

**TOWN COUNCIL
MEETING MINUTES
SEPTEMBER 1, 2020**

The Town Council met in regular session on Tuesday, September 1, 2020 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Councilmembers Cynthia Brugge, Ken Logsdon, and Roland Feldman. Mayor Pro Tem Ricardo Doi and Councilmembers Charlie Henkle and Tony Mattei joined via teleconference. Staff present included Town Manager, Julie Couch; Police Chief, Granver Tolliver; CFO, Steven Ventura and Town Secretary, Tenitrus Bethel. Staff present via teleconference included: Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Interim EDC Manager, Dave Quinn; Fire Chief, Jeff Bell; Fire Marshal, Travis Green; Building Official, Blake Scott; Assistant to the Town Manager, Adam Wilbourn; Town Attorney, Clark McCoy and TML Attorney, Victoria Thomas.

Mayor Lessner called the meeting to order at 6:00 p.m. and declared a quorum was present.

At 6:00 p.m., the Council then recessed into executive session under Section 551.072 regarding consultation with legal counsel and under Section 551.072 regarding sale or exchange of real property.

At 6:57 p.m. Mayor Lessner reconvened back into regular session and adjourned until the start of the regular meeting.

Ms. Thomas left the meeting.

Mayor Lessner called the regular session to order at 7:30 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT:

Rich Connelly, 980 Foxdale, expressed his thoughts related to Suddenlink.

Holly Parsons, 480 Home Pl, expressed her thoughts related to drainage.

PROCLAMATIONS

Mayor Lessner presented a proclamation declaring the first full week of September 2020 as National Payroll Week in the Town.

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 minutes of the July 30, 2020 Special Council meeting; B) Approve the minutes of the August 4, 2020 Regular Council meeting; C) Approve the minutes of the August 13, 2020 Special Council meeting; D) Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding jail services; E) Authorize the Town Manager, subject to legal form, to enter into an Interlocal Agreement with Collin County regarding dispatch services; F) Approve a resolution and authorize the Town Manager to enter into an interlocal agreement for purchasing with TIPS; G) Approve an ordinance approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2020 rate review mechanism filings, and implementing the rate change;

H) Approve a request of an Amending Plat for the Ludlow Addition, to relocate a common lot line. The 10.7-acre site is located at 770 and 780 Meandering Way; on the north side of Meandering Way, east of Highway 5 and is zoned for the (RE-2) Two-Acre Ranch Estate District. Owners/Applicant: Scott and Lauren Ludlow, and George and Rebecca Parker. AP2020-02.

Councilmember Feldman asked that agenda items F and H be pulled for further discussion.

Councilmember Logsdon made a motion to the approve consent agenda items A-E and G. Councilmember Feldman seconded the motion and the motion was approved unanimously.

Ms. Couch reviewed the purchasing cooperative agreement.

Councilmember Feldman made a motion to the approve consent agenda item F. Councilmember Henkle seconded the motion and the motion was approved unanimously.

Mr. Roberts reviewed the request for the amended plat for the Ludlow addition.

Councilmember Feldman made a motion to the approve consent agenda item F. Councilmember Logsdon seconded the motion and the motion was approved unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly financial report.

Chief Tolliver reviewed the monthly police report.

Chief Bell reviewed the monthly fire report.

Mr. Chancellor reviewed current Town construction projects.

PUBLIC HEARING – FISCAL YEAR 2020-21 BUDGET: Mayor Lessner introduced agenda item 8(a), conduct a public hearing regarding the Fiscal Year 2020-21 proposed budget.

Mr. Ventura reviewed the budget process to date. He stated the on July 27, 2020 the budget was filed with the Town Secretary; on July 30, 2020, the Council and staff held a budget retreat as well as a work session on August 19, 2020 to review and discuss the proposed budget. He stated the notice for today's public hearing on the proposed budget was posted on the Town website and was published in a local newspaper.

Mr. Ventura indicated items of additional discussion for the Council included EDC-CDC budget and shifting personnel expenditures from the Stormwater Fund to the General Fund. He stated approval of the ordinance adopting the budget as proposed would exclude the EDC-CDC; the EDC-CDC budget will be considered for approval after the joint meeting with Council and the EDC/CDC Board. He indicated shifting Stormwater personnel expenditures to the General Fund would require funds to be generated in the amount of approximately \$185,000; resulting in a \$0.01 tax increase. He reviewed the necessary steps and noticing requirements related to increasing the tax rate.

The Council and staff had an extended discussion related to personnel funds shifting to the general fund.

Mr. Ventura gave a presentation on to the proposed fiscal year 2020-21 budget. He stated the proposed budget will raise more in property tax revenue than last year in an amount of \$153,358, an increase of 2.17% from last year's budget and the property tax revenue raised from new property added to the tax roll this year is \$184,410. He reviewed total revenues, expenditures and the tax rate comparison. He stated the current tax rate is \$0.347156; staff is proposing to maintain rate of \$0.347156 for fiscal year 2020-21 with an M&O rate of \$0.240342 and I&S rate of \$0.106814. He reviewed the various tax rates and stated the proposed tax rate falls below the no new revenue rate, voter approval tax rate and de-minimis rate. He stated the assessed value of the Town is \$2,080,000,000 which is an increase over last year by 2.17% and the average home value has decreased from \$541,564 to \$533,000. He indicated the taxes assessed on a \$533,000 home at the proposed tax rate of \$0.347156 would be \$1,850.34, which is a decrease of 1.58% from last year.

