

**FAIRVIEW TOWN COUNCIL
MEETING MINUTES
NOVEMBER 5, 2024**

The Town Council met in regular session on November 5, 2024 at 372 Town Place, Fairview, Texas.

Council present: Mayor Henry Lessner and Mayor Pro Tem John Hubbard, and Council members Rich Connelly, Gregg Custer, Ricardo Doi, and Ken Logsdon.

Council absent: Council member Larry Little

Staff present: Assistant Town Manager Adam Wilbourn; Town Attorney, Clark McCoy; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Fire Chief, Jeff Bell; Police Chief, Chris Chandler; CFO Steven Ventura; HR Director Whitney Casey; Communications and Marketing Manager, Karin Anderson; and Town Secretary, Joshua Stevenson.

At 6:00 PM, the Council adjourned into executive session in accordance with the Texas Government Code:

A. 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/TIF development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; religious land use; transportation matters; state law review and compliance.

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

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

D. 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.

Mayor Lessner reconvened from executive session at 7:30 PM and reopened the public meeting.

1. Call to Order

Mayor Lesser called the 7:30 PM meeting to order and declared a quorum was present.

There were four (4) members of the public present when the meeting was called to order.

2. Pledge of Allegiance: U.S. and Texas Flags

Mayor Lessner invited everyone to stand for the pledge of allegiance to the U.S. and Texas Flags.

3. Proclamation and Information Sharing

- a. Proclamation declaring the day of November 5, 2024, as Arbor Day in the Town of Fairview

Mayor Lessner called for this item.

The Mayor declared that the day of November 5, 2024 is Arbor Day in the Town of Fairview.

4. Citizen's Comment (for Non-Public Hearing Items)

Mayor Lessner called for citizen's comments.

There were none when called for.

5. Consent Agenda

Mayor Lessner called for the Consent Agenda.

Council passed the motion by Council member Logsdon, seconded by Mayor Pro Tem Hubbard, to approve the Consent Agenda in a vote of Yes 6, No 0, Abstained 0.

The following Consent items were approved:

- a. Approve the minutes of the October 2, 2024, regular meeting of the Town Council
- b. Approve the 2024 Tax Roll Summary for the Town of Fairview

6. Reports from Staff

Mr. Ventura reviewed the Monthly Financial Report - Period ending September 30,

2024 and the Quarterly Financial Report – Period ending September 30, 2024.

Police Chief Chandler reviewed the Monthly Police Report - Period ending October 31, 2024.

Fire Chief Bell reviewed the Monthly Fire Report - Period ending October 31, 2024.

The monthly Code Report – Period ending October 31, 2024 was submitted to Council for review.

Mr. Chancellor provided an update on Town construction projects.

7. Public Hearings

- a. Conduct a public hearing to consider, discuss, and take any necessary action on an amendment to the Planned Development regulations for Heritage Ranch to accommodate the proposed development of a telecommunications/cellular tower. The 13.07-acre site is located on the west side of CR 317, north of Wilson Creek; Tract 7 in the Calvin Boles Survey, Sheet 1, Abstract A0028, and is zoned for a (PD) Planned Development. Applicant: Steven Kinley, Jacobs Communications Inc./New Cingular Wireless, PCS, LLC. Owners: The Heritage Ranch Homeowners Association.

Mayor Lessner called for the item.

Mr. Roberts spoke regarding this item. Staff recommended approval.

The applicant spoke regarding this item.

The Council, staff, and the applicant had discussion regarding this item.

Mayor Lessner opened the public hearing.

No one requested to speak.

Mayor Lessner closed the public hearing.

Council passed the motion by Council member Doi, seconded by Council member Connelly, to approve an amendment to the Planned Development regulations for Heritage Ranch to accommodate the proposed development of a telecommunications/cellular tower with the condition to follow all the recommendations of the Planning & Zoning Commission and that if the Federal Government does not have specific guidelines for fencing, then the applicant must tubular steel, in a vote of Yes 5, No 0, Abstained 1. Council member Logsdon abstained from the vote.

