

**TOWN COUNCIL
MEETING MINUTES
NOVEMBER 1, 2022**

The Town Council met in regular session on Tuesday, November 1, 2022, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi; Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Staff present included Town Manager, Julie Couch; Police Chief, Granver Tolliver; Fire Chief, Jeff Bell; CFO, Steven Ventura; Planning Manager, Israel Roberts; Town Engineer, James Chancellor; Interim EDC Manager, Dave Quinn; Town Attorney Clark McCoy; Town Secretary, Tenitrus Bethel; and Assistant Town Manager, Adam Wilbourn.

Mayor Lessner called the meeting to order at 6:01 p.m. and declared a quorum was present.

At 6:02 p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Lessner called the regular session to order at 7:34 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

PRESENTATIONS

Mayor Lessner presented a proclamation declaring November 1, 2022 as Arbor Day in the Town of Fairview.

The Council agreed to move up agenda item 9, items related to community interest.

Fairview Resident recognized Sergeant Rachel Sanchez and Officer Victoria Fritzler for life saving actions.

Katherine Ponder, Park Board Chair, gave a presentation related to Coyote Park. The Council, Ms. Ponder and staff had a discussion related to this item. Councilmember Little made a motion to approve funding for the purchase and installation of shade plants and wildflower seeds; and renaming of Coyote Park to Coyote Meadow. Councilmember Logsdon seconded and the motion passed unanimously.

John Adler, Technology Committee Chair, gave a presentation related to the 2022 Technology survey.

CITIZENS INPUT

Herman Tafoya, 1170 Red Oak, expressed thoughts related to drainage on Red Oak.
Katherine Ponder, 970 Foxdale, expressed thoughts related to traffic control.

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 amended minutes of the September 6, 2022 Regular Council meeting; B) Approve the minutes of the October 4, 2022 Regular Council meeting.

Ms. Bethel reviewed the revisions to the September 6 regular meeting minutes.

Mayor Pro Tem Doi made a motion to approve the consent agenda. Councilmember Connelly seconded and the motion passed unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly and quarterly financial report.

Chief Tolliver reviewed the monthly police report.

Chief Bell reviewed the monthly fire report.

Mr. Chancellor provided a construction update.

ACTION/DISCUSSION – HIGHWAY 5 SPEED LIMIT: Mayor Lessner introduced agenda item 8(a), Consider, discuss and take any necessary action on the approval of an ordinance adopting speed limits on State Highway 5 in Fairview from Stacy Rd to Rosemont Ln.

Mr. Chancellor gave a staff report on this item. He stated as drivers enter Fairview northbound on State Hwy 5 the speed limit is 55 mph; and then the speed limit drops to 45 mph at Meandering Way. He stated TxDOT recently completed a speed study with the recommendations of increasing the 45-mph speed limit to 55 mph and decreasing the 55-mph speed limit to 50; and he informed TxDOT the Town would favor setting the speed limit from Stacy to Rosemont at 50 mph. He stated Council would need to approve an ordinance setting the speed limit and TxDOT will resign the section with the new speed limit.

The Council and staff had a discussion related to this item.

Mayor Pro Tem Doi made a motion to approve an ordinance amending the speed limit on State Highway 5 between Stacy Rd and Rosemont to 50 mph. Councilmember Custer seconded and the motion passed unanimously.

DISCUSSION – ALARM FEES: Mayor Lessner introduced agenda item 8(b), consider, discuss and take any necessary action on the approval of an ordinance amending regulations related to alarm systems.

Mr. Wilbourn gave a staff report and reviewed the previous amendments and the proposed amendments to the ordinance.

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

Councilmember Logsdon made a motion to approve the amended alarm fees. Councilmember Hubbard seconded the motion and the motion passed 6-1. Mayor Pro Tem Doi opposed.

DISCUSSION – TRMS COLA: Mayor Lessner introduced agenda item 8(c), consider, discuss and take any necessary action on the approval of an ordinance adopting amended provisions to the Town participation in the Texas Municipal Retirement System.

Ms. Couch stated in conjunction with the benefits and compensation study, the consultant surveyed comparator cities regarding their offering of a COLA for retired employees and at what rate. She reviewed the funding increments within TRMS for COLA. She stated staff is

recommending the approval of an ordinance that would extend the COLA to 30% for retirees of the Town with an effective date of January 1, 2023. She stated the funding for this provision was included in the current budget.

The Council and staff had a discussion related to this item.

Mayor Pro Tem Doi made a motion to approve an ordinance implementing a cost-of-living adjustment for retirees of the Town. Councilmember Custer seconded and the motion passed unanimously.

DISCUSSION – COVID 19: Mayor Lessner introduced agenda item 8(d), discuss COVID-19 activities, ordinances, and actions and take any necessary action.

Ms. Couch reviewed the steps taken related to the pandemic and the disaster declaration; staff recommends approval of an ordinance repealing the disaster declaration.

The Council and staff had a discussion related to this topic.

Councilmember Connelly made a motion to approve an ordinance repealing ordinance 2020-06 related to the disaster and public health emergency. Councilmember Little seconded and the motion passed unanimously.

DISCUSSION – SMOKING REGULATIONS: Mayor Lessner introduced agenda item 8(e), discuss and take any necessary action on Town smoking regulations and related matters.

Mr. Roberts reviewed the background of the recent request related to smoking regulations. He reviewed the current smoking ordinance, exceptions and the proposed amendments.

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

Mayor Pro Tem Doi made a motion to consider an ordinance related to the Town smoking regulations at the next regular council meeting. Councilmember Little seconded the motion.

The Council and staff had a discussion related to this item.

The motion passed 6-1. Councilmember Connelly opposed.

DISCUSSION – SHORT-TERM RENTALS: Mayor Lessner introduced agenda item 8(f), discuss and take any necessary action on Town regulations regarding short term rentals and related matters.

Mr. Roberts gave a staff report and reviewed data collected from other cities.

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

Mayor Lessner asked if this topic could be revisited at the regular meeting in March.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 8(g), discuss Boards & Commissions and take any necessary action.

Mayor Lessner made a motion to nominate William Basom to the Board of Adjustments as an alternate. Councilmember Connelly seconded and the motion passed unanimously.

Mayor Lessner adjourned the meeting at 10:08 p.m.



Tenitrus Bethel, Town Secretary



Henry Lessner, Mayor

