

**TOWN COUNCIL
MEETING MINUTES
May 6, 2014**

The Town Council met in regular session on Tuesday, March 4, 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; Yolanda Wilson, Interim Town Secretary, 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.

PRESENTATION TO OUTGOING COUNCILMEMBERS: Mayor Culbertson expressed how much the Town of Fairview appreciated the volunteerism of two of the Town's longest serving board members. Outgoing Councilmember, Jim Cunningham has served as Mayor Pro Tem for 3 consecutive years along with serving on other boards with the Town. Councilmember, Mary Price has served on Town boards and commissions since 1998. Mrs. Price served as a member of the Parks and Recreation Board for seven of her sixteen years of service. Mayor Culbertson asked that the audience give both Mr. Cunningham and Mrs. Price a round of applause for their service as they both were presented with plaques.

TAPS UPDATE: Mr. Tim Patton, Chief Operating Officer of TAPS Public Transit spoke on behalf of Mr. Brad Underwood, CEO/Executive Director who could not attend. Mr. Patton gave a brief history regarding the transit services that are offered in the Allen, McKinney and Fairview area. Mr. Patton went into detail regarding trip origins within the Town and the destinations for those trips. Most of those requests for transit in Fairview were to local stores or doctor's visits. Mr. Patton added that most of those requests were the same person requesting drop off at different destinations. McKinney is currently offering up to 500 trips per hour. These services are provided to seven counties throughout the DFW area. A concern expressed by Councilmember O'Reilly was that TAPS didn't show any paratransit trips and that he was aware of someone with special needs that's used TAPS. Mr. Patton stated that often when a rider request for service is made, it isn't documented as special needs. However, it may be a person with a disability. Councilmembers Lessner and Samuels along with Mayor Culbertson expressed concerns that the participation of riders may exceed the Town's budget for this type of service.

that the participation of riders may exceed the Town's budget for this type of service. Councilmember Hendricks posed the question that if the riders are coming to the Village at Allen as a point of destination, what is the probability of them shopping in Fairview? Mr. Patton stated that points of destination throughout the Village at Allen and Fairview may vary more, so as riders have dramatically increased in Allen, the numbers of destinations as well as pickups vary. Mr. Patton stated that he would seek an extension for the town so the council could have more time to make a decision about continuing TAPS services. Mr. Patton stated that he and his team would make sure their data is correct and come back to the June Town Council meeting to address the council's questions and concerns. Councilmember Ron Samuels made a motion to table this item until additional information is received from TAPS staff. Councilman Hendricks seconded that motion and the motion was unanimously approved.

LANDSCAPING IMPROVEMENTS ON EXISTING DRY DETENTION BASIN EAST OF FAIRVIEW PARKWAY UPDATE:

Mr. James Chancellor, Town Engineer stated that a good way to avoid having dry detention basin plant materials would be to bid out for good plants, preferably Bermuda Grass on slopes and rain garden plant materials to accent the wet areas. Mr. Chancellor also recommended that Cypress trees be planted in the bottom of the detention basin. The irrigation system and landscaping is estimated to cost \$70,000. The job might bid out in 2 phases: the irrigation and rock channelization first, then the plant materials after stage 3 watering restrictions. Councilmember Lessner made a motion to authorize the Town Engineer to go out for bids. Councilmember Price seconded that motion and the motion was unanimously approved.

2012-2013 AUDIT PRESENTATION: Jason Weeks, Chief Financial Officer briefly summarized the audit process recently completed by Evans, Pingleton & Howard, PLLC, Certified Public Accountants. Kirk Evans, Auditor, presented Council with an overview of this year's audit results. The Town of Fairview is currently in good standing and is a AA+ rated Town. Fairview currently has a 68 percent unassigned fund balance for the general operating budget, whereas most cities are at 25 percent. Meaning that if no revenue came in, the Town could fund operations for up to nine months beyond the current fiscal year. Most cities would only have an unassigned fund balance large enough to provide funding for thirty to sixty days. Mr. Evans complemented the Town of Fairview for having a nine month reserve fund versus a three month reserve. Mr. Evans also commended Finance staff on their cooperation during the audit. Councilmember Lessner made a motion to approve the town's 2012-2013 audit. Councilmember Cunningham seconded that motion and the motion was unanimously approved.

