

**TOWN COUNCIL
MEETING MINUTES
April 1, 2014**

The Town Council met in regular session on Tuesday, April 1, 2014 at 6:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members Ron Samuels, Jim Cunningham, Frank O'Reilly, Henry Lessner, Paul Hendricks and Mary Price; Town Manager, Julie Couch; Town Engineer, James Chancellor; Engineer in Training, Danielle Gregory; Economic Development Manager, Ray Dunlap; Assistant to the Town Manager, Adam Wilbourn; Planning Manager, Ken Schmidt; Chief Financial Officer, Jason Weeks; Town Secretary, Michelle Lewis Sirianni; and Town Attorney, Clark McCoy.

Mayor Culbertson called the meeting to order at 6:30 p.m. and declared a quorum was present.

The council then adjourned into executive session at 6:31 p.m. to consult with legal counsel regarding pending or contemplated litigation, personnel, and economic development.

At 7:31 p.m. Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

PROCLAMATION: Present a Proclamation to Lynne McLean and Terri Green recognizing Child Abuse Awareness Month.

Mayor Culbertson read and presented a proclamation to the Children's Advocacy Center representatives supporting child abuse awareness.

PRESENTATION: Presentation from homeowner representatives, discuss, and consider possible landscaping improvements on the existing dry detention basin east of Fairview Parkway, and take any necessary action.

Mr. Light and Mr. Musco, citizens from Fairview Downs and Villas in the Park addressed issues concerning the detention basin. The residents requested installing a drain and irrigation system, fix eroding, sodding around the pond, and the maintenance that will be necessary. The residents also expressed their concern for the mosquito issue due to the standing water and would like to see preventative maintenance done.

Mr. Chancellor stated that since MG Herring still owns this property, town staff held a meeting with their representatives and solicited financial support. Mr. Chancellor reviewed the proposed project and the costs, which included installing irrigation along the top of the basin on all three sides, installing a seeded compost material on the sides of the detention area to establish grass, the installation of 20 live oak trees, and the addition of material in the bottom of the basin to complete the correction of the erosion.

The council discussed the concerns brought forward and the recommendation(s) made by town staff. The consensus of council included installing irrigation and sod on the sides of the basin, repairing the sidewalks where cracks were formed, and requesting assistance from MG Herring for the associated maintenance costs. The council also requested for the next meeting that staff work with the residents on the materials to be placed on the bottom of the basin with options including costs.

CITIZEN SURVEY: Presentation from Ray Turco regarding the town's citizen survey results and take any necessary action.

Mr. Ray Turco presented the council with the results from the citizen survey and discussed each item by highlighting the information that stood out the most.

Mayor Culbertson requested the survey results to be shared with the residents either through the newsletter or town website.

CONSENT AGENDA: 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 be considered separately. A) Approve minutes of the March 4, 2014 regular Council meeting. B) Approve minutes of the March 13, 2014 special joint Council and P&Z meeting. C) Approve minutes of the March 20, 2014 special joint Council and Park and Recreation Board meeting. D) Approve an interlocal agreement with the City of Plano regarding employee training opportunities. Councilman Hendricks made a motion to approve consent agenda items A thru D. Mayor Pro Tem Lessner seconded that motion and the motion was unanimously approved.

CUP 3410 ORR ROAD: Conduct a public hearing, consider an ordinance, and take any necessary action on a request for approval of a Conditional Use Permit in order to allow for the construction of an accessory building on a property that is zoned Two-Acre Ranch Estate (RE-2) and is specifically located at 3410 Orr Road, being an 8.55 acre tract in the Calvin Boles Survey, Abstract No. 28.

Mr. Schmidt stated that the subject property is 8.55 acres in size with majority of the property zoned RE-2 and a small portion on the west side of the property zoned Open Space and Flood Hazard. The property is currently not platted and undeveloped. The applicant is proposing to provide for a metal building that is 2,400 SF with an attached 720 SF covered porch. Mr. Schmidt stated in the RE-2 zoning district, the applicant is permitted by right to provide for two accessory buildings that shall not exceed a combined building footprint are of 1,800 SF. The proposed building conforms to the town's requirements regarding size specifications and building materials. Town staff has not received any statements of support or opposition to this request. The Planning and

Zoning Commission recommended approval of this request. Mr. Schmidt stated that town staff recommends approval of this Conditional Use Permit application for the construction of an accessory building as submitted.

There was discussion regarding the ability to request an accessory structure prior to the construction of the primary structure.

Mayor Culbertson opened the public hearing.

Jerry Taylor, property owner, stated that he lived in Parker and sold his house there when he bought land in Fairview. He is working on construction plans to build and hopes to start building in the summer. Mr. Taylor stated that since he is still storing his RV in Princeton, he wanted to be able to store on his own property if he is able to do so.

Mayor Culbertson closed the public hearing and opened discussion to council.

