

**FAIRVIEW TOWN COUNCIL
MEETING MINUTES
DECEMBER 3, 2024**

The Town Council met on December 3, 2024 at 7 30 PM at 372 Town Place, Fairview, Texas

Council present Mayor Henry Lessner and Mayor Pro Tem John Hubbard, and Council Members Rich Connelly, Gregg Custer, Larry Little, and Ken Logsdon

Council absent Council Member Ricardo Doi

Staff present Town Manager, Julie Couch, 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 p m , 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 development improvements, ordinances, agreements and financing, contracts for services, town property and infrastructure, administrative matters, drainage matters, town regulations, religious land use and proposed settlement of zoning dispute, 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 Lessner called the meeting to order at 7 30PM upon determining that a quorum of the Council was present

There were approximately (51) 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 Oath of Office

a Conduct the Oath of Office for Sergeant Ricardo Hernandez

Mayor Lessner called for this item

Chief Chandler conducted the oath of office for Sergeant Ricardo Hernandez

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 Connelly, seconded by Council Member Logsdon, 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 31, 2024, special meeting of the Town Council

b Approve the minutes of the November 5, 2024, regular meeting of the Town Council

c Consider a request for approval of Lots 15A and 16A of the Ascot Heath Addition, being an Amending Plat of Lots 15 and 16 of the Ascot Heath Addition The 2 29-acre site is located at 900 Berkshire Way and 1160

Kempton Park Lane and is zoned for the (RE-1) One-acre Ranch Estate District

6 Reports from Staff

Reports from staff were submitted for Council review

- a Monthly Financial Report - Period ending October 31, 2024
- b Monthly Police Report - Period ending November 30, 2024
- c Monthly Fire Report - Period ending November 30, 2024
- d Monthly Code Report - Period ending November 30, 2024
- e Town construction projects

7 Public Hearings

- a Conduct a public hearing to consider, discuss, and take any necessary action on an ordinance approving a request for approval of a Conditional Use Permit (CUP) for an accessory structure The 2 1-acre lot is located at 203 Dumont Ct and is zoned for the (RE-1) One-acre Ranch Estate District Applicant Landon Day with MLD Custom Homes representing owners Scott and Susan Littlefield

Mayor Lessner called for the item

Mr Roberts spoke regarding this item The Planning & Zoning Commission and Staff recommended approval

The Council and staff had discussion regarding this item

The applicant spoke regarding this item

Mayor Lessner opened the public hearing

Mike Smith, 1670 Ashcroft Ln , spoke regarding this item

Mayor Lessner closed the public hearing

Council passed the motion by Council Member Custer, seconded by Mayor Pro Tem Hubbard, to approve an ordinance approving a request for approval of a Conditional Use Permit (CUP) for an accessory structure in a vote of Yes 6, No 0, Abstained 0

- b Conduct a public hearing to consider, discuss, and take any necessary action on an ordinance approving a request for approval of Major Warrants to

accommodate revisions to existing billboards along US 75 The billboards are located within the (CPDD) Commercial Planned Development District with the Urban Village sub-district, generally on the east side of US 75, between Sloan Creek and Latham Drive and more specifically at the addresses listed below
Applicant Stephen Thompson representing owner Jody Lawler of The Wayzata Trust

Mayor Lessner called for the item

Mr Roberts spoke regarding this item The Planning & Zoning Commission and Staff recommended approval

The Council and staff had discussion regarding this item

The applicant spoke regarding this item

Mayor Lessner opened the public hearing

Gary Carter, 1000 Timber Lane, spoke regarding this item

Mayor Lessner closed the public hearing

Council passed the motion by Council Member Logsdon, seconded by Council Member Connelly, to approve an ordinance approving a request for approval of Major Warrants to accommodate revisions to existing billboards along US 75 in a vote of Yes 6, No 0, Abstained 0

8 Action/Discussion Items

- f Hold council workshop to review, discuss and hear comments regarding the non-binding settlement agreement with the LDS Church

