

**TOWN COUNCIL
MEETING MINUTES
August 5, 2014**

The Town Council met in regular session on Tuesday, August 5, 2014 at 6:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Council Members Ron Samuels, John Adler, Frank O'Reilly, Henry Lessner, Paul Hendricks and Renee Powell; Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Chief Financial Officer, Jason Weeks; Town Engineer, James Chancellor; Planning Manager, Ken Schmidt; Interim Town Secretary, Caitlin Scalley; Town Attorney, Clark McCoy; Fire Chief, Dick Price; Assistant Fire Chief/Fire Marshal, Jeff Bell; and Police Chief, Granver Tolliver.

Mayor Culbertson called the meeting to order at 6:31 p.m. and declared a quorum was present.

The council then adjourned into executive session at 6:32 p.m. to consult with legal counsel regarding pending or contemplated litigation or including personnel and economic development issues.

Mayor Culbertson reconvened back into regular session at 7:35 p.m. and invited everyone to stand for the Pledge of Allegiance.

FIREFIGHTER PHIL D. BRADLEY PROCLAMATION:

Fire Chief Price gave a presentation honoring Firefighter Phil D. Bradley and his contributions to the town. Mayor Culbertson presented a proclamation to Mr. Bradley's wife and daughter declaring October 5th to 11th, 2014 as "Phil D. Bradley Week" in the Town of Fairview.

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) Approved minutes of the July 17, 2014 special council meeting. B) Approve minutes of the July 17, 2014 special joint council and P&Z meeting. C) Approve a Resolution authorizing payment of dues for continuing membership with the Steering Committee of Cities Served by Oncor. D) Approve an Interlocal Agreement with Collin County regarding dispatch services.

Councilman O'Reilly made a motion to approve items A, B, C and D, and the motion was unanimously approved.

BOARDS AND COMMISSIONS:

Councilman Lessner presented the subcommittee's recommendations for appointments to the town's boards and commissions. The subcommittee is comprised of Councilman Lessner, Councilman O'Reilly and Councilman Hendricks.

Councilman Lessner recommended Ricardo Doi as Chair for the Board of Adjustments and recommended Gregg Custer and Ed Hayes be reappointed for another term. Councilman Lessner

recommended the appointments of David Logan and Terry Morrow to fill alternate vacancies on the Board of Adjustments.

Councilwoman Powell made a motion to approve the recommendations for the Board of Adjustments appointments. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended the appointments of Bill Nicol and Pam Little to fill vacancies on the Economic Development Corporation and the Community Development Corporation.

Councilman O'Reilly made a motion to approve the recommendations for the EDC and CDC appointments. Councilwoman Powell seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended Paul Westbrook be reappointed as Chair of the Environmental Committee, and he recommended Gary Anderson, Gary Carter and Roger Taylor be reappointed for another term. Councilman Lessner recommended Ginger Gouvion fill a vacancy scheduled to expire in 2015.

Councilman O'Reilly made a motion to approve the recommendations for the Environmental Committee appointments. Councilwoman Powell seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended Beth DiGioia replace Glenn Messner on the Parks and Recreation Advisory Board. He recommended Guy Wormald, Maryanne Simonsen and Carol Sutton be reappointed for another term.

Councilwoman Powell made a motion to approve the recommendations for the Parks and Recreation Advisory Board. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended Mike VanNatta be appointed to the Planning and Zoning Commission to fill a vacancy as a result of Renee Powell joining the Town Council. He recommended Jim Rushing, Pat Friend, Heather Hager and Debbie Flood be reappointed for another term.

Councilwoman Powell made a motion to approve the recommendations for the Planning and Zoning Commission. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended Erin Smith replace Debbie Flood on the Public Art Committee, and he recommended Karen Karnuta be reappointed for another term.

Councilwoman Powell made a motion to approve the recommendations for the Public Art Committee. Councilman O'Reilly seconded the motion, and the motion was unanimously approved.

Councilman Lessner recommended Gil Stevens be appointed as Chairman of the Technology Advisory Committee, and he recommended John Adler, Roger Boivin, Paul Besemer and Paul Meyers be reappointed for another term.

Councilwoman Powell made a motion to approve the recommendations for the Technology Advisory Committee, and Councilman O'Reilly seconded the motion. The motion passed with six (6) approvals and one (1) abstention. Councilman Adler abstained from the vote.

MACKER BASKETBALL, LLC AGREEMENT: Discuss and act on an agreement with Macker Basketball, LLC regarding tournament services with the town, and take any necessary action.

Ray Dunlap gave an overview of the Gus Macker tournament. He stated the tournament would serve as a regional event and it is known for being a family-friendly event. The proposed dates are April 18th and 19th of 2015. These dates are at the beginning of the Macker tournament season, allowing for additional Macker staff to help out. The Community Development Corporation has voted to fund the event, subject to Town Council's approval.

Council had a discussion regarding the logistics of the tournament, including number of volunteers, referees, insurance coverage, sponsorships and police and fire needs. Council also discussed the need for metrics in order to assess the success of the tournament.

Councilman O'Reilly made a motion to authorize staff to enter into an agreement, subject to final form, with Gus Macker, LLC for tournament services. Councilman Lessner seconded the motion, and the motion was unanimously approved.

RHONDA PTAK EVENT COORDINATOR AGREEMENT: Discuss and act on an agreement with Rhonda Ptak regarding event coordination of the Gus Macker Tournament.

