a. Monthly Financial Report – Period ending July 31, 2023 **Discussion Only**
 - b. Monthly Police Report – Period Ending August 31, 2023 **Discussion Only**
 - c. Monthly Fire Report – Period Ending August 31, 2023 **Discussion Only**
 - d. Town construction projects **Discussion Only**
8. Public Hearings
 - a. Hold a public hearing to consider approval on an ordinance for a Conditional Use Permit (CUP) for an accessory structure (greenhouse). The 4.2-acre lot is located at 1221 Red Oak Trail and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: John and Marilyn Haynes. **Approved**
9. Council Action/Discussion Items
 - a. Consider, discuss, and take any action necessary on an ordinance authorizing the issuance and sale of Town of Fairview, Limited Tax Note Series 2023; levying an annual ad valorem tax and providing for the security for and payment of the note; providing an effective date; and enacting other provisions relating to the subject. **Approved**
 - b. Consider, discuss, and take any necessary action on awarding a bid for drainage improvements in Foxglen subdivision. **Approved**
 - c. Consider, discuss, and take any necessary action on an ordinance regulating donation and other collection bins in town. **Approved**

- d. Consider, discuss and take any necessary action on the DART Collin County Rides Program. **Approved**
 - e. Consider, discuss, and take any action necessary on an approval of an agreement with DCTA for transit services. **Approved**
 - f. Consider, discuss and take any necessary action regarding a possible move of the regular October Council meeting date due to National Night Out. **Approved**
 - g. Consider, discuss, and take any action necessary on upcoming special meetings. **Discussion Only**
 - h. Consider, discuss, and take any action necessary on use of hotel taxes for the arts and other related purposes. **Discussion Only**
 - i. Consider, discuss, and take any action necessary on current EMS fees and charges. **Discussion Only**
 - j. Consider, discuss, and take any action necessary on Boards & Commissions appointments. **Appointment and Reappointments 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:

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Council took action from Executive Session to conditionally approve Agenda item 6(m) (Accept a Warranty Deed for dedication of right of way for the extension of Sharon Road.

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 **9:15 P.M.**

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