



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, MAY 3, 2016
5:30 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, drainage, and town facilities; CPDD development; 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 ; state regulations and local authority regulating the sale of alcohol.

Section 551.072 - discuss or deliberate the purchase, exchange, lease, or value of real property; acquisition of right-of-way, easements, and land for municipal facilities.

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. Proclamations, Recognition and Awards
 - a. Honor the Fairview students of the Evans Middle School Pantherettes Drill Team, which earned two national titles at the American Dance/Drill Team National Championship at the University of North Texas on March 19, 2016.
 - b. Honor the Fairview students of the Lovejoy ISD Engineering team who participated in the VEX Worlds 2016 Robotics Competition from April 20 to 23, 2016.
 - c. Fairview Fire Rescue presents a check to the Muscular Dystrophy Association donating the funds from their efforts in the Fill the Boot campaign.
 - d. Mayor Darion Culbertson presents a proclamation declaring the month of May as Motorcycle Safety and Awareness Month in the Town of Fairview.
7. Consent Agenda
 - a. Approve minutes of the March 31, 2016 special Town Council meeting.
 - b. Approve minutes of the April 5, 2016 regular Town Council meeting.
 - c. Consider awarding the bid for the fire hydrant relocation project for the TxDOT widening of Stacy Road.
 - d. Approve a resolution to require Oncor Electric Delivery Company, LLC to show cause why its transmission and distribution rates should not be reduced.
 - e. Approve an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division.
 - f. Approve an Interlocal Agreement with North Texas Municipal Water District for road construction to supersede previously approved agreement.

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. Hold a public hearing, consider and take action on a request for approval of a replat of Lot 1, Block E of the Oakwood Estates, Phase III Addition into two (2) lots. The 2.002-acre site is located at 870 St. James Road and is zoned for the (RE-1) One-acre Ranch Estate District. Applicant: Lawrence Ringley, representing Herbert Linder. **(Case No. RP2016-01).**
- b. Continue 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). **(Case No. ZA2015-14).**

9. Action/Discussion Items

- a. Consider, discuss and take any necessary action on a development agreement with Harper Landing Development LLC.
- b. Hear an update from staff regarding status of the emergency plan and consider, discuss and take any necessary action.
- c. Consider, discuss and take any necessary action regarding a request from the North Central Texas Council of Governments (NCTCOG) on their Mobility 2040 plan.
- d. Hear an update from Interim Fire Chief, Jeff Bell on Fairview Fire Rescue and take any necessary action.
- e. Discuss Boards and Commissions, 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. Status of Republic Services garbage services contract
 - b. Status of Water/Sewer Rate study
 - c. Monthly Financial Report – Period ending March 31, 2016
 - d. Quarterly Investment Report – Period ending March 31, 2016
 - e. Stacy Road update
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, 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 29th day of April, 2016 at or before 5:30 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.