



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, OCTOBER 6, 2015
6:00 P.M.
AGENDA**

1. Call to order.
2. Town Council recesses into executive session.
3. 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 subdivision platting issue; roadway and town facilities; *Cheryl Connelly and Richard Connelly v. Town of Fairview, Hooker and Jeffry, P.C. and Tegrity Contractors, Inc.*, Cause No. 366-03874-2015 in the 366th Collin County District Court; and anticipated litigation regarding development regulations.

Section 551.074 Personnel - position or appointment of members of all non-advisory boards and commissions, municipal court judges, annual evaluation of Town Manager.

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/retail developments.

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.

4. Town Council reconvenes into regular session and may consider and take action as appropriate on any executive session item. (*approximately 7:30*)
5. Pledge of allegiance.
6. Consent Agenda
 - a. Approve minutes of the September 1, 2015 regular Town Council meeting.
 - b. Approve a resolution placing in nomination the name of Gary Rodenbaugh for membership on the Board of Directors of the Collin County Central Appraisal District.

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.

7. Public Hearings
 - a. Conduct a public hearing, consider, and take any necessary action on a request by Mr. Charlie Cottingham, 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 1281 Stacy Rd, being Lot 1, Block A of the Roberts Addition to the Town of Fairview. (**ZA2015-12**).
 - b. Conduct a public hearing, consider, and take any necessary action on a request made by 84 Acres Red Oak Trail, LLC to rezone a 31.63± acres segment of land which is part of an 83.99± acres tract of land that is zoned Agricultural (AG) and is situated in the GB Pilant Survey, Abstract No. 691, and generally located at the eastern terminus of Red Oak Trail and north of the Montecito Estates #2 Addition, to the Planned Center (PC) Zoning District. (**ZA2014-01**).
 - c. Conduct a public hearing, consider, and take any necessary action on a request by Kittyhawk LLC for approval of a Concept Plan Amendment for a proposed single family attached (townhome) residential development on a 6.5± acre tract of land that is situated in the John A. Taylor Survey, Abstract No. 909, zoned Commercial Planned Development District (CPDD), Neighborhood General Sub-District, and is generally located west of the intersection of SH 5 and Meandering Way. (**CPA2015-01**).

8. Action/Discussion Items.

- a. Discuss, consider and take any necessary action regarding utility billing issues related to high water volumes.
- b. Hear presentation and consider authorizing the Town Manager to enter into an agreement with Larry Kline Consulting for the development of a Tax Increment Financing District and take any necessary action.
- c. Consider, discuss and take any necessary action on a request by M. Christopher Custom Homes for approval of a Final Plat for the Harper Landing Addition, a proposed residential neighborhood comprised of 13 single-family residential lots on a 28.934± acre tract of land situated in the Robert Fitzhugh Survey – Abstract No. 317 and that is generally located east of Farmstead Road and 1,600 north of Stacy Road. The subject property is zoned Two-Acre Ranch Estate (RE-2). **(FP2015-05)**.
- d. Consider, discuss and take any necessary action on a resolution setting a public hearing to adopt amended land use assumptions, capital improvements plan and possibly amend the current impact fees.
- e. Consider, discuss and take any necessary action on a resolution creating and appointing members to a Capital Improvements Advisory Committee.
- f. Hear Report on the 3-on-3 Macker tournament and take any necessary action.
- g. Discuss Boards and Commissions, and take any necessary action.

9. 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.

10. Receive reports from Staff, including any updates on project tracking reports, and department activities.
- a. Monthly Financial Report – Period ending August 31, 2015.
 - b. County radio system.
 - c. Stacy Road update.

11. 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.
12. Adjourn.

I, Elizabeth Cappon, 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 2nd day of October, 2015 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Elizabeth Cappon, 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.