

**TOWN COUNCIL  
MEETING MINUTES  
MAY 2, 2017**

The Town Council met in regular session on Tuesday, May 2, 2017 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson; Mayor Pro Tem John Adler as well as Councilmembers Frank O'Reilly, Pam Little and Renee Powell.

Councilmembers Ron Samuels and Paul Hendricks were absent. Staff present included Town Manager, Julie Couch; Assistant to the Town Manager, Adam Willbourn; Chief Financial Officer, Jason Weeks; Planning Manager, Israel Roberts; Economic Development Manager, Ray Dunlap; Town Engineer, James Chancellor; Police Chief, Granver Tolliver; various members of the Fairview Police Department; Town Secretary, Elizabeth Cappon; and Town Attorney, Clark McCoy.

Mayor Culbertson called the meeting to order at 6:00 p.m. and declared a quorum was present. At 6:01 p.m., the council then adjourned into executive session regarding Section 551.071: consult with legal counsel, Section 551.072: property acquisition, Section 551.074: personnel and Section 551.087: economic development negotiations.

At 7:30 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

**APPOINTMENTS AND REPORTS:** Willow Springs Middle School Independent Studies student, Arturo Yundt-Pacheco, gave a presentation regarding his research project presentation on robotics.

Karen Karnuta, Chairman of the Public Art Committee gave a report on agenda item 3 (b) regarding the recent Town of Fairview Art Show.

**PROCLAMATIONS, RECOGNITION AND AWARDS:** Chief Tolliver introduced newly hired Police Officer, Boston Ross and Ms. Cappon administered the Oath of Honor to him.

Mayor Culbertson presented a proclamation to Jennifer Tinsman, 2015-16 Past President of the Junior League of Collin County, declaring Tuesday, May 2 as Junior League of Collin County Day in the Town of Fairview.

Mayor Culbertson presented a proclamation to James Voss of the U.S. Coast Guard Auxiliary Fairview Chapter declaring May 20 through 26 as Safe Boating Week in the Town of Fairview.

Mayor Culbertson presented a proclamation to the Blacksheep Motorcycle Club declaring the month of May as Motorcycle Safety and Awareness month in the Town of Fairview.

**CONSENT AGENDA:** All items listed under the Consent Agenda are considered routine and are 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 be considered separately. A) Approve the minutes of the March 7, 2017, regular Council meeting. B) Approve a resolution calling for the

early redemption of the Town's Certificates of Obligation, Taxable Series 2012-B, prior to maturity. C) Adopt the June 7, 2017 Federal Emergency Management Agency (FEMA) flood study revisions for Collin County and Incorporated areas. D) Consider approving a professional services agreement with Huitt-Zollars, Inc. for the purposes of updated the FEMA flood maps for Sloan Creek and associated tributaries. Councilmember O'Reilly made a motion to approve the consent agenda. Councilmember Powell seconded the motion and the motion was unanimously approved.

**PUBLIC HEARING SUBDIVISION ORDINANCE AMENDMENTS:** Mr. Roberts gave a presentation on agenda item 6(a), a request for approval and a public hearing regarding various amendments to the subdivision ordinance.

Mayor Culbertson opened the public hearing. There were no speakers. Mayor Culbertson closed the public hearing.

Councilmember Little made a motion to approve various amendments to the subdivision ordinance. Councilmember O'Reilly seconded the motion and the motion was unanimously approved.

**ACQUISITION OF BUDGETED CAPITAL ITEMS:** Mr. Weeks gave a presentation on agenda items 7(a) and 7(b), requests to authorize staff to proceed with the acquisition of 2016-17 certain budgeted capital items utilizing cash and authorizing the Town Manager to enter into an agreement with a financial institution for a short-term loan for the acquisition of certain 2016-17 budgeted capital items.

Councilmember O'Reilly made a motion to authorize staff to proceed with the acquisition of 2016-17 budgeted capital items. Councilmember Powell seconded the motion and the motion was unanimously approved.

Councilmember O'Reilly made a motion to authorize the Town Manager to enter into an agreement with a financial institution for a short-term loan for the acquisition of 2016-17 budgeted capital items. Councilmember Adler seconded the motion and the motion was unanimously approved.

**RESOLUTIONS OF PUBLIC NECESSITY FOR ACQUISITION OF PROPERTY FOR TRAIL AND SEWER EASEMENTS:** Mr. Chancellor gave a presentation on agenda items 7 (c), 7(d), 7(e) and 7(f), resolutions of public necessity for acquisition of private property for trail and sanitary sewer easements.

Mr. Chancellor stated that while the use of eminent domain will be a last resort, if a settlement cannot be reached with the land owners then it would be necessary to complete the trail. Councilmember O'Reilly stated for the record that this portion of the trail is on the Town's original park and trail master plan; Mr. Chancellor concurred.

