NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, DECEMBER 4, 2018
7:30 P.M.
AGENDA

1. Call to Order

2. Pledge of Allegiance.

3. Texas Pledge

4. Consent Agenda
   a. Approve the minutes of the November 6, 2018 regular Council meeting.
   b. Approve rescheduling the January regular Council meeting to Wednesday, January 2, 2019 due to the holiday.
   c. Approve resolution ratifying an appointment to the position of Town Secretary.

   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.

5. Public Hearings
   a. Conduct a public hearing, consider and make a recommendation on a request for approval of Major Warrants to accommodate the development of a 3,500+/- square foot retail building. The site is located at 119 Stacy Road, at the northwest corner of Stacy Road and Whistlestop Way and is zoned for the Commercial Planned Development District (CPDD) with the Urban Village Sub-district. Applicant: Tim Smith, Lincoln Property Management, representing Sleep Number. (MW2018-4).
   b. Conduct a public hearing, consider and make a recommendation on a request for approval of a conditional use permit (CUP) for a one-story; 2,400 square feet accessory structure, that will replace two (2) existing structures. The site is located at 641 Meandering Way and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Rick Zampino. (CUP2018-7).

6. Action/Discussion Items

a. Consider and take necessary action on a request for approval of a Final Plat for the Heritage Oaks Addition. The 16.3-acre, 13-lot, single-family subdivision is located on the north side of Hart Road, approximately 670 feet west of the intersection of Hart Road and Country Club Road and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Stephen DiNapoli. (FP2018-03).
b. Hear presentation on annual solid waste activities, discuss status of recycling and consideration of an ordinance approving a rate increase related to recycling and take any necessary action.
c. Consider, discuss and take any necessary action on an ordinance amending water and sewer rates.
d. Consider, discuss and take any necessary action on an Interlocal Agreement with the Town, NTMWD and City of Allen; and an ILA between the Town and the City of Allen regarding funding and construction of a regional sewer pump station.
e. Discuss planning for future town fire facilities and operations including planning studies, upcoming meetings and any related matters, and take any necessary action.
f. Discuss Boards & Commissions and take any necessary action.

7. 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.

8. Reports from Staff, including any updates on project tracking reports and department activities
   a. Monthly Financial Report – Period ending October 31, 2018.
   b. End of Year Financial Report – Period ending September 30, 2018.
   c. Stacy Road update

9. 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.

CLOSED SESSION (EXCEPTIONS) Under Tex. Gov't Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted 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 CPDD development improvements, ordinances, agreements and financing; code enforcement issues; Robert Bruce Kelly and Shannon Shirey Kelly vs. Town of Fairview, Case No. 380-04945-2018 in the 380th Judicial District, Collin County, Texas; Mark Edward Stoddard and Bertel Morgan Stoddard vs. Town of Fairview, Case No. 296-04944-2018 in the 296th Judicial District, Collin County, Texas.

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

Section 551.074 Personnel - appointment of members of all non-advisory boards and commissions.

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.

10. Adjourn

I, Adam Wilbourn, Alternate 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 30th day of November, 2018 at or before 6:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

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Adam Wilbourn, Alternate Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair 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.