



**NOTICE OF A REGULAR COUNCIL MEETING
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE
FAIRVIEW, TEXAS
TUESDAY, SEPTEMBER 6, 2022
7:30 P.M
AGENDA
****RESULTS******

NOTICE IS HEREBY GIVEN the Town of Fairview Town Council will conduct its Regular Meeting scheduled at 7:30 p.m. on Tuesday, September 6, 2022, located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069 by telephone or video conference. The meeting will be accessible through in person or virtual attendance. The use of masks or face coverings is recommended.

This notice and meeting agenda will be posted online at fairviewtexas.org.

The telephonic/video meeting is hosted through RingCentral. To access the meeting via telephone/video conference click the below link:

<https://webinar.ringcentral.com/j/1489959296>

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting.

1. Call to Order **7:30 p.m.**
2. Pledge of Allegiance
3. Texas Pledge
4. Presentations
5. Citizen's Comment

At this time, any person may address the Council regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time, any person may address the Council regarding an item that is not on this meeting agenda. Each person will have up to

five minutes. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

6. Consent Agenda **Approved**
 - a. Approve the minutes of the July 28, 2022 Council Work Session.
 - b. Approve the minutes of the August 2, 2022 Regular Council meeting.
 - c. Approve the minutes of the August 18, 2022 Special Council meeting.
 - d. Approve the minutes of the August 25, 2022 Special Council meeting.
 - e. Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding dispatch services.
 - f. Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding jail services.
 - g. Authorize the Town Manager to enter into an Interlocal Agreement with Collin County regarding animal control services and animal shelter services.
 - h. Approve a resolution approving the Town's written investment policy.
 - i. Approve the First Amendment to the water tower use agreement with Verizon.

All items listed under the Consent Agenda are considered routine and will be 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 considered separately.

7. Reports from Staff, including any updates on project tracking reports and department activities **Discussion Only**
 - a. Monthly Financial Report – Period ending July 31, 2022
 - b. Monthly Police Report – Period Ending July 31, 2022
 - c. Monthly Fire Report – Period Ending July 31, 2022
 - d. Town construction projects
8. Public Hearings
 - a. Hold a public hearing to consider approval on a request for a text amendment to the (CPDD) Commercial Planned Development District regarding smoking establishments. **No action was taken**
 - b. Hold a public hearing and consider approval on a request for a Major Warrant for a smoking establishment/cigar lounge. The site is located within the Fairview Town Center at 352 Town Place and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village sub-district. **No action was taken**
 - c. Hold a public hearing and consider approval on a request for approval of the J. Hancock Addition. The total 33.78-acre site area includes Lot 2 of the Haines Addition and 23.78-acres of unplatted property at 4558 and 4600 County Road 317, partially located within the Town of Fairview (22.786-acres) and 10.994-acres of land within the Town of Fairview ETJ. **Approved**
 - d. Hold a public hearing and consider approval on a request for a Conditional Use Permit (CUP) to accommodate an expansion to the Nature School of Fairview. The 3.5-acre site is located at 340 Country Club Drive and is zoned for a (PC) Planned Center District. **Approved**

- e. Hold a public hearing and consider approval on a Town initiated text amendment to Section 14.02.024 the Town of Fairview Zoning Ordinance regarding the regulation of sport courts. **Approved 5-1**
 - f. Hold a public hearing and consider approval of a request for a Conditional Use Permit (CUP) for a multi-use sports court. The 2.3-acre site is located at 901 Barksdale Creek Lane and is zoned for the (RE-1) One-acre Ranch Estate District. **Approved**
 - g. Hold a public hearing and consider approval of a request for a Conditional Use Permit (CUP) for a multi-use sports court. The 1.09-acre site is located at 530 Cottonwood Place and is zoned for the (RE-1) One-acre Ranch Estate District. **Approved**
9. Council Action/Discussion Items
- a. Consider, discuss and take any necessary action on a request to amend Article 6.03 Tobacco Products of the Code of Ordinances. **Failed for lack of majority vote**
 - b. Consider, discuss and take any necessary action on the DART Collin County Rides Program. **Approved**
 - c. Consider, discuss and take any necessary action regarding a possible move of the regular October Council meeting date due to National Night Out. **No action taken**
 - d. Discuss COVID-19 activities and actions and take any necessary action. **No discussion/action**
 - e. Discuss Boards & Commissions and take any necessary action. **Appointments made**
10. Receive reports from staff or the Town Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

CLOSED SESSION (EXCEPTIONS) Under Tex. Gov't Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the following exceptions to the Open Meetings Act under Texas Government Code:

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; drainage matters; town ordinances.

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

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

Section 551.076/ 551.089. Deliberation Regarding Security Devices, Network Security or Critical Infrastructure.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

11. Adjourn **9:58 p.m.**

I, Tenitrus Bethel, Town Secretary, hereby certify that notice of the above-named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily accessible to the public at all times, on the 2nd day of September 2022 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Tenitrus Bethel, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, Ext 4234 or by fax at 972-886-4203.