

**TOWN COUNCIL
MEETING MINUTES
DECEMBER 1, 2020**

The Town Council met in regular session on Tuesday, December 1, 2020 at 5:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Councilmembers Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Mayor Pro Tem Ricardo Doi and Councilmember Charlie Henkle joined via teleconference. Staff present included Town Manager, Julie Couch; Police Chief, Granver Tolliver; Town Engineer, James Chancellor and Town Secretary, Tenitrus Bethel. Staff present via teleconference included: Planning Manager, Israel Roberts; CFO, Steven Ventura; Interim EDC Manager, Dave Quinn; Town Engineer, Danielle Oglesbee; Fire Chief, Jeff Bell; Assistant to the Town Manager, Adam Wilbourn; and Town Attorney, Clark McCoy.

Mayor Lessner called the meeting to order at 5:00 p.m. and declared a quorum was present.

At 5:01 p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Lessner called the regular session to order at 7:35 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

OATHS OF OFFICE: Ms. Bethel administered the oath of office to newly elected Councilmembers Custer, Little and Hubbard.

CITIZENS INPUT:

Cynthia Brugge, expressed congratulations to the newly elected councilmembers.

Dick Price, expressed his thoughts related to COVID-19.

Leland Payne, inquired of the name of the previous speaker.

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 the minutes of the November 4, 2020 Regular Council meeting; B) Approve the minutes of the November 9, 2020 Regular Council meeting; C) Approve the minutes of the November 16, 2020 Special Council meeting; D) Approve a resolution suspending rates with Coserv.

Councilmember Hubbard made a motion to the approve consent agenda. Councilmember Logsdon seconded the motion, and the motion was approved unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly financial reports.

Chief Tolliver reviewed the monthly police report.

Chief Bell reviewed the monthly fire report.

Mr. Chancellor reviewed current Town construction projects.

PUBLIC HEARING -900 OLD STACY: Mayor Lessner introduced agenda item 8(a), Conduct a public hearing and consider approval on a request for approval of a Conditional Use Permit (CUP) for the existing home to serve has an accessory structure (guest house). The subject site is located at 900 Old Stacy Road and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/Applicant: Luis Martinez. (Case No. CUP2020-02).

Mr. Roberts gave a staff report. He stated the applicant is requesting to utilize the current 1,200 sq. ft. structure on the property as a guest house once construction of the new home is completed. He stated the current structure is non-conforming as it was constructed prior to annexation or zoning of the parcel; he reviewed the accessory structure allowances for this zoning district. He stated the original request was brought before the PZ in March but was continued due to adjacent property owner opposition; and was brought back to PZ in September due to meeting delays related to COVID. He stated due to the lapse in time property owners received notices twice regarding this request. He indicated 7 letters of support were received and 2 letters of opposition. He stated at the October meeting the PZ recommended approval subject to the provisions in the packet.

The Council and staff had an extended discussion related to this item.

Mayor Lessner opened the public hearing.

Rich Connelly, 9680 Foxdale, expressed his opposition to the request.
Cynthia Brugge submitted a letter of opposition read by Mayor Lessner.

Mayor Lessner closed the public hearing.

Mayor Pro Tem Doi made a motion to continue the public hearing to a date certain of January 5, 2021 at 7:30 p.m. at Fairview Town Hall. Councilmember Logsdon seconded the motion, and the motion was approved 6-1. Councilmember Custer opposed.

PUBLIC HEARING – 80 SEATTLE SLEW: Mayor Lessner introduced agenda item 8(b), conduct a public hearing, consider approval on a request for approval of a Conditional Use Permit (CUP) for an accessory structure. The 3.62-acre site is located at 80 Seattle Slew and is zoned for the (RE-2) Two-acre Ranch Estate District. Owners/Applicant: Michael Adkins. (CUP2020-03).

Mr. Roberts gave a staff report on this item. He stated the request is to expand a detached 3-car garage on the property and to retain the existing accessory structures. He indicated the property currently has 3 accessory structures that were constructed prior to the Town's accessory structure requirements and he reviewed the history of the property. He stated staff met with the property owner to discuss options and an expansion of the detached garage with the demolition of the shed and awning in order to be in compliance with the ordinances was agreed upon and a permit was issued. The applicant then determined that they would like to retain the shed and awning, which would not be in compliance with the ordinances, and which resulted in the CUP application. He stated notices were mailed and all adjacent property owners were in support. He stated the request meets design standards and the November meeting the PZ recommended approval as submitted.

The Council and staff had an extended discussion related to this item.

Mike Adkins, applicant, spoke to the request.
Mayor Lessner opened the public hearing.

No one came forward to speak.

Mayor Lessner closed the public hearing.

Councilmember Hubbard made a motion to approve the request for a conditional use permit for an accessory structure located at 80 Seattle Slew. Councilmember Custer seconded the motion, and the motion was unanimously approved.

PUBLIC HEARING – 1290 CAMINO REAL: Mayor Lessner introduced agenda item 8(c), conduct a public hearing, consider approval on a request for approval of a Conditional Use Permit (CUP) for an accessory structure. The 1.55-acre site is located as 1290 Camino Real and is zoned for the (PC) Planned Center District. Owner/Applicant: Keith Coffey. (CUP2020-04)

Mr. Roberts gave a staff report on this item. He stated the request is for the construction of a 1,200 sq. ft. hobby shop with a 480 sq. ft. covered porch at the back of the property. He indicated within the PC zoning district a maximum allowance of 1,200 sq. ft and two accessory structures is permitted. He stated notices were mailed out to 25 adjacent property owners and 5 letters of support were received. He stated the application meets all of the design standards and in November the PZ recommended approval of this request subject to the location and exhibits.

Keith Coffey, applicant, discussed the request.

Mayor Lessner opened the public hearing.

No one came forward to speak.

Mayor Lessner closed the public hearing.

The Council and staff had an extended discussion related to this item.

Councilmember Hubbard made a motion to approve the request for a conditional use permit for an accessory structure located at 1290 Camino Real. Councilmember Custer seconded the motion, and the motion was approved unanimously.

DISCUSSION – BLACKMON MOORING: Mayor Lessner introduced agenda item 9(a), consider, discuss and take any necessary action on authorizing the Town Manager to execute an agreement with Blackmon Mooring for restoration services.

Mr. Wilbourn gave a staff report related and reviewed the history of this item.

Councilmember Logsdon made a motion to authorize the Town Manager to execute the agreement with Blackmon Mooring, subject to legal form. Councilmember Little seconded the motion, and the motion was approved unanimously.

DISCUSSION – WORK SESSIONS/COUNCIL RETREAT: Mayor Lessner introduced agenda item 9(b), discuss Council work session dates, including drainage and other topics and take any necessary action.

Mayor Lessner discussed the possible dates for an upcoming drainage work session.

The Council and staff had an extended discussion related to this item. The Council agreed upon Wednesday, December 9 for the drainage work session.

Ms. Couch discussed an upcoming Council retreat and she stated the retreat would be a full day at which the Council would review a variety of topics, such as, capital projects, planning and ordinance changes.

The Council and staff had an extended discussion related to this item. The Council agreed upon holding the retreat on Friday, January 22 at First United Methodist Church of Allen beginning at 8:30 a.m.

DISCUSSION – COVID UPDATE: Mayor Lessner introduced agenda item 9(c), discuss COVID-19 activities and actions and take any necessary action.

Ms. Couch stated Town operations have not changed and Town Hall remains closed to the public.

The Council and staff had an extended discussion related to this item.

DISCUSSION – DISASTER DECLARATION: Mayor Lessner introduced agenda item 9(d), disaster declaration and take any necessary action.

Ms. Couch stated the disaster declaration is directly related to COVID-19 and any related discussion could be covered under a single agenda item. She asked the Council if the disaster declaration item, when necessary, could be covered during the COVID-19 update or if it should remain as a separate agenda item.

The Council and staff had an extended discussion related to this item. The Council agreed to consolidate all COVID related discussions to a single agenda item.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 9(e), discuss Boards & Commissions and take any necessary action.

Mayor Lessner recommended the Council hold interviews for applicants interested in joining a board or commission.

The Council and staff had an extended discussion related to this item.

Mayor Lessner reminded attendees of the upcoming Christmas Tree Lighting on December 3 at 6:30 p.m.

At 9:53 p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Lessner called the regular session to order at 11:19 p.m.

Councilmember Hubbard made a motion to approve the request for a conditional use permit for an existing home to serve as an accessory structure at a site located at 900 Old Stacy Rd.

Mayor Lessner stated this request was continued to the next regular meeting.

Councilmember Hubbard withdrew his motion.

Mayor Lessner adjourned the meeting at 11:20 p.m.


Henry Lessner, Mayor


Tenitrus Bethel, Town Secretary

