

**TOWN COUNCIL
MEETING MINUTES
FEBRUARY 2, 2016**

The Town Council met in regular session on Tuesday, February 2, 2016 at 6 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Pro Tem Henry Lessner; Councilmembers Ron Samuels, John Adler, Frank O'Reilly, Paul Hendricks and Renee Powell; Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Town Engineer, James Chancellor; Chief Financial Officer, Jason Weeks; Economic Development Manager, Ray Dunlap; Police Chief, Granver Toliver; Town Secretary, Elizabeth Cappon; and Town Attorney, Clark McCoy. Mayor Darion Culbertson was absent.

Mayor Pro Tem Lessner 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 a consult with legal counsel, personnel and economic development negotiations.

At 7:33 p.m., Mayor Pro Tem Lessner reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

APPOINTMENTS AND REPORTS: Villages of Fairview resident, Charley Murray, 371 Parkvillage Ave, spoke to the Council regarding parking in the Villages of Fairview subdivision.

The Council received a report from Public Art Committee Chairman, Karen Karnuta, regarding the upcoming Inaugural Town of Fairview Art Show.

Mr. Weeks presented a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the fiscal year ending in 2014 to the Council.

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 minutes of the January 5, 2016 regular Town Council meeting. B) Approve an ordinance calling the May 7, 2016, General Election and authorizing the town manager to execute a joint agreement with Collin County for the provision of election services. C) Approve a resolution expressing official intent to reimburse costs of projects related to the acquisition of property for municipal purposes. D) Approve an ordinance authorizing a budget amendment pertaining to the fiscal year 2015-16 budget and providing an effective date. Councilmember O'Reilly made a motion to approve the consent agenda. Councilmember Powell seconded the motion and the motion was unanimously approved.

FINAL PLAT FOR OAK MEADOWS ADDITION - 10 SINGLE-FAMILY

RESIDENTIAL LOTS: Consider, discuss and take any necessary action on a request by Steve Dinapoli, representing 84 Acres Red Oak Trail, LLC, for approval of a final plat for the Oak Meadows Addition, a proposed residential subdivision comprised of 10 single-family residential lots, 1 lot of common open space and 1 lot of parkland dedication on a 83.993± acre tract of land as recorded under Doc. # 2031226001676610, CCLR, situated in the George B. Pilant Survey – Abstract No. 691, Town of Fairview, Collin County, Texas, and that is generally located at the east

end of Red Oak Trail north of Meandro Ria Lane. The subject property is zoned PC, Planned Center District. **(FP2016-01)**.

Mr. LaCroix gave a presentation on agenda item 8(a) regarding approval of a final plat for the Oak Meadows Addition, a proposed residential subdivision comprised of 10 single-family residential lots, 1 lot of common open space and 1 lot of parkland dedication on a 83.993± acre tract of land generally located at the east end of Red Oak Trail north of Meandro Ria Lane.

Mr. LaCroix stated that the final plat includes a 24-acre parkland dedication plus an additional \$100,000 toward a pedestrian bridge for Wilson Creek, which will provide a future trail connection.

Mr. LaCroix stated that this final plat approval was a ministerial review process, given the plat meets all Town codes and subdivision regulations, so the Council is directed by State requirements to approve the final plat.

Mr. LaCroix stated that on January 14, 2016, the Planning and Zoning Commission voted 5-0 to approve the final plat.

Councilmember Adler asked Mr. LaCroix if the three new lots shown to the south would be part of Meandro Ria. Mr. La Croix stated those were property delineations allowing Meandro Ria residents to buy additional floodplain property from Mr. Dinapoli to add to their existing lots, which would still require a replat, should the residents decide to make that purchase.

Councilmember Samuels stated his support for how the development would positively influence the Town's trail system.

The applicant, Steve Dinapoli, 84 Acres Red Oak Trail, LLC, stated his support for the final plat. Mr. Dinapoli explained the changes that had been made to the final plat in order to allow existing residents access to the future trails.

Councilmember Samuels made a motion to approve a request by Steve Dinapoli, representing 84 Acres Red Oak Trail, LLC, for approval of a final plat for the Oak Meadows Addition, a proposed residential subdivision comprised of 10 single-family residential lots, 1 lot of common open space and 1 lot of parkland dedication on a 83.993± acre tract of land as recorded under Doc. # 2031226001676610, CCLR, situated in the George B. Pilant Survey – Abstract No. 691, Town of Fairview, Collin County, Texas, and that is generally located at the east end of Red Oak Trail north of Meandro Ria Lane. The subject property is zoned PC, Planned Center District. Councilmember O'Reilly seconded the motion and the motion was unanimously approved.