Mr. Dunlap gave an overview of Ms. Ptak's credentials as an event coordinator. He stated Ms. Ptak would be functioning as an independent contractor under this agreement. She will be exempted from sponsorship procurement due to her involvement with Allen Community Outreach.

Council discussed the desire to involve the events committee in the event coordination process.

Councilman Hendricks made a motion to authorize staff to enter into an agreement, subject to final form, with Rhonda Ptak for event coordinator services. Councilman Lessner seconded the motion, and the motion was unanimously approved.

PLACEMENT OF PROPOSAL TO ADOPT PROPOSED TAX RATE: Consider and act on a proposed tax rate for FY 2014-2015 and placement of a proposal to adopt the proposed tax rate on the agenda of a future meeting.

Jason Weeks presented the Fiscal Year 2014-2015 proposed tax rate of \$0.359999 per \$100 value. Of that proposed tax rate, \$0.221733 will be allocated toward maintenance and operation expenses, and \$0.138266 will be allocated toward the town's interest and sinking fund to pay outstanding debt. Mr. Weeks stated the 2014 Truth-In-Taxation laws for the State of Texas require Town Council to vote to place a proposal to adopt the tax rate on the agenda of a future meeting as an action item and must schedule two public hearings on the proposal because the proposed tax rate exceeds the lower of the rollback rate or the effective tax rate.

Councilman Lessner made a motion to place a proposal to adopt the FY2014-15 proposed tax rate on agenda of a future meeting as an action item. Councilman Adler seconded the motion, and the motion was unanimously approved.

RESOLUTION SCHEDULING PUBLIC HEARINGS FOR PROPOSED TAX RATE: Consider and act on a resolution scheduling public hearings on the Town of Fairview proposed tax rate.

Mr. Weeks stated the proposed tax rate exceeds the effective tax rate of \$0.34199. Therefore, the Town Council must hold two public hearings on the proposed tax rate. The resolution established the date, time and location of the public hearings as Tuesday, August 19, 2014 at 6:30 p.m. and Wednesday, August 27, 2014 at 6:00 p.m. at 372 Town Place in Fairview, Texas. The final vote on the tax rate is scheduled to take place Tuesday, September 2, 2014 at 6:30 p.m.

Councilman Hendricks made a motion to approve the resolution scheduling two public hearings. Councilwoman Powell seconded the motion, and the motion was unanimously approved. The vote was as follows:

Councilwoman Powell	– For
Councilman Hendricks	– For
Councilman Lessner	– For
Councilman O'Reilly	– For
Councilman Adler	– For
Councilman Samuels	– For
Mayor Culbertson	– For

ESTABLISH TRAFFIC DIRECTOR: Consider and act on an ordinance amending the Code of Ordinances, Town of Fairview, Texas to establish the position of traffic director and adopt the procedures and rules related to traffic, parking and similar matters.

James Chancellor gave an overview of the proposed ordinance amending Chapter 12 of the Code of Ordinances, including creation of a traffic director position and designation of the Town Engineer as the traffic director. This will allow the traffic director authorization to make traffic

related decisions. Mr. Chancellor stated the ordinance specifies what the traffic director duties are and outlines the town's authority related to certain state traffic laws. The ordinance will repeal five no parking ordinances within the Villages at Fairview and Cypress Crossing subdivisions, as those designations will be the responsibility of the traffic director. Mr. Chancellor stated issues of installation, timing and maintenance of traffic devices will fall within the traffic director's authority.

Mrs. Couch clarified that major traffic related issues will still need Town Council approval, but routine issues will be under the traffic director's authority.

Town Council had a discussion regarding speed bumps, crosswalks and parking issues.

Councilman O'Reilly made a motion to approve amendment to Chapter 12 of the Code of Ordinances as submitted. Councilman Lessner seconded the motion, and the motion was unanimously approved.

PROCESS FOR COMPLETING COMPREHENSIVE PLAN UPDATE: Discuss and consider process for completing the update of the comprehensive plan and the zoning ordinance related to the update of the CPDD, and take any necessary action.

Mr. Schmidt gave an overview of the outcomes of the July 17, 2014 Joint Town Council and Planning and Zoning Commission meeting at Puster Elementary. He asked for feedback from the Town Council in order to make adjustments for the August 27, 2014 Community Open House.

Town Council had a discussion regarding comments made at the joint meeting and by residents. Town Council also discussed notification outlets for the Community Open House, including mail outs, website postings and HOA contacts. Town Council discussed the structure and format of the Community Open House. No action was taken.

CITIZEN'S INPUT:

Mike VanNatta, 5141 Stream Crest Way, made suggestions for a simple format when communicating issues related to the CPDD.

REPORTS FROM STAFF: Including any updates on project tracking reports, and department activities.

Mr. Weeks provided Town Council with a monthly financial report for the period ending June 30, 2014. He is also provided an investment report for the quarter ending June 30, 2014. There was no discussion.

COMMUNITY INTEREST REPORTS FROM STAFF AND TOWN COUNCIL:

Fire Chief Price a landowner in town has given the Fire Department permission to conduct a series of trainings on the home located on the property prior to removal of the home. There will be contained fires set on the home for drill purposes and other training activities between August 18, 2014 and August 31, 2014. Fire Chief Price stated there would be no cost to the town.

Mayor Culbertson adjourned the meeting at 9:38 p.m.


DARION CULBERTSON, MAYOR

ATTEST 
Caitlin Scalley, Interim Town Secretary

