



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, NOVEMBER 4, 2014
6:30 P.M.
AGENDA**

1. Call to order.
2. Town Council recesses into executive session.

The Town Council will meet in closed session regarding the following items and/or any item posted on the agenda notice for this meeting as necessary under the following exceptions to the Open Meetings Act under Texas Government Code:

Section 551.071 – to consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including town property and construction issues.

Section 551.087 – to discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Town of Fairview has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Fairview and with which the Town is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). Proposed Commercial Planned Development District developments.

Section 551.074 Personnel- including – all non-advisory boards and commissions, including appointments to EDC/CDC, the Events Committee and the Town Health Officer.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

3. Town Council reconvenes into regular session and may consider and take action as appropriate on any executive session item. (*approximately 7:30*)
4. Pledge of allegiance.
5. Proclamations, Recognition, and Awards
 - a. Mayor Darion Culbertson presents Arbor Day Proclamation, including Arbor Day presentation by staff to observe Fairview's commitment to preserving its trees and natural beauty.
6. Appointments
 - a. Receive report from Special Events Committee regarding town events, and take any necessary action.
7. Consent agenda.
 - a. Approve minutes of the September 11, 2014 joint council and P&Z meeting.
 - b. Approve minutes of the October 7, 2014 regular council meeting.
 - c. Approve minutes of the October 15, 2014 special council meeting.
 - d. Authorize the Town Manager to enter into a Water Tower Use License Agreement with New Cingular Wireless PCS, LLC for the water tower located at 500 State Highway 5.
 - e. Authorize the Town Manager to enter into a Water Tower Use License Agreement with New Cingular Wireless PCS, LLC for the water tower located at 1200 Stacy Road.
 - f. Approve an ordinance approving the 2014-15 fiscal year tax roll.
 - g. Approve a budget amendment pertaining to the pro-rata 8" water line extension located on State Highway 5.

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 considered separately.

8. Public Hearings
 - a. Conduct a public hearing, consider, and take any necessary action on a request by Mr. Randy Otto, for approval of a Conditional Use Permit (CUP) 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 1351 Red Oak Trail, being

Lot 12 of the Country Club Estates Addition to the Town of Fairview. **(ZA2014-21).**

- b. Conduct a public hearing, consider, and take any necessary action on a request by Chase Oaks Church for approval of an amendment to Ordinance No. 2013-11-5A. The 10.672± acre subject property is located in the John A. Taylor Survey – ABS No. 909, and is generally located north of Stacy Road and 1,400' west of Meandering Way. The subject property is currently zoned One-Acre Ranch Estate (RE-1) with a Conditional Use Permit (CUP) for a religious institution, and the purpose of this request is to amend the existing CUP, by providing an amended site plan, landscape plan, tree survey, and façade plan. **(ZA2014-17).**
- c. Continue a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. to approve an ordinance amending the Future Land Use Plan component of the Comprehensive Plan for a 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently designated as Residential Estate Country and the requested designation is for the Open Space Preservation land use. **(PA2014-01)**
- d. Continue a public hearing, consider, and take any necessary action on a request by Toll Brothers, Inc. to approve an ordinance rezoning a 111.453± acre tract of land situated in the Calvin Boles Survey, Abstract No. 28, and generally located south of Stacy Road and 1,300' west of Orr Road. The subject property is currently zoned Two-Acre Ranch Estate (RE-2), and the requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. **(ZA2014-12)**
- e. Continue a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for approval of an ordinance that shall amend the Future Land Use Plan component of the Comprehensive Plan for six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently designated as Residential Estate Country and Floodplain and the requested designation is for the Open Space Preservation and Floodplain land uses. **(PA2014-02).**
- f. Continue a public hearing, consider, and take any necessary action on a request by M. Christopher and Company for approval of an ordinance that shall rezone six tracts of land comprised of 72.959± acres and generally located east of Country Club Road (FM 1378) and 1,600' north of Stacy Road. The subject properties are currently zoned Agriculture (AG), Two-Acre Ranch Estate (RE-2), and the Open Space and Flood Hazard (FH) zones. The requested zoning change is for the Planned Center (PC) Zoning District, specifically, to provide for single-family detached and open space uses. **(ZA2014-15).**

9. Action/Discussion Items

- a. Discuss and consider approving a boundary adjustment agreement with the City of McKinney, and take any necessary action.
- b. Consider and take any necessary action on a development agreement governing land use, development standards and annexation as relates to a tract of land that is approximately 16.484 acres and that is located in the Samuel Sloan Survey, Abstract No. 791, Collin County Texas, called fifth tract, as described in a deed recorded in volume 776, page 360, deed records, Collin County, Texas.
- c. Discuss and consider adoption of the 2012 International Building, Residential, Energy, Fire, Fuel & Gas, Mechanical and Plumbing Codes and the 2011 National Electric Codes, and take any necessary action.
- d. Discuss and consider approving a budget amendment pertaining to the purchase of two ambulances and related equipment for in-house emergency medical services, and take any necessary action.
- e. Discuss and consider a resolution authorizing the Town Manager to enter into a financing contract with Branch Banking and Trust Company (BB&T) for the purpose of funding the ambulance(s) and related equipment, and take any necessary action.
- f. Discuss and consider a reimbursement resolution for any expenditures incurred for the ambulance(s) and related equipment that could be paid prior to execution of the financing contract with Branch Banking and Trust Company (BB&T), and take any necessary action.
- g. Receive an update on the town's drought plan and water conservation program, and take any necessary action.

10. Citizen's Input

At this time, any person with business before the council not scheduled on the agenda may speak. Each person will have up to five minutes. No formal discussion or action may be taken on these items at this meeting.

11. Receive reports from Staff, including any updates on project tracking reports, and department activities.
 - a. Receive update regarding bulk/brush collection dates.
 - b. Monthly Financial Report – Period ending September 30, 2014
 - c. Quarterly Investment Report –September 30, 2014

12. Receive reports from staff or the Town Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda."*

13. Adjourn.

I, Caitlin Scalley, Town Secretary, hereby certify that notice of the above named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily accessible to the public at all times, on the 31st day of October, 2014 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Caitlin Scalley, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheel chair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, ext 4234 or by fax at 972-886-4203.