FINAL PLAT FOR GREYSTAR DEVELOPMENT IN CPDD: Consider, discuss and take any necessary action on a request by Greystar GP II, LLC, for approval of a final plat for the North Addition, Lots 3R-A & 2R-1A, Block A, being a replat of Lots 2R-1 & 3R, Block A, North Addition, recorded in Vol. 2008, Pg. 198, M.R.C.C.T. and Vol. 2013, Pg. 465, M.R.C.C.T. being 10.145 in the J. Dixon Survey - Abstract No. 276, Town of Fairview, Collin County, Texas, and generally located on the west side of Fairview Parkway and adjacent to the east side of Convention Drive. The subject property is zoned CPDD, Commercial Planned Development District. **(FP'2016-02)**.

Mr. LaCroix gave a presentation on agenda item 8(b) regarding a request by Greystar GP II, LLC, for approval of a final plat for the North Addition, Lots 3R-A & 2R-1A, Block A, being a replat of Lots 2R-1 & 3R, Block A, North Addition, generally located on the west side of Fairview Parkway and adjacent to the east side of Convention Drive.

Mr. LaCroix stated that this particular final plat was just a replat of two lots to be sold by MGHerring to Greystar for their age-restricted multifamily residential development. Mr. LaCroix stated this final plat approval was a ministerial review process, given the plat meets all the regulations.

Mr. LaCroix stated that on January 14, 2016, the Planning and Zoning Commission voted 5-0 to approve the final plat.

Brad Williams, Winstead PC, 2728 N Harwood Street in Dallas, representing the applicant as their land use attorney, stated that Greystar would close on the sale after final plat approval and that they planned to open the development in 2017.

Councilmember Powell made a motion to approve a request by Greystar GP II, LLC, for approval of a final plat for the North Addition, Lots 3R-A & 2R-1A, Block A, being a replat of Lots 2R-1 & 3R, Block A, North Addition, recorded in Vol. 2008, Pg. 198, M.R.C.C.T. and Vol. 2013, Pg. 465, M.R.C.C.T. being 10.145 in the J. Dixon Survey - Abstract No. 276, Town of Fairview, Collin County, Texas, and generally located on the west side of Fairview Parkway and adjacent to the east side of Convention Drive. The subject property is zoned CPDD, Commercial Planned Development District. Councilmember O'Reilly seconded the motion and the motion was unanimously approved.

FINAL PLAT AND FACILITIES AGREEMENT FOR THE COURTS AT SLOAN CREEK – 36 RESIDENTIAL LOTS: Consider, discuss and take any necessary action on a request by Jed Dolson, Kittyhawk LLC, for approval of a final plat for The Courts at Sloan Creek, being 36 residential lots and 8 open space lots on a 6.50 acre tract of land situated in the John A. Taylor Survey – Abstract No. 909, Town of Fairview, Collin County, Texas and that is generally located adjacent to and west of Highway 5 at the intersection of Meandering Way. (FP2016-03).

Mr. LaCroix gave a presentation on agenda item 8(c) regarding a request by Jed Dolson, Kittyhawk LLC, for approval of a final plat for The Courts at Sloan Creek.

Mr. LaCroix stated that the final plat was a site plan amendment where the applicant had decreased the number of lots in order to improve the landscape buffer between the development and the existing neighborhood. Mr. LaCroix stated this final plat approval was a ministerial review process, given the plat meets all the requirements.

Mr. LaCroix stated that on January 14, 2016, the Planning and Zoning Commission voted 5-0 to approve the final plat with some small adjustments made to the plat details.

Councilmember Hendricks asked Mr. LaCroix how the development might compare to the Villages of Fairview in regards to potential parking problems.

Mr. LaCroix stated that each home would have a garage with driveway access in addition to some visitor parking spaces and some on street parking along the north side that would not impede emergency vehicles.

Town Manager Couch stated that because the Courts at Sloan Creek townhomes are smaller, they would require less parking than homes in the Villages of Fairview. Ms. Couch stated that additionally the fire lanes are much wider. Ms. Couch stated that the development would be more comparable to the Villas of Fairview than the Villages of Fairview.

The representative of the applicant, Casey Ross of Dowdey, Anderson and Associates, 5225 Village Creek in Plano, stated not all of the 32 off street parking spaces are shown on the plat.

Councilmember O'Reilly asked who would be responsible for the alley. Ms. Couch stated it was a private alley and would not be a Town maintenance responsibility.

Mayor Pro Tem Lessner reiterated the importance of heavy landscaping along Highway 5. Mr. LaCroix stated that the plan includes large canopy trees for screening. Ms. Couch added that there are utility easements to consider in this case, which will differentiate what the developer can do for landscaping in the Courts at Sloan Creek as compared to existing neighboring developments.

Councilmember Powell made a motion to approve a request by a request by Jed Dolson, Kittyhawk LLC, for approval of a final plat for The Courts at Sloan Creek, being 36 residential lots and 8 open space lots on a 6.50 acre tract of land situated in the John A. Taylor Survey – Abstract No. 909, Town of Fairview, Collin County, Texas and that is generally located adjacent to and west of Highway 5 at the intersection of Meandering Way. Councilmember Adler seconded the motion and the motion was unanimously approved.