The council discussed the size of accessory structures and proposed request.

Council Samuels made a motion to approve the Conditional Use Permit (CUP) as submitted and not to exceed a size of 3600 SF. Mayor Pro Tem Lessner seconded the motion.

Council discussed further the idea of granting a CUP prior to a primary structure being constructed.

The initial motion was withdrawn.

Councilwoman Price made a motion to table the request for a Conditional Use Permit for the construction of an accessory building. Councilman O'Reilly seconded that motion and the motion was unanimously approved.

MOSQUITO CONTROL: Discuss and consider the town's contract regarding mosquito control and take any necessary action.

Mr. Dunlap stated that Municipal Mosquito, the company the town used to aid in mosquito control did a good job last year. They were consistent with their testing and reporting and used data to determine their proactive larvaciding programs. The town had no positive tests last year. The program includes everything but adulticiding (spraying). Mr. Dunlap stated if the town chooses to use their services again, they will map the discharge point of all the towns' storm water drains and other bodies of public water. They will physically survey all these sights and determine how often they will inspect those sites during the season, as well as treat them if necessary with the correct preventive measure. Mr. Dunlap stated the price for the service is a retainer of \$1,500 plus \$17,800 for the entire season and does not include the spraying.

Councilwoman Price asked if they would be capable of spraying if they chose this service. Mr. Dunlap responded yes they would, although it is not included within the proposed cost.

Councilman Cunningham asked if they would conduct testing on private property. Mr. Dunlap replied that they would only test on public property except within Heritage Ranch, but the resident would be able to ask them to conduct testing if they wish.

Mayor Culbertson requested town staff to contact residents that have open bodies of water and use public communication efforts to continue educating on preventative treatments.

Councilwoman Price made a motion to approve an agreement with Municipal Mosquito for 2014 mosquito testing and prevention. Councilman Hendricks seconded that motion and the motion was unanimously approved.

WATER CONSERVATION/STAGE 3: Receive an update on the town's water conservation program and Stage 3 water restrictions, and take any necessary action.

Mrs. Couch stated that after receiving a briefing from North Texas, it was noted that all of the reservoirs are down eight to twelve feet. North Texas recommended that all entities served by them continue the once every two weeks watering through April and then they will evaluate on a month to month basis depending on the rain results. Mrs. Couch recommended that they continue with watering restrictions once every two weeks through April and will reevaluate in May.

TAPS: Discuss TAPS public transportation program in Fairview including future funding and take any necessary action.

Mr. Wilbourn stated that staff recently met with TAPS to discuss how the services are being used in Fairview, ridership participation, future opportunities for the town to take advantage of through TAPS, and local contributions that the Town of Fairview would have to provide TAPS in fiscal year 2014-2015. Mr. Wilbourn stated that the current service being provided is demand response or curb to curb pickup and delivery. Future opportunities include adding fixed routes to connect to Allen or McKinney or to tie connections to the Village for shopping. The decision for the town is whether we wish to continue to participate in the program and at what level. The pricing ranges from \$27,500 to \$52,400 depending on participation and types of services.

Council had preliminary discussions on the program including ridership, cost of the program and questions about who is served.

Mrs. Couch indicated she wanted council to begin discussion on this item. The council will receive a presentation in May from TAPS in order to receive more detailed information as requested.

UPCOMING MEETINGS: Discuss upcoming meetings including meetings with HOA's and other organizations, and take any necessary action.

Mayor Culbertson expressed his idea of having meetings every quarter. He suggested that meetings with HOA's would occur to provide updates on the town and any events and/or activities, provide newsletter ideas to the town, as well as any possible concerns.. Mayor Culbertson proposed that the second quarter be a joint meeting with the McKinney ISD and the third quarter be with Lovejoy ISD. The fourth quarter meeting would be a Town Hall meeting to provide an update through the budget process.

Mrs. Couch questioned council if they would like to continue with one or two Town Hall meetings with one being at Town Hall, Noah's, or Heritage Ranch.

Mrs. Couch reminded council of the council retreat meeting date on May 17. A joint meeting with P&Z will be held on April 10 regarding land use, and looking at the first week of May for a meeting regarding the CPDD.

CITIZENS INPUT:

No comments were made.

REPORTS FROM STAFF/TOWN COUNCIL: Receive reports from Staff or the Town Council about items of community interest.

Mr. Dunlap stated the Fairview Half is taking place on April 5.

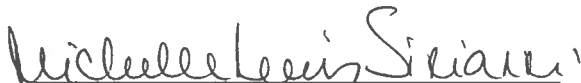
Mr. Chancellor provided brief update on State Hwy. 5 stating that they are aiming for a late April completion date.

At 10:36 p.m. Mayor Culbertson recessed back into executive session.

At 12:05 p.m. Mayor Culbertson reconvened back into regular session and with no actions being taken adjourned the meeting.


DARION CULBERTSON, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary

