

**TOWN COUNCIL  
MEETING MINUTES  
SEPTEMBER 17, 2019**

The Town Council met in special session on Tuesday, September 17, 2019 at 4:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi; Councilmembers Charlie Henkle, Cynthia Brugge, Tony Mattei, Ken Logsdon and Roland Feldman. Staff present included Town Manager, Julie Couch; Police Chief, Granver Tolliver; Fire Chief, Jeff Bell; Town Engineer, James Chancellor; Building Official, Blake Scott; Human Resources Director, Judy Webster; Interim EDC Manager, Dave Quinn; CFO, Steven Ventura; Assistant to the Town Manager, Adam Wilbourn; Town Secretary, Tenitrus Bethel; and Town Attorney, Clark McCoy.

Mayor Lessner called the meeting to order at 4:30 p.m. and declared a quorum was present.

**CITIZENS COMMENT:**

Jerry Quam, 390 Oakwood, expressed his thoughts related to the proposed budget.

**BUDGET DISCUSSION:** Ms. Couch introduced agenda item 3a, Discuss the proposed fiscal year 2019-20 budget, including the Economic Development and Community Development Corporations proposed fiscal year 2019-20 budgets and related matters, and take any necessary action.

Ms. Couch reviewed discussion from the last meeting; and discussed adjustments to the general fund budget. She indicated approving the effective tax rate would require an additional \$51,000 cut to balance the budget. She stated in the last meeting staff proposed the reduction of the fire strategic plan study from \$15,000 to \$2,000 with the intent of pursuing the plan as a capstone project with a local university and reducing the general fund transfer to the vehicle replacement fund from \$50,000 to \$12,000. She indicated under state law by September 30 the Town is required to have an adopted budget.

Ms. Couch stated additional information was provided in regards to the EDC-CDC based on discussions from the last meeting.

Mayor Lessner reviewed previous discussions related to the EDC-CDC and discussed a joint work session in October.

The Council had a general discussion related to the EDC-CDC.

Councilmember Brugge inquired about the process taken if the budget is not approved by the deadline. Ms. Couch stated if a budget is not adopted it immediately shifts to the effective rate of the previous fiscal year.

The Council and staff had an extended discussion related to the amended budget, the proposed budget and salaries.

**PROPOSED 2019-20 AD VALOREM TAX RATE:** Mayor Lessner introduced agenda item 3b, consider, discuss and take any necessary action on an ordinance regarding the proposed 2019-20 ad valorem tax rate.

Councilmember Logsdon made a motion to approve an ordinance approving the effective ad valorem tax rate of \$0.347156 with M&O rate set at \$0.230180 and the I&S rate set at \$0.116976 for the 2019-20 fiscal year. Councilmember Henkle seconded the motion and by a show of hands the motion was approved unanimously.

**2019-20 TAX REVENUE RATIFICATION:** Mayor Lessner introduced agenda item 3c, consider, discuss and take any necessary action on an ordinance ratifying the 2019-20 property tax revenue increase.

Mayor Lessner read the required language to accompany the ad valorem tax rate; which states **THIS BUDGET WILL RAISE LESS REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$-58,606, WHICH IS A -0.87% DECREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$164,394.**

Councilmember Doi made a motion to approve an ordinance ratifying the tax rate, as approved, for the 2019-20 fiscal year. Councilmember Mattei seconded the motion and the motion was approved unanimously.

**FISCAL YEAR 2018-2019 BUDGET AMENDMENT:** Mayor Lessner introduced agenda item 3d, consider, discuss and take any necessary action on an ordinance amending the 2018-19 fiscal year budget.

Ms. Couch stated the amended budget is the difference between the adopted budget and the actual expenditures as projected for the end of the fiscal year.

There was general discussion on this item between Council and Ms. Couch.

Councilmember Mattei made a motion to approve the 2018-19 fiscal year amended budget ordinance. Councilmember Logsdon seconded the motion and the motion was approved unanimously.

