

**TOWN COUNCIL
MEETING MINUTES
AUGUST 1, 2017**

The Town Council met in regular session on Tuesday, August 1, 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 Bill Nicol, Henry Lessner, Pam Little, Paul Hendricks and Renee Powell. Staff present included Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Chief Financial Officer, Jason Weeks; Planning Manager, Israel Roberts; Economic Development Manager, Ray Dunlap; Town Engineer, James Chancellor; Police Chief, Granver Tolliver; Town Secretary, Elizabeth Cappon; and Town Attorney, Clark McCoy.

Mayor Culbertson called the meeting to order at 6:02 p.m. and declared a quorum was present. At 6:03 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 7:40 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

PROCLAMATIONS, RECOGNITION AND AWARDS: Chief Tolliver introduced newly hired Police Officer, Stephen Tomlinson and Ms. Cappon administered the Oath of Honor.

Mayor Darion Culbertson presented a proclamation naming Milo Wentz of Puster Elementary as Mayor of the Town of Fairview for Tuesday August 1, 2017.

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 June 6, 2017, regular Council meeting. B) Approve the minutes of the July 5, 2017, regular Council meeting. C) Approve a resolution establishing an ad-hoc 2017 Capital Improvements Program (CIP) Committee. D) Approve an ordinance amending the solid waste ordinance regarding section 12.02.034 on collection and disposal. E) Approve a reimbursement resolution for the resolution for the November 2017 bond election.

Councilmember Lessner asked to pull agenda item B as he needed to abstain as he was absent from the meeting. Councilmember Powell made a motion to approve items A, C, D and E of the consent agenda. Mayor Pro Tem Adler seconded the motion and the motion was unanimously approved. Councilmember Hendricks made a motion to approve item B of the consent agenda. Councilmember Little seconded the motion and the motion was unanimously approved with one abstention from Councilmember Lessner.

PUBLIC HEARING – CUP – CREEKWOOD UMC EXPANSION: Mr. Roberts gave a presentation on agenda item 5(a), a request for approval of a Conditional Use Permit (CUP) for the Creekwood United Methodist Church to reflect an expansion to the existing building to

accommodate additional classroom and office space. He stated that the 28.4-acre site is located at the southwest corner of Stacy Road and Country Club Road and is zoned for the (RE-1) One-Acre Ranch Estate District.

Mr. Roberts stated the revised plans reflected a decorative spire and tower in replacement of the bell tower show prior. Mr. Roberts stated that he mailed 28 notices to surrounding property owners and received no responses.

Mayor Culbertson opened the public hearing; there were no speakers. Mayor Culbertson closed the public hearing.

Councilmember Hendricks made a motion to approve a Conditional Use Permit (CUP) for the Creekwood United Methodist Church to reflect an expansion to the existing building to accommodate additional classroom and office space. The 28.4-acre site is located at the southwest corner of Stacy Road and Country Club Road and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Kevin Minkler; Pacheco Koch, representing Creekwood United Methodist Church. (Case No. CUP2017-01). Councilmember Powell seconded the motion and the motion was unanimously approved.

DEVELOPMENT AGREEMENT AND FINAL PLAT – HARPER LANDING

ADDITION: Mr. Chancellor gave a presentation on agenda items 6(a) and 6(b), a development agreement and a final plat for the Harper Landing Addition.

Mr. Chancellor described the revisions to the developer's agreement such as the swale maintenance as well as the exhibits such as the flood study, landscape plan and tree mitigation plan.

Mayor Culbertson asked Ms. Couch to describe the funds set aside for swale maintenance. Ms. Couch stated that the HOA documents and developer's agreement included provisions for a \$25,000 fund to be maintained in case the Town is called upon to provide maintenance to the swale in the case that the HOA does not to maintain it.

Ms. Couch described a final change to the wording regarding the landscape buffers that would result in the developer's agreement needing to be approved subject to legal form.

Councilmember Nicol made a motion to approve a revised development agreement with Harper Landing Development LLC subject to the change regarding the landscape buffer and final legal form. Councilmember Lessner seconded the motion and the item was unanimously approved.

Mr. Roberts gave a presentation on the four revisions to the final plat and introduced Mr. Chancellor to give a presentation on the revised drainage study.

The Council and Mr. Chancellor discussed the revisions to the swale design, the most recent flood study, the convergence of the swale with the creek and the improvements to the flood plain.

Councilmember Hendricks made a motion to approve a revised final plat for the Harper Landing Addition subject to the change regarding the landscape buffer and final plan review by the Town Engineer. The 72.9-acre site is located on the east side of Country Club, between Farmstead Street and Camino Real and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Dave Wilcox: Wilco Partners LLC, representing Liberty Bank Life Insurance (FP2016-04). Councilmember Nicol seconded the motion and the item was unanimously approved.

