TOWN COUNCIL
MEETING MINUTES
April 7, 2015

The Town Council met in regular session on Tuesday, April 7, 2015 at 5:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Pro Tem Henry Lessner; Council Members Frank O'Reilly, Paul Hendricks, Ron Samuels, John Adler and Renee Powell; Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Planning Manager, Ken Schmidt; Town Engineer, James Chancellor; Engineer-In-Training, Danielle Gregory; Chief Financial Officer, Jason Weeks; and Town Attorney, Clark McCoy. Mayor Darion Culbertson was absent.

Mayor Pro Tem Lessner called the meeting to order at 5:03 p.m. and declared a quorum was present.

Mr. Weeks introduced Edward Lopez and Mary Sue Daniel from the law firm Linebarger Goggan Blair & Sampson, LLP. He stated the firm provides the town with delinquent tax collection services. He stated the firm is providing the council with dinner. Mr. Lopez and Ms. Daniel thanked the council and town staff.

The council then adjourned into executive session at 5:07 p.m. to consult with legal counsel regarding pending or contemplated litigation. The council discussed land acquisition for town facilities and economic development negotiations.

Mayor Pro Tem Lessner reconvened back into regular session at 7:31 p.m. and invited everyone to stand for the Pledge of Allegiance.

Mayor Pro Tem stated the council will take action on an item discussed during executive session regarding economic development negotiations.

Councilmember Powell made a motion to authorize the Town Manager to enter into an agreement with Home2 Suites in accordance with council discussions. Councilmember O'Reilly seconded the motion, and the motion was unanimously approved.

NOAH'S PRESENTATION: Receive a presentation from Bil Bowser regarding the annual report for Noah's.

Mr. Dunlap stated Mr. Bowser was unable to attend the meeting due to personal circumstances. He stated the presentation will be moved to a future meeting agenda.

ENVIRONMENTAL COMMITTEE- DARK SKIES RECOGNITION: Receive a presentation from the Environmental Committee regarding the town obtaining an International Dark-Sky Association's Dark Sky Community Recognition, and take any necessary action.

Mr. Wilbourn stated the Environmental Committee is proposing the town apply for the International Dark-Sky Association (IDA) Dark Sky Community Recognition.

Gary Carter, on behalf of the Environmental Committee, presented the actions the town will need to carry out in order to be awarded the recognition. He reviewed the steps necessary to apply for recognition.

The council had a discussion with Mr. Carter regarding school district involvement and dark skies education.

Mr. Carter stated the recognition will require a Sky Brightness Measurement Program which would include the purchase of a sky quality meter. He stated this will be the only out-of-pocket cost to the town. He stated the committee is recommending the meter be placed at Fire Station #2. Mr. Carter stated he would be making the nomination to IDA on behalf of the town.

Mr. Wilbourn stated the minimum requirements by IDA can be easily achieved by the town and the only cost is related to the purchase and installation of the sky quality meter.

The council had a discussion regarding resident compliance with the town's dark skies ordinance. Mr. Carter stated the recognition requirements only address the compliance of town-owned fixtures. The council had a discussion regarding recently installed LED lights throughout town. Mr. Carter stated the committee will be educating the town through various platforms regarding lighting design effects on safety.

Councilmember O'Reilly made a motion to authorize town staff to apply for the IDA Dark Sky Community Recognition and to spend up to $600 for the sky quality meter. Councilmember Adler seconded the motion, and the motion was unanimously approved.

RESIDENT APPOINTMENT: Hear from residents Ralph Thompson and Keith Lovelace regarding reinstating a 100 foot buffer zone for Ranchette Estates.

Keith Lovelace, 441 Horseshoe Trail, read the community petition. He stated Ranchette Estates residents were not notified of the change or feel misinformed regarding the change to the buffer zone. He stated the petition includes 58 signatures. He requested the council reinstate the 100 foot buffer zone.

Ralph Thompson, a resident of Ranchette Estates, requested the 100 foot buffer zone be reinstated and thanked the council for consideration.

The Council thanked the speakers and indicated that while there were no pending cases on the property adjacent to Ranchette Estates the matter would be taken under advisement.

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 3, 2015 council meeting. B) Approve a resolution establishing the Town of Fairview Insurance Trust Fund, authorizing the Trust Agreement and appointing Trustees for the Town of Fairview, Texas. C) Approve the method of purchase that provides the best value for credit card processing services. D) Authorize the Town Manager to enter into an interlocal agreement with the City of Frisco regarding Fairview Fire Rescue uniforms. E) Approve a resolution authorizing payment of dues for continuing membership with the Steering Committee of Cities Served by Oncor. F) Authorize the Town Manager to renew an agreement with Municipal Mosquito regarding mosquito management services.

Mayor Pro Tem Lessner removed item A from the consent agenda and stated it will be placed on the May 5, 2015 Town Council meeting agenda. He removed item F from the consent agenda.

Mayor Pro Tem Lessner stated item F should be approved subject to legal review by the town attorney.