Councilmember Little made a motion to approve a resolution of public necessity for acquisition of private property for a trail easement on Parker Estates property and authorizing the Town



Manager to acquire property by any lawful means including eminent domain. Councilmember Powell seconded the motion and the motion was unanimously approved.

Councilmember Little made a motion to approve a resolution of public necessity for acquisition of private property for a trail easement on Soest Ltd property and authorizing the Town Manager to acquire property by any lawful means including eminent domain. Councilmember Powell seconded the motion and the motion was unanimously approved.

Councilmember Little made a motion to approve a resolution of public necessity for acquisition of private property for a trail easement on McElroy property and authorizing the Town Manager to acquire property by any lawful means including eminent domain. Councilmember O'Reilly seconded the motion and the motion was unanimously approved.

Mr. Chancellor stated that in the case of agenda item 7(f) the eminent domain, if necessary, would be for a sewer easement to run along the trail to a new sewer pump lift station.

Councilmember Little made a motion to approve a resolution of public necessity for acquisition of private property for a sanitary sewer easement on Soest Ltd property and authorizing the Town Manager to acquire property by any lawful means including eminent domain. Councilmember O'Reilly seconded the motion and the motion was unanimously approved.

**BOARDS/COMMISSIONS:** Discuss boards and commissions and take any necessary action.

Councilmember Powell made a motion to appoint Jennifer Ashby as a member of Parks and Recreation Advisory Board. Councilmember Little seconded the motion and the motion was unanimously approved.

Councilmember Little made a motion to appoint Nancy Lewis as a member of EDC/CDC Board of Directors. Councilmember Adler seconded the motion and the motion was unanimously approved.

**CITIZEN INPUT:** No citizens wished to speak.

**REPORTS FROM STAFF:** Mr. Chancellor provided an update on agenda item 9 (c) regarding the Stacy Road Construction.

Mr. Chancellor stated that Old Stacy Road was currently closed and will reopen once completed; he stated that closure of Hawkswood would occur soon with Oakwood Estates occurring shortly after. Mr. Chancellor discussed the retail access off Stacy.

Mr. Chancellor also provided an update on East Stacy Road plans; he stated that 90 percent plans were complete but that the Town is awaiting information regarding movement of power lines.

Mr. Chancellor stated the U.S. 75 ramps have reopened and TxDOT's next step is conducting a speed study on the frontage road. He stated that on the main highway it has already been approved to increase up to 70mph, which has already been done in Allen and McKinney.

Ms. Couch stated that the Town is currently soliciting bids for the sand seal process on Lakewood Drive and Timber Lane. She added that once the bid process is complete, staff would hold community meetings with the residents regarding the process.

Mr. Weeks provided an update on agenda items 9(a) and 9(b) the Monthly Financial and Quarterly Investment Reports ending March 31, 2017. Mr. Weeks stated staff is planning to issue a request for qualifications regarding collections as the current contract with Perdue Brandon Fielder Collins and Mott, LLP, expires this summer.

Mr. Weeks stated that the Town's depository contract ends soon and the Town's prior investment representative has left Wells Fargo. He added that the Town's investment rates have remained low and stagnant despite the agreement with the Town's prior representative to increase them equivalent with TexPool's current rate. Mr. Weeks stated that dependent on the resolution of this issue with the new representative, the Town may move funds to TexPool. Mr. Weeks stated that toward the end of the calendar year, staff would bring forth recommendations to update the Town's depository contract.

Mayor Culbertson stated that this would be Councilmember O'Reilly's last meeting as a Councilmember and thanked him for his friendship and service to the Town. Councilmember O'Reilly thanked Mayor Culbertson for his leadership and stated that the Council and staff have made impressive changes to the Town that he expected would continue with the new Councilmembers.

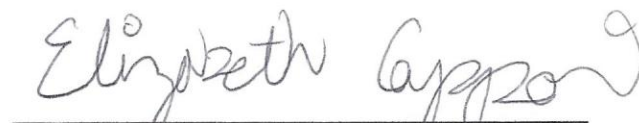
Councilmember Powell stated that the Lovejoy High School AP Art Show is on May 13, 2017.

Ms. Couch reminded the Council of their upcoming work session on May 17, 2017.

Councilmember Adler stated that Mayor Culbertson, Councilmember O'Reilly and himself recently attended a golf tournament at Heritage Ranch for Councilmember Hendricks' organization, the Veterans Center of North Texas. Councilmember Adler encouraged the Council and public to get involved in next year's tournament and with the organization.

Mayor Culbertson adjourned the meeting at 8:33 p.m.

  
 Darion Culbertson, Mayor

  
 Elizabeth Cappon, Town Secretary

