



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, JANUARY 5, 2016
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 recent changes in state law affecting public facilities and contract disclosure requirements.

Section 551.074 Personnel - position or appointment of members of all non-advisory boards and commissions, 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 p.m.*)
5. Pledge of Allegiance.
6. Consent Agenda
 - a. Approve the minutes of the December 1, 2015 Regular Town Council meeting.
 - b. Approve a resolution approving the Town's written investment policy regarding funds for the Town of Fairview; and providing an effective date.
 - c. Approve an ordinance authorizing a budget amendment pertaining to the fiscal year 2015-16 budget and providing an effective date.

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 an Ordinance granting a request by M. Christopher, Custom Homes, to rezone a portion of a 44.069 acre tract of land situated in the Robert Fitzhugh Survey, Abstract No. 317 and the Samuel Sloan Survey, Abstract No. 791 in the Town of Fairview, Collin County, Texas and being generally located adjacent to and east of Country Club Road (FM 1378) and north of Farmstead Street from Open Space and Flood Hazard (FH) Zone to Two-Acre Ranch Estate (RE-2) Zone. (**ZA2015-14**).
 - b. Conduct a public hearing, consider, and take any necessary action on an Ordinance granting a request by Chase Oaks Church for approval of an amendment to Ordinance No. 2014-35, a Conditional Use Permit (CUP) for a religious institution on a 10.672± acre tract of land located in the John A. Taylor Survey – ABS No. 909, and generally located north of Stacy Road and 1,400' west of Meandering Way. (**ZA2015-15**).

8. Action/Discussion Items

- a. Consider, discuss and take any necessary action on a request by Kha Nguyen for approval of a Final Plat for the Nguyen Addition, a proposed residential subdivision comprised of 2 single-family residential lots on a 2.765 acre tract of land in the George Fitzhugh Survey, Abstract No. 320, Town of Fairview, Collin County, Texas, and generally located at 940 Old Stacy Road. **(FP2015-08)**.
- b. Consider and discuss a resolution approving a project and agreement between the Town's Community Development Corporation and Plano Children's Theatre, and take any necessary action (first reading).
- c. Consider and discuss a resolution approving a project and agreement between the Town's Community Development Corporation and Plano Children's Theatre, and take any necessary action (second reading).
- d. Consider, discuss and take action on a funding grant by the Fairview Community Development Corporation Board of Directors to the Fairview Youth Theater from Type B funds.
- e. Discuss status of TAPS transit service and take any necessary action.
- f. Discuss and consider setting a date for a work session related to capital improvement planning 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. Status of Water Rate Study
- b. Monthly Financial Report – Period ending October 31, 2015.
- c. Monthly Financial Report – Period ending November 30, 2015.
- d. 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 31st day of December, 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.