Mr. Chancellor gave a presentation on agenda item 8(d) regarding a facilities agreement for the developer of the Courts at Sloan Creek to install a parallel force main sewer line for the Town. Mr. Chancellor stated that this would connect a second line from the Sloan Creek sewer lift station.

Councilmember O'Reilly made a motion authorizing the Town Manager to negotiate and approve a facilities agreement, which would include provisions for a force main sewer line, along with other standard items included in such an agreement. Councilmember Hendricks seconded the motion and the motion was unanimously approved.

FINAL PLAT FOR TOOKER ADDITION – TWO SINGLE-FAMILY RESIDENTIAL LOTS: Consider, discuss and take any necessary action on a request by Larry C. and Jenifer L. Tooker for approval of a final plat for the Tooker Addition, a proposed residential subdivision comprised of 2 single-family residential lots on a 9.277 acre tract of land situated in the Samuel Sloan Survey – Abstract No. 791, Town of Fairview, Collin County, Texas, and that is generally located on the east side of Meandering Way north of Rushing Water CT. (FP2015-07).

Mr. LaCroix gave a presentation on agenda item 8(e) regarding a request by Larry C. and Jennifer L. Tooker for approval of a final plat for the Tooker Addition to divide their current single tract of land into two single-family residential lots.

Mr. LaCroix stated that this division would allow the applicant to keep their existing homestead and create an additional 3-acre lot. Mr. LaCroix stated this final plat approval was a ministerial review process, given the plat meets all the requirements.

Mr. LaCroix stated that on December 10, 2015, the Planning and Zoning Commission voted 4-0 to approve the final plat.

The Council and staff had an extended discussion regarding the roadway easement size for this property along Meandering Way, a rural historic roadway, as compared with the rest of Meandering Way and other roadways in the Town.

Mayor Pro Tem Lessner offered the applicant the opportunity to speak. The applicant, Jenifer Tooker, 510 Meandering Way, stated that she preferred the Council vote to approve the project before hearing her comments.

Councilmember Samuels made a motion to approve a request by Larry C. and Jenifer L. Tooker for approval of a final plat for the Tooker Addition, a proposed residential subdivision comprised of 2 single-family residential lots on a 9.277 acre tract of land situated in the Samuel Sloan Survey – Abstract No. 791, Town of Fairview, Collin County, Texas, and that is generally located on the east side of Meandering Way north of Rushing Water CT. Councilmember Powell seconded the motion and the motion was unanimously approved.

Ms. Tooker stated her disappointment in the forty-foot easement as well as the various setback requirements. Ms. Tooker stated that due to the triangular shape of the parcel of land paired with the numerous easements and setbacks, two of the three acres that they are selling are eliminated for building a home, affecting the land's survey and appraisal. Ms. Tooker stated that she might need assistance in alleviating some of the issues. Ms. Couch stated that the buyer of the land might not need one but that they are able to visit the Zoning Board of Adjustments to request a hardship variance to the setbacks.

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

Councilmember Samuels made a motion to appoint Beth McInerney to the Public Art Committee. Councilmember Powell seconded the motion and the motion was unanimously approved.

CAPITAL IMPROVEMENTS PLANNING: Hear a staff overview of the Capital Improvements Plan document, discuss the process for review including setting dates for additional meetings and take any necessary action.

Ms. Couch gave a presentation on agenda item 8(g), discussing the process for review of the Capital Improvements Plan during the upcoming special Town Council meetings. Staff

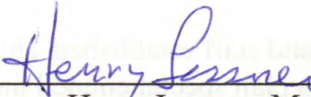
distributed the capital improvements (CIP) plan document to the Council. Mr. Weeks reviewed the different topics covered in the CIP plan document.

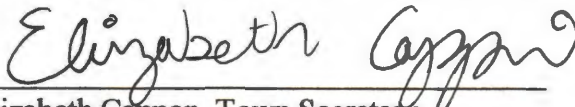
CITIZEN INPUT: No citizens wished to speak.

REPORTS FROM STAFF: Mr. Weeks provided a report on agenda items 10 (a) and 10 (b) regarding the monthly financial report and quarterly investment report. Mr. Weeks additionally provided an update on the Town's audit process.

Mr. Chancellor provided a report on agenda item 10(c) regarding an update on Stacy Road construction. The Council and Mr. Chancellor discussed the Stacy Road construction. Mr. Chancellor stated that TxDOT's current goal is for utilities work to be complete and construction to start on March 1.

Mayor Pro Tem Lessner adjourned the meeting at 9:50 p.m.


Henry Lessner, Mayor Pro Tem


Elizabeth Cappon, Town Secretary