8. Action/Discussion Items

- a. Consider, discuss and take any necessary action on a facilities agreement with CB Sloan Creek 75, Ltd. for construction of Fairview Parkway

Mayor Lessner called for the item

Mr. Chancellor spoke regarding this item. Mr. Chancellor stated that the bids received were lower than the original estimate. The Town contribution for this project is and the Billingsley contribution is \$2,745,324. The Town funding source are the federal ARPA funds received by the Town. The agreement contemplates that the County will authorize the additional paving to utilize the full grant funding.

The Council and staff had discussion regarding this item.

Council passed the motion by Council member Doi, seconded by Council member Logsdon, to approve a facilities agreement with CB Sloan Creek 75, Ltd. for construction of Fairview Parkway in a vote of Yes 6, No 0, Abstained 0.

- b. Consider, discuss, and take any necessary action on awarding the Fairview Parkway bid to Indus Road and Bridge

Mayor Lessner called for the item

Mr. Chancellor spoke regarding this item. Mr. Chancellor stated that Indus Road & Bridge was the firm that constructed the Ridgeview Overpass for TxDOT and they constructed Ridgeview Drive for the City of Allen. He continued that Collin County is providing 70% of the funding, with Fairview and Billingsley sharing the remaining costs as outlined in the facilities agreement approved for this project. The Billingsley Company is providing all the funding for the bid alternates that they requested be included in this roadway contract.

The Council and staff had discussion regarding this item.

Council passed the motion by Mayor Pro Tem Hubbard, seconded by Council member Custer, to approve awarding the Fairview Parkway bid to Indus Road and Bridge in the amount of \$9,957,427.38 in a vote of Yes 6, No 0, Abstained 0.

- c. Consider, discuss, and take any necessary action on an agreement with Kimley-Horn for additional Fairview Parkway engineering services

Mayor Lessner called for the item

Mr. Chancellor spoke regarding this item. Mr. Chancellor stated that at the time the original agreement with Kimley-Horn was formulated, the town had not yet received a grant from Collin County. The Billingsley Development that would be adjacent to Fairview Pkwy was anticipated to pay for a portion of the roadway that would be needed for Phase 1. The town worked with Billingsley and the Lawler property owners to plan for an alignment that would enhance their future development planning.

The Council and staff had discussion regarding this item.

Council passed the motion by Council member Doi, seconded by Council member Logsdon, to approve an agreement with Kimley-Horn for additional Fairview Parkway engineering services in a vote of Yes 6, No 0, Abstained 0.

- d. Consider, discuss, and take any necessary action on an approval of a Replat of the Murray Manor Addition (formerly Fairview Townhomes Addition). The 15.2-acre sites are generally located on both sides of Fairview Parkway, north of the Latham Drive intersection and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Mike Molge, Kimley-Horn & Associates, representing IH Murray Manor LLC.

Mayor Lessner called for the item

Mr. Roberts spoke regarding this item. Staff recommends approval.

The applicant spoke regarding this item.

Council member Doi recused himself from the discussion and vote.

The Council and staff had discussion regarding this item.

Council passed the motion by Council member Custer, seconded by Council member Connelly, to approve a Replat of the Murray Manor Addition (formerly Fairview Townhomes Addition) in a vote of Yes 5, No 0, Abstained 1. Council member Doi abstained from the vote.

- e. Consider, discuss, and take any necessary action on Board & Commission Appointments

Mayor Lessner called for the item.

No discussion or action was made.

9. Council and Staff Comments

Mayor Lessner called for Council and Staff Comments.

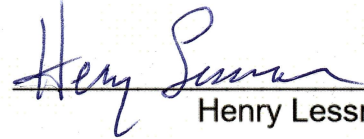
The Mayor spoke regarding Rotary Club.

11. Adjourn

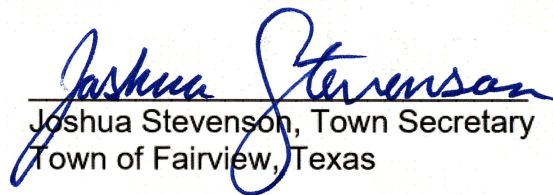
The meeting was adjourned at 8:39 PM

These minutes were approved by the Town Council on December 3, 2024.

APPROVED:


Henry Lessner, Mayor

ATTEST:


Joshua Stevenson, Town Secretary
Town of Fairview, Texas