Mayor Lessner called for the item

Mayor Lessner spoke regarding this item

Mayor Lessner opened the comment portion on this item

The following people spoke and/or asked questions regarding this item

Ben Brown, 717 Mustang Drive, Fairview, Texas 75069

Rick Hill, 950 Circle in the Woods, Fairview, Texas 75069

Lisa Thompson, [no number] Kentucky Lane, Fairview, Texas 75069

Rick Dunham, 151 Horseshoe Bend, Fairview, Texas 75069

Nikki Smith, 1670 Ashcroft, Fairview, Texas 75069

Pamela Sailor, 199 Newchester Drive, Fairview, Texas 75069

Gary Carter, 1000 Timber Lane, Fairview, Texas 75069

Patrick Shion, 1309 Bethpage Court, Fairview, Texas 75069

Steve Foradori, 190 Horseshoe Bend, Fairview, Texas 75069

Alicia Kuehne, 171 Horseshoe Bend, Fairview, Texas 75069

Marlo Ballard, 130 Horseshoe Bend, Fairview, Texas 75069

Gretchin Wild, 501 Lakewood Drive, Fairview, Texas 75069

Marji Smith, 281 Paddock Trail, Fairview, Texas 75069

Catherine Ponder, 970 Foxdale, Fairview, Texas 75069

Dick Heavee, 438 Long Cove Drive, Fairview, Texas 75069

Lisa Foradori, 190 Horseshoe Bend, Fairview, Texas 75069

Mayor Lessner closed the comment period

Mayor Lessner continued to speak regarding this item

No action was taken regarding this item

- a Consider, discuss and take action on a request for approval of a Final Plat of the Bentley Addition The 1 12-acre site is located at 350 Highway 5 and is zoned for the (CPDD) Commercial Planned Development District with the Urban Transition sub-district Application Casey McBroom, Cross Engineering representing owner Jonathan and Gail Bentley

Mayor Lessner called for the item

Mr Roberts spoke regarding this item The Planning & Zoning Commission and Staff recommend approval

The Council and staff had discussion regarding this item

Council passed the motion by Council Member Connelly, seconded by Council Member Custer, to approve a Final Plat of the Bentley Addition in a vote of Yes 6, No 0, Abstained 0

- b Consider, discuss, and take any necessary action on approving a change order for the Fairview Pkwy construction project

Mayor Lessner called for item

Mr Chancellor spoke regarding this item The original bid awarded to Indus is confirming their costs with the change order prepared by Kimley-Horn Staff is recommending that a change order in the amount of \$2,086,385 00 be approved

The Council and staff had discussion regarding this item

Council passed the motion by Council Member Logsdon, seconded by Council Member Custer, to approve a change order for the Fairview Pkwy construction project in the amount of \$2,086,385 00 in a vote of Yes 6, No 0, Abstained 0

- c Consider, discuss, and take any necessary action on a resolution allocating votes for Collin County Appraisal District Board of Directors election

Mayor Lessner called for the item

Ms Couch spoke regarding this item

The Council and staff had discussion regarding this item

Council passed the motion by Mayor Lessner, seconded by Mayor Pro Tem Hubbard, to approve a resolution allocating votes Veronica Yost for Collin County Appraisal District Board of Directors election in a vote of Yes 6, No 0, Abstained 0

- d Consider, discuss, and take any necessary action on obligating remaining ARPA funds

Mayor Lessner called for item

Mr Wilbourn spoke regarding this item

The Council and staff had discussion regarding this item

Council passed the motion by Council Member Custer, seconded by Council Member Connelly, to approve obligating remaining ARPA funds for the purchase of two public works fleet vehicles in a vote of Yes 6, No 0, Abstained 0

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

Mayor Lessner called for item

The Council and staff had discussion regarding this item

Council passed the motion by Mayor Pro Tem Hubbard, seconded by Council

Member Connelly, to appoint John Stanley to the Technology Advisory Committee in a vote of Yes 6, No 0, Abstained 0

John Stanley's appointment will be until August 2026, at the will of the Council

9 Council and Staff Comments

Mayor Lessner called for Council and Staff Comments

There were none when called for

11 Action on Closed Session

Mayor Lessner made the following motion "I move that the Town Council authorize the Town Manager or her designee to finalize negotiations with the person(s) offering to purchase the Town-owned properties recently listed by the Town's real estate broker and further authorize the Town Manager to execute any and all instruments, conveyances, deeds, amendments and other documents on behalf of the Town to consummate the sale and transfer of said Town-owned properties "

The motion was seconded by Council Member Logsdon

The motion passed in a vote of Yes 6, No 0, Abstained 0

10 Closed Session

Mayor Lessner recessed into executive session at 9 16 PM In accordance with Texas Government Code

a **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 development improvements, ordinances, agreements and financing, contracts for services, town property and infrastructure, administrative matters, drainage matters, town regulations, religious land use and proposed settlement of zoning dispute, transportation matters, state law review and compliance

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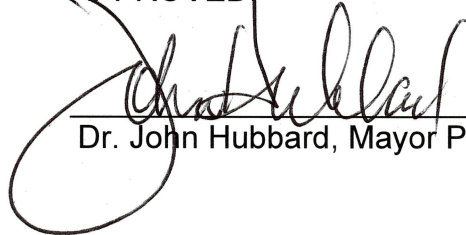
Mayor Lessner reconvened from executive session at 9:35 PM.

12. Adjourn

Mayor Lessner adjourned the meeting at 9:35 PM.

These minutes were approved by the Town Council on January 7, 2025.

APPROVED



Dr. John Hubbard, Mayor Pro Tem

ATTEST:



Joshua Stevenson, Town Secretary
Town of Fairview, Texas