**FISCAL YEAR 2019-20 PROPOSED BUDGET:** Mayor Lessner introduced agenda item 3e, consider, discuss and take any necessary action on an ordinance approving the proposed 2019-20 fiscal year budget.

Ms. Couch advised Mayor Lessner that a record vote is required for the approval of the proposed budget.

Councilmember Brugge inquired if the Park Board must approve the utilization of the \$200,000 for Stacy Road landscaping. Ms. Couch stated the landscaping project would be funded through

Capital Projects; the board would not determine the use of those funds unless advised by the Council.

There was general discussion on this item between Council and Ms. Couch.

Councilmember Logsdon made a motion to approve an ordinance approving the fiscal year 2019-20 budget as presented. Councilmember Mattei seconded the motion. The roll call vote was as follows:

Councilmember Henkle: For  
Mayor Pro Tem Doi: For  
Councilmember Logsdon: For  
Mayor Lessner: For

Councilmember Brugge: For  
Councilmember Mattei: For  
Councilmember Feldman: For

**AMENDING BUILDING PERMIT FEES:** Mr. Chancellor introduced agenda item 3f, consider, discuss and take any necessary action on an ordinance amending the Town's building permitting fees.

Mr. Chancellor introduced Blake Scott, Town Building Official. He stated Mr. Scott completed a comparison review of the residential and commercial building permitting fees and determined the Town was undercharging based on comparable fees; Mr. Scott is recommending increasing the permit fees.

Mayor Lessner inquired about permitting fees based on the project amount. Mr. McCoy stated recent legislation stipulates the establishment for fees; the permitting fee cannot be based on the valuation it must be tied to the actual cost. Mr. Scott stated many cities have amended their fees schedules to reflect charges based on square footage; the Town's permitting fees have been structured in this manner.

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

Councilmember Mattei made a motion to approve an ordinance amending the building permit fees. Councilmember Brugge seconded the motion.

Mayor Pro Tem Doi made a grammatical correction to page 2, Section 3.

The motion was approved unanimously.

**AMENDING COMMERCIAL STORM DRAINAGE FEES:** Mr. Chancellor introduced agenda item 3g, consider, discuss and take any necessary action on an ordinance amending the Town's commercial storm drainage fees.

Mr. Chancellor gave a staff report related to this item. He stated in 2002 the Town established a drainage utility fee for commercial and residential; and a few years later the Council voted to reduce the commercial fee from \$1.50/1,000 sq. ft of impervious surface to \$1.10/1,000 sq. ft of impervious surface. He stated this ordinance would increase the commercial fee to \$1.30/1,000 sq. ft of impervious surface. He stated staff is recommending approval.

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

Mayor Pro Tem Doi made a motion to approve an ordinance amending the commercial storm drainage fees. Councilmember Logsdon seconded the motion and the motion was approved unanimously.

**AMENDING WATER AND WASTEWATER RATES:** Mr. Ventura introduced agenda item 3h, consider, discuss and take any necessary action on an ordinance amending the water and wastewater rates.

Mr. Ventura stated the water and waste increase was included in the recently adopted fiscal year 2019-20 budget. He indicated the NTMWD increased water fees by 2.4% and wastewater by 6.8%; rate amendment is a direct passthrough based upon the NTMWD increase.

There was general discussion on this item between Council and Mr. Ventura.

Councilmember Logsdon made a motion to approve an ordinance amending the water and wastewater rates. Councilmember Mattei seconded the motion and the motion was approved unanimously.

The Council recessed into executive session.

The Council reconvened from executive session.

Mayor Pro Tem Doi made a motion to approve the fifth amendment to the Economic Development agreement with Lincoln Property. Councilmember Feldman seconded the motion and the motion was approved unanimously.

Mayor Lessner adjourned the meeting at 7:17 p.m.

  
Henry Lessner, Mayor

  
Tenitrus Bethel, Town Secretary

