

**TOWN COUNCIL
MEETING MINUTES
JULY 5, 2016**

The Town Council met in regular session on Tuesday, July 5, 2016 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson; Mayor Pro Tem John Adler; and Councilmembers Ron Samuels, Frank O'Reilly, Pam Little, Paul Hendricks and Renee Powell. Staff present included Town Manager, Julie Couch; Planning Manager, Israel Roberts; Town Engineer, James Chancellor; Economic Development Manager, Ray Dunlap; Police Chief, Granver Toliver; Fire Chief, Jeff Bell; Town Secretary, Elizabeth Cappon; and Town Attorney, Clark McCoy. Multiple members of Fairview Fire Rescue and the Fairview Police Department additionally attended the meeting for the swearing in ceremony of Chief Bell.

Mayor Culbertson called the meeting to order at 6:00 p.m. and declared a quorum was present. At 6:01 p.m., the council then adjourned into executive session regarding a consult with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:34 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

PROCLAMATIONS, RECOGNITION AND AWARDS: Town Secretary Cappon ceremonially swore in newly re-elected Seat 6 Councilmember Renee Powell. Ms. Cappon stated that Councilmember Powell had been officially sworn in at the Town Secretary's office on June 2, 2016, as she was not able to attend the June Council meeting.

Town Manager Couch announced that effective July 1, 2016, Interim Fire Chief Jeff Bell transitioned to the permanent role of Fire Chief for the Town of Fairview. Ms. Cappon then swore in Chief Bell.

Mayor Darion Culbertson read a proclamation declaring the week of June 20 through 26 as Amateur Radio Week in the Town of Fairview.

CONSENT AGENDA: All items listed under the Consent Agenda are considered routine and are 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 May 3, 2016 regular Town Council meeting. B) Approve minutes of the June 6, 2016 regular Town Council meeting. C) Approve a resolution authorizing continued participation with the Atmos Cities Steering Committee and payment of assessed dues for 2016. D) Authorize the Town Manager to approve bids for roadway maintenance not to exceed \$120,000.

Councilmember Hendricks made a motion to approve the consent agenda. Councilmember Samuels seconded the motion and the motion was unanimously approved.

CUP: ACCESSORY STRUCTURE (GARAGE) AT 500 COTTONWOOD PLACE:

Conduct a public hearing, discuss and consider action on an ordinance regarding a request for approval of a Conditional Use Permit (CUP) for an accessory structure (detached garage). The 1.07-acre site is located at 500 Cottonwood Place and is zoned for the (RE-1) One-acre Ranch Estate District. Owners/applicants: Allen and Holly Barr (CUP2016-07).

Mr. Roberts gave a presentation on agenda item 8 (a) regarding a request for approval of a Conditional Use Permit (CUP) for an accessory structure (garage) at 500 Cottonwood Place.

Mr. Roberts stated the accessory structure would be a 1200 square foot detached hobby garage located behind the dwelling. Mr. Roberts stated that the request is due to the structure exceeding the 900 square foot limit for accessory structures in RE-1 zoning and that the building meets all other setbacks and design standards.

Mr. Roberts stated that adjacent property owners were notified within the 500-foot boundary and the Town received one letter of support with no letters of opposition. Mr. Roberts stated that at the June 9, 2016 Planning and Zoning Commission, the CUP was unanimously approved with the condition that the accessory building has the same 40-foot setback as the principal structure so that the buildings are aligned. Mr. Roberts stated that change has been reflected in the packet. Mr. Roberts stated that Staff recommends approval subject to meeting that condition as well as meeting the site plan and elevations shown in the packet documents.

Councilmember Hendricks asked to confirm that this was for woodworking or vehicles and without living conditions. Mr. Roberts stated that was correct.

Councilmember O'Reilly asked if there was an HOA and if they had been notified. Mr. Roberts stated that they were notified but there was no response.

Mayor Culbertson opened the public hearing.

Mayor Culbertson offered the applicant, Holly Barr, 500 Cottonwood Place, the opportunity to speak and she had no comments.

There were no other speakers.

Mayor Culbertson closed the public hearing.

Councilmember Samuels made a motion to approve a Conditional Use Permit (CUP) for an accessory structure (detached garage). The 1.07-acre site is located at 500 Cottonwood Place and is zoned for the (RE-1) One-acre Ranch Estate District. Owners/applicants: Allen and Holly Barr (CUP2016-07). Councilmember Powell seconded the motion and the motion was unanimously approved.

EXPENDITURES FOR CHAMBERLAIN PLACE TRAIL IMPROVEMENTS: Discuss, consider and take any necessary action on approving additional expenditures for the Chamberlain Place Trail improvements.

Mr. Chancellor gave a presentation on agenda item 9 (a) regarding additional expenditures for the Chamberlain Place Trail improvements from a previously approved facilities agreement, where the developer's parkland dedication fees of \$67,000 would go toward the construction of a connecting trail and pedestrian bridge with the Town agreeing to pay the balance.

Mr. Chancellor stated that the Town had negotiated the price down from \$330,000 to \$260,000. Mr. Chancellor stated that staff recommends approving the balance of the cost of construction, \$277,216 including the cost of the design of the pedestrian bridge. Mr. Chancellor stated this cost did not include the lighting, as that will be added at the nearby lift station.

The Council and Mr. Chancellor had an extended discussion regarding the trail improvements including the bridge cost, length, safety fencing, handrails, schedule and prefabricated construction. Mr. Chancellor stated that the project should be completed before Christmas.

Mayor Culbertson asked if the Park Board was aware of the increased costs as it was coming out of their funds. Mr. Chancellor stated that the only change to the Park Board's original plan is that the Town was no longer painting the bridge in order to save more than \$30,000.

Councilmember Powell made a motion to approve \$277,216.25 in expenditures out of park dedication fees for the Chamberlain Place Trail improvements. Councilmember Hendricks seconded the motion and the motion was unanimously approved.

BUDGET PRIORITIES FOR FISCAL YEAR 2016-17: Discuss the upcoming fiscal year 2016-2017 budget priorities and take any necessary action.

Ms. Couch led the continued discussion regarding agenda item 9(b) on budget priorities for the upcoming fiscal year 2016-2017 from the June 27, 2016, special Council meeting.

Mayor Culbertson stated that he felt the Council had make significant progress on their top five priorities and he would like to update them. Mayor Culbertson stated that he would like to remove researching alternative sources of water from the priorities, as the cost does not justify the long-term benefits. Mayor Culbertson added that he would like to replace that with finding partners to aid the Town in making long-term changes to the Wilson Creek drainage issues whether through the U.S. Army Corps of Engineers or a different group. Councilmember Samuels stated his agreement.

Mayor Pro Tem Adler stated that he felt the Town did their research through the study and that until the NTMWD take-or-pay system changes adding wells cannot be economically justified.

Mayor Culbertson stated that the Council's other top priorities should remain the same: complete of the Town's ten-year capital improvement plan (CIP), completion of the park and trail plan, continued focus on the development of the Commercial Planned Development District (CPDD) and improving upon Town communications.

Mayor Pro Tem Adler stated that regarding the Town's Communication Plan, he still would like to see funds in the budget for the implementation of an OpenGov type software solution to increase transparency.

Mayor Culbertson stated next year would be very important, as the Town would have a public vote regarding the funds needed to rebuild Fire Station #1.

Ms. Couch stated that staff would schedule follow up discussions at upcoming special work sessions in order to discuss options such as developing information for the U.S. Army Corps of Engineers and visiting with Heritage Ranch.

Councilmember Little asked if the County would be willing to aid in the assistance with Wilson Creek. Ms. Couch stated that staff would inform the county and see if they are willing to help but it would likely mainly be an U.S. Army Corps of Engineers issue. Mayor Culbertson stated that he felt the Town did not create this issue but they have to deal with it including contacting whoever is necessary in order to get assistance including the state. Ms. Couch also suggested discussions with the City of McKinney.

Ms. Couch reminded the Council that the in-depth Budget Workshop would take place at Noah's on Monday, August 1 at 3 p.m.

BOARDS/COMMISSIONS: Discuss boards and commissions and take any necessary action.

Mayor Culbertson asked Mr. Dunlap to have the Committee Chairs for the Park Board and the Special Event Committee evaluate their applicants for further action in August.

CITIZEN INPUT:

Matthew Mochelle, 5700 Murray Farm Road, stated that he was attending the Council meeting and taking notes in order to earn a Boy Scout merit badge on Communications.

REPORTS FROM STAFF:

Ms. Couch stated that Mr. Weeks was on vacation but that agenda item 11(a), the Monthly Financial Report for the period ending May 31, 2016, was in their Council packet.

Mr. Chancellor provided a report on agenda item 11(b) regarding an update on Stacy Road construction. Mr. Chancellor stated that there had been a vote amongst the HOA as to whether to close all of the Oakwood Estates entrance or to do half at a time but due to the health concerns regarding a particular child requiring EMS access they decided to do half at a time.

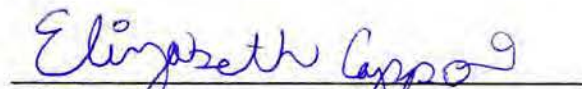
Mr. Chancellor stated the project was moving on schedule and that the next major traffic switch will not occur for a while until they start putting down pavement.

Councilmember Powell asked about the cones on Meandering Way at Stacy Road. Mr. Chancellor stated that they are doing intersection work and lining up the construction lanes.

Councilmember Hendricks asked if that intersection would have microwave beam smart traffic lights and a pedestrian crossing. Mr. Chancellor stated that there would be both.

Councilmember Samuels stated that there was still a right turn only lane arrow painted at the intersection of Country Club Road and Stacy that was confusing some drivers. Mr. Chancellor stated that he would mention it to them.

Mayor Culbertson adjourned the meeting at 8:19 p.m.


Darion Culbertson, Mayor
Elizabeth Cappon, Town Secretary