Councilmember Hendricks made a motion to approve items B, C, D and E on the consent agenda and to approve item F contingent upon legal review. Councilmember Powell seconded the motion, and the motion was unanimously approved.

FACILITIES AGREEMENT - PARKSIDE AT FAIRVIEW: Consider, discuss and take any necessary action on a request by Toll Dallas TX, LLC to enter into a Facilities Agreement governing the installation of Public Improvements, Public Open Space Improvements, and associated development fees for Parkside at Fairview, a proposed residential neighborhood comprised of sixty-one residential lots, four common area lots, and one public open space dedication.

Mr. Schmidt gave an overview of a facilities agreement between Toll Dallas TX, LLC and the town and presented the final plat for Parkside at Fairview, planning case FP2015-01. He stated the purpose of the facilities agreement is to develop framework for town participation of infrastructure improvements within the proposed parkland being dedicated for Parkside at Fairview. He stated the town and developer will cost share the construction of an 8 foot concrete trail that will connect the existing Stacy Road trail to the existing Beaver Run Park trail. He stated the developer will be responsible for $125,000 of the construction costs, and the town will be responsible for any costs exceeding that amount.

Mr. Schmidt stated the council previously approved a landscape plan and plans for the entryway features. He stated the neighborhood will utilize existing waterlines and accommodate additional water mains throughout the interior of the neighborhood. He stated lighting fixtures will conform to the town's outdoor lighting requirements with the exception of the previously approved variation related to the monument sign lighting requirements.

Mr. Schmidt stated the parkland dedication is approximately 28 acres. He stated work remains with the Thompson Springs HOA regarding the abandonment of an existing access easement in order to provide for future right-of-way. Mr. Schmidt stated no additional land or monetary dedication will be required.

Mr. Schmidt stated town staff recommends approval of the facilities agreement and final plat for Parkside at Fairview.

The council had a discussion regarding the four common area lots. The council had a discussion regarding parking for the dedicated open space.

Councilmember Samuels made a motion to approve the facilities agreement and final plat for Parkside at Fairview. Councilmember O'Reilly seconded the motion, and the motion was unanimously approved.

FINAL PLAT - PARKSIDE AT FAIRVIEW: Consider, discuss and take any necessary action on a request by Toll Brothers, Inc. to approve a Final Plat for Parkside at Fairview, a proposed residential neighborhood comprised of sixty-one residential lots, four common area lots, and one public open space dedication. The subject property is currently zoned Planned Center (PC) and is generally located south of Stacy Road and 1,300' west of Orr Road. **(FP2015-01).**

The council unanimously approved the final plat for Parkside at Fairview under the previous item.

TOWN'S DROUGHT PLAN AND WATER CONSERVATION PROGRAM: Receive an update on the town's drought plan and water conservation program, and take any necessary action.

Mr. Wilbourn gave an update regarding the town's drought plan and water conservation program. He stated the North Texas Municipal Water District (NTMWD) Board of Directors recently approved extending the stage 3 seasonal watering restrictions through the month of May. He stated NTMWD would be meeting to further discuss easing watering restrictions for June 1 through October 31.

The council had a discussion regarding changing the structure of watering restriction stages. Mrs. Couch stated the town will be modifying its ordinance to reflect changes in the structure of the stages to match surrounding communities. The council had a discussion regarding educating residents on watering restrictions. No action was taken.

GUS MACKER 3-ON-3 TOURNAMENT: Consider and discuss the Gus Macker Tournament, and take any necessary action.

Mrs. Couch stated the Gus Macker 3-on-3 Basketball Tournament was scheduled for April 18-19, 2015. She stated the Special Events Committee and the Gus Macker staff recommend the town reschedule the event for the fall in order to gain interest and secure more teams.

The council had a discussion regarding the intent of the tournament.

Brenda Fakheri, a member of the Special Events Committee, stated the committee worked diligently, and she does not recommend the event be postponed due to the potential impact on current sponsors.

Mrs. Couch stated Gus Macker staff are unable to bracket the current number of registered teams. She stated the committee will have discussions with sponsors to determine how to move forward.

The council had a discussion regarding the Gus Macker staff's desire to postpone the event. Mrs. Couch stated the Special Events Committee and the Economic Development Corporation (EDC) recommend postponement of the event.

The council agreed the Gus Macker Tournament should be postponed. The council requested the Special Events Committee consider the circumstances surrounding a date in the fall and produce a lessons learned for future use.

CITIZEN INPUT:

Roy Serpa, 412 Saddleback, stated he was disappointed Jodie Laubenberg chose not to support veteran housing for the Fairview community.

STAFF REPORT:

Mr. Weeks stated there has been changes in the way sales tax is being reported to the council due to requests by EDC members. He addressed revenues and expenditures related to the Gus Macker Tournament.

Mayor Pro Tem Lessner adjourned the meeting at 8:49 p.m.

DARION CULBERTSON, MAYOR

ATTEST:

Adam Wilbourn, Assistant to the Town Manager

TOWN OF FAIRVIEW