SCHEDULE PROPOSED TAX RATE PUBLIC HEARINGS: Mr. Weeks gave a presentation on agenda items 6(c) and 6(d): consider and act on a proposed tax rate for FY 2017-2018 and placement of a proposal to adopt the proposed tax rate on the agenda of a future meeting as well as consider and act on a resolution scheduling public hearings on the Town of Fairview proposed tax rate.

Mr. Weeks stated that the Town is required to hold two public hearings regarding the tax rate as the Town has raised more property tax revenue due to an increase in values from appraisals. Mr. Weeks stated that Staff additionally has presented Council with a balanced budget at their budget retreat but only one public hearing on the budget is required.

Mr. Weeks stated that the public hearings would be held on Monday, August 14 at 6 p.m. and Monday, August 21 at 6 p.m. with the budget and tax rate to be approved at the regular Council meeting on Tuesday, September 5 at 7:30 p.m. with notice given in the Allen American.

Mayor Culbertson took a roll call vote to approve a resolution scheduling public hearings on the Town of Fairview proposed tax rate and the motion was unanimously approved by all of the Councilmembers and the Mayor.

Councilmember Powell made a motion to approve a resolution naming Monday, August 14 at 6 p.m. and Monday, August 21 at 6 p.m. as the dates for the public hearings on the Town of Fairview proposed tax rate to be held at Fairview Town Hall located at 372 Town Place. Mayor Pro Tem Adler seconded the motion and the motion was unanimously approved.

BUDGET AMENDMENT FOR SLOAN CREEK DAM TEST SECTION AGREEMENT: Mr. Chancellor gave a presentation on agenda item 6(e), a request for approval on a supplemental budget amendment to the FY 2016-17 budget and allow the Town Manager to enter into a professional services agreement with Huitt-Zollars, Inc. for the creation of a dam test section on Sloan Creek.

Mr. Chancellor explained the use of check dams and the test section process, including how the dams fit into the Town's drainage master plan. Mr. Chancellor introduced, Robert Armstrong of Huitt-Zollars, Inc. to answer any questions. The Council, Mr. Armstrong and Mr. Chancellor discussed the check dam and test section process.

Councilmember Powell made a motion to approve a supplemental budget amendment to the FY 2016-17 budget not to exceed \$58,340 and authorize the Town Manager to enter into an agreement with Huitt-Zollars, Inc. for the creation of a dam test section on Sloan Creek. Councilmember Lessner seconded the motion and the motion was unanimously approved.

AGREEMENT WITH LOVEJOY ISD REGARDING SRO: Ms. Couch introduced a presentation by Chief Tolliver on agenda item 6(f), authorizing the Town Manager to enter into an agreement with Lovejoy ISD regarding a Student Resource Officer (SRO).

Ms. Couch stated that Lovejoy ISD was requesting that the Town provide an SRO to Lovejoy High School; she added that the Town had previously provided an SRO to Lovejoy ISD at Sloan Creek Intermediate School until the position was eliminated.

Chief Tolliver stated that Lovejoy High School has always had an SRO but it was previously provided by the Collin County Sherriff, who is no longer offering to provide an SRO to Lovejoy ISD. Chief Tolliver stated that Lovejoy ISD would be asked to reimburse the Town for the officer, equipment and vehicle on a percentage of use basis, which would be approximately 10 months of the year. Chief Tolliver stated that it currently would only be a one-year agreement.

Chief Tolliver stated that the SRO would travel to all Lovejoy ISD schools and additional officers would rotate for security at extracurricular activities as well. Chief Tolliver stated that he already had an officer in mind that has a child at Lovejoy High School. Councilmember Powell stated that prior SROs from the County Sherriff had not been as interactive with the students as she would have liked to see. Chief Tolliver stated that the selected officer interacts well with others in the community. Chief Tolliver stated his recommendation of providing the SRO due to the number of Fairview students and parents at Lovejoy.

Mayor Culbertson asked that Chief Tolliver report back regarding the SROs recent activities.

Councilmember Lessner made a motion to authorize the Town Manager to enter into an agreement with Lovejoy ISD regarding a Student Resource Officer (SRO). Councilmember Powell seconded the motion and the motion was unanimously approved.

RENEW DART AGREEMENT: Mr. Wilbourn gave a presentation on agenda item 6(g) Consider, discuss and take any necessary action on authorizing the Town Manager to renew the Town's agreement with DART for public transit services.

Mr. Wilbourn stated that the Town's agreement with DART for public transit services for those over 65 years old and the disabled would expire on September 30. Mr. Wilbourn stated that DART is proposing a two-year renewal with no changes to the agreement.

Mr. Wilbourn stated that the Town is currently averaging 14.5 participants with 40 trips with a gradual increase in recent months with an anticipated increase after Overture Fairview opens.

Mr. Wilbourn stated that the service costs the Town \$8400 per year. Mr. Wilbourn stated that with the program, residents can obtain up to a \$400 monthly taxicab voucher for 25 percent of the cost. Mr. Wilbourn stated that the cab rides do require preregistration.