RESOLUTION DENYING RATED INCREASE WITH ATMOS ENERGY: Adam Wilbourn, Assistant to the Town Manager stated that the Resolution presented before Council was to deny the proposed natural gas rate provide by Atmos Mid-Tex that would result in a \$45.7 million increase. Mr. Wilbourn stated that the Atmos Cities Steering Committee (ACSC) represents the Town of Fairview and the other 164 cities/towns served by Atmos Mid-Tex during the rate review process.. While the evidence does not support the \$45.7 million increase requested by Atmos Mid-Tex, ACSC's consultants agree that Atmos Mid-Tex can justify an increase in revenues of a much lesser amount—namely, an increase of only \$19 million. Mr. Wilbourn stated that the ACSC attorneys were unable to justify the difference between the ACSC negotiated rate and the proposed

Atmos Mid-Tex rate. Julie Couch, Town Manager reiterated that the Town of Fairview would be taking part in the renegotiating effort along with other ACSC cities if the council decides to pass the proposed resolution. Mr. Wilbourn stated that Atmos Mid-Tex may implement its requested rate increase, effective June 1 2014, subject to refund if the rate is lowered during renegotiation. Councilmember Samuels made a motion to approve a resolution denying a rate increase with Atmos Energy as submitted. Councilman Hendricks seconded that motion and the motion was unanimously approved.

QUARTERLY INVESTMENT POLICY AND MONTHLY FINANCIAL

REPORT: Jason stated the purpose of the Quarterly Investment Report is to ensure that the Town of Fairview invests public funds in accordance to regulation governing the investment of public funds. Wells Fargo is the Town of Fairview's depository bank. The Town invests the remaining funds in the public investment pool-TexPool and Lone Star, which one-day interest rate at March 31, 2014 was 0.03% and 0.11%. Mr. Weeks reported that for the first time, he has included a financial statement to provide a 2 year Comparative Analysis to current and previous year. Councilmember Mary Price asked what percentage of property taxes has been collected. Jason Weeks, Chief Financial Officer stated that according to the report the Town of Fairview has accounted for 94% of its property taxes.

DROUGHT PLAN AND WATER CONSERVATION PROGRAM UPDATE:

Assistant to the Town Manager, Mr. Adam Wilbourn updated council on the status of water conservation efforts and actions that are being taken by the North Texas Municipal Water District (NTMWD). Mr. Wilbourn stated that the NTMWD Board of Directors voted to stay in Stage 3 of the Drought Contingency Plan, and to continue restricting watering to once every two weeks. Councilmember Hendricks stated that he has concerns about whether or not people are truly following the water restrictions according to Stage 3. The long term forecast indicated that if the drought persists through the spring and summer there would be consideration of Stage 4, but the NTMWD isn't calling for that at this time. Under Stage 3, cities are asked to work to achieve a 10% reduction. Councilmember Cunningham stated that only concern is that watering restrictions should be shared. Councilmember Hendricks stated that cities served by NTMWD, as well as other cities should be following the same types of restrictions. Another concern is that smaller cities may be overshadowed by larger cities as it pertains to usage.

CITIZENS INPUT: No comments were made.

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

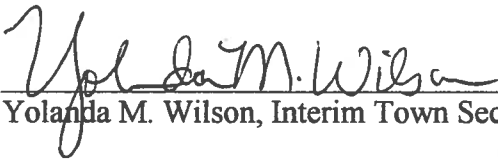
Julie Couch, Town Manager announced that Town Secretary, Michelle Lewis Sirianni will be relocating to Virginia and that Michelle will be greatly missed. Ms. Couch invited council and staff to Noah's for a reception to bid Michelle farewell. Ms. Couch introduced and welcomed Interim Town Secretary, Yolanda Wilson.

There being no further discussion, Mayor Culbertson adjourned the meeting at 10:28 P.M.



DARION CULBERTSON, MAYOR

ATTEST:



Yolanda M. Wilson, Interim Town Secretary