Mayor Pro Tem Adler stated that he felt that that the program was important as it is utilized by those with the greatest need. Mayor Culbertson agreed.

Mayor Pro Tem Adler made a motion to authorize the Town Manager to renew the Town's agreement with DART for public transit services. Councilmember Nicol seconded the motion and the motion was unanimously approved.

MCKINNEY AIRPORT UPDATE: Councilmember Hendricks and The Council discussed an update on agenda item 6(h) regarding an update from the McKinney Airport Advisory Committee meeting. The Council discussed the Airport Master Plan and Layout Plan update.

Councilmember Hendricks invited the Council to go on a tour of the Airport on Thursday.

MOVING OCTOBER AND NOVEMBER MEETING DATES: Ms. Couch gave a presentation on agenda item 6(i) regarding moving the regular October and November Council meetings date due to National Night Out and the bond election. The Council agreed to move the Council meetings in October and November to the first Wednesdays of each month, October 4 and November 1.

FY 2017-18 BUDGET PRIORITIES: Ms. Couch discussed with the Council agenda item 6(j), the fiscal year 2017-18 budget and related work session items.

Mayor Culbertson stated that the Council had held their annual budget workshop the day before and this was the next opportunity for the Council to discuss any questions before the budget is voted upon at the October regular Council meeting. Ms. Couch added the Council would have additional opportunities to discuss the budget at their upcoming special Council meetings in August. There was no further discussion.

CIP AND NOVEMBER BOND ELECTION: Ms. Couch discussed with the Council agenda item 6(j), the Capital Improvements Plan, the November bond election and other recent related work session items.

Ms. Couch stated that all the prospective CIP committee members are available on Monday at 6 p.m. for a meeting and tour of the existing facilities. Ms. Couch stated that the Council will need to call the election at the August 21 Special Council Meeting. Ms. Couch stated that the consultants would be reviewing some additional changes to the plans in order to reduce costs at the August 14 meeting. Ms. Couch stated that at an upcoming meeting, dates would need to be selected for Town Hall meetings.

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

Councilmember Adler made a motion to appoint Mike VanNatta, Phil Hamilton, John Hubbard, Ben Brown, Rich Hickman, Emile Bonneau and Richard DiVirgilio as members of the 2017 Capital Improvements Program (CIP) Committee. Councilmember Lessner seconded the motion and the motion was unanimously approved.

Mayor Culbertson stated that Zoning Board of Adjustments (ZBA) member and alternate, Glenn Carlin and Scott Almy, needed to be removed from that Board as they are also members of the Planning and Zoning Commission.

Councilmember Powell made a motion to appoint Ken Drew as a member of the ZBA. Councilmember Little seconded the motion and the motion was unanimously approved.

Councilmember Lessner made a motion to appoint Donna Pekarek as an alternate member of the ZBA. Councilmember Powell seconded the motion and the motion was unanimously approved.

CITIZEN INPUT:

Michael VanNatta, 5141 Stream Crest Way, Sloan Creek Estates, stated his appreciation to the Mayor for visiting to see the pump station and Sloan Creek Bridge. Mr. VanNatta stated that the neighborhood has been having issues with ATVs, motorcycles and golf carts on the bridge as well as landscaping issues around the pump station.

Mayor Culbertson stated that Staff has set up a camera to catch the perpetrators and have been having Chief Tolliver speak with offending residents. Mayor Culbertson stated his concern that someone would likely be injured. Mr. VanNatta voiced his support for a removable bollard, so that the bridge could still be utilized for the half marathon and similar events.

REPORTS FROM STAFF:

Mr. Chancellor provided an update on agenda item 8(c) regarding the Stacy Road Construction including the Meandering Way and Angel Pkwy closure.

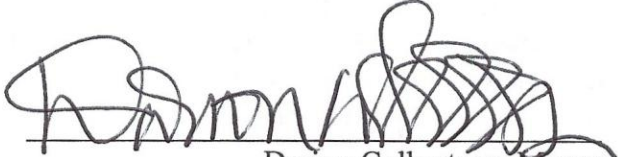
Ms. Couch provided an update on agenda item 8(d) regarding facilities planning.

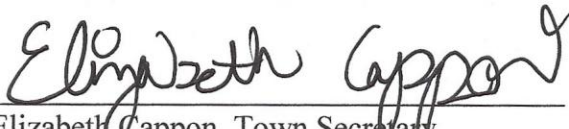
Ms. Couch provided an update on agenda item 8(e) regarding road maintenance including Meandro Real and Summit Court. Ms. Couch described the base issues with Summit Court.

Mr. Weeks provided an update on agenda items 8(a) and 8(b) regarding the Monthly Financial and the Quarterly Investment Reports for the periods ending June 30, 2017.

Mayor Culbertson adjourned the meeting at 9:28 p.m.




Darion Culbertson, Mayor


Elizabeth Cappon, Town Secretary