Mr. Ventura reviewed the general fund, transfers, water and wastewater fund, sewer fund, other operating funds and utility billing.

Mr. Ventura stated in fiscal year 2019-20 water rates increased by 2.4% and wastewater by 6.8%; staff is proposing no water or wastewater rate increases for fiscal year 2020-21. He stated in the contractual agreement with Republic Services, for solid waste, there is an annual 3% increase that is passed along to residents, including fiscal year 2020-21; staff is proposing to not pass this increase along to residents and Solid Waste Fund will absorb the cost.

The Council and staff had an extended discussion related to the proposed budget, police and fire department.

Mayor Lessner opened the public hearing.

Rich Connelly, 980 Foxdale, expressed his thoughts related to the salaries and EDC-CDC budget discussion.

Leland Payne, expressed his thoughts related to salaries paid from the Stormwater Fund.

Mayor Lessner closed the public hearing.

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

Councilmember Feldman expressed his thoughts related to excluding the EDC-CDC budget from the approval process. Ms. Couch stated the ordinance provided to Council is written such that it does not include the EDC-CDC budget; she stated there will be an ordinance for approval of the EDC-CDC budget on the joint work session agenda. She stated the budget does have to be approved by the end of the fiscal year.

DISCUSSION – PROPOSED FY 2020-21 BUDGET APPROVAL: Mayor Lessner introduced agenda item 9(a), consider, discuss and take any necessary action on an ordinance approving the proposed 2020-21 fiscal year budget.

Mayor Pro Tem Doi made a motion to approve an ordinance approving the proposed fiscal year 2020-21 budget as submitted with the addition of the reserve expense of \$19,500 to be utilized for police gear and excluding the EDC-CDC budget. Councilmember Feldman seconded the motion. The roll call vote was as follows:

Councilmember Henkle:	aye	Councilmember Brugge:	aye
Mayor Pro Tem Doi:	aye	Councilmember Mattei:	aye
Councilmember Logsdon:	aye	Councilmember Feldman:	aye
Mayor Lessner:	aye		

DISCUSSION – PROPOSED FY 2020-21 AD VALOREM TAX RATE: Mayor Lessner introduced agenda item 9(b), consider, discuss and take any necessary action on an ordinance regarding the proposed 2020-21 ad valorem tax rate.

Councilmember Logsdon made a motion to approve an ordinance to approve the proposed fiscal year 2020-21 ad valorem tax rate as proposed at \$0.347156; with an M&O of \$0.240342 and an I&S of \$0.106814. Councilmember Brugge seconded the motion and the motion was approved unanimously.

DISCUSSION – RATIFYING FY 2020-21 PROPERTY TAX REVENUE INCREASE:

Mayor Lessner introduced agenda item 9(c), consider, discuss and take any necessary action on an ordinance ratifying the 2020-21 property tax revenue increase.

Mayor Pro Tem Doi made a motion to approve an ordinance ratifying the fiscal year 2020-21 property tax revenue increase. Councilmember Mattei seconded the motion and the motion was approved unanimously.

DISCUSSION – APPROVE AMENDED FY 2019-20 BUDGET: Mayor Lessner introduced agenda item 9(d), consider, discuss and take any necessary action on an ordinance amending the 2019-20 fiscal year budget.

Mr. Ventura discussed the amended budget and reviewed the expenditures in the Capital Projects, Utility Construction and Street Construction Funds.

Councilmember Logsdon made a motion to approve an ordinance approving the amended fiscal year 2019-20 budget. Councilmember Brugge seconded the motion and the motion was approved unanimously.

DISCUSSION – ADOPTION OF UPDATED BUILDING AND FIRE CODES: Mayor Lessner introduced agenda item 9(e), consider, discuss and take any necessary action on ordinances adopting updated building, construction, and fire codes.

Mr. Chancellor reviewed this item and stated the Town has adopted the International Building Codes. He stated the Town updates the code periodically and is currently operating under the 2012 codes. He reviewed the code adoption cycle in further detail and discussed the North Texas Council of Governments (NTCOG) amendments. He stated what is being presented is the 2018 code as well as the recommended amendments from NTCOG.

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

Mr. Scott reviewed the building codes related to accessory structures, residential and commercial.

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

Fire Marshal Green reviewed the commercial and residential sprinkler requirements.

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

Councilmember Feldman recommended postponing this item to the next meeting for additional time to review. The Council concurred.

DISCUSSION – COVID-19 UPDATE: Mayor Lessner introduced agenda item 9(f), discuss COVID-19 activities and actions and take any necessary action.

Ms. Couch stated the operations at Town Hall have not changed. She indicated the County has earmarked \$15MM of the CARES funds to fund a grant program geared towards small businesses within Collin County.

Councilman Feldman asked if parks and trails have been reopened. Mayor Lessner stated all parks and trails have been reopened. Councilmember Feldman asked if Town Hall would be reopening. Ms. Couch stated it is at the discretion of the Council but with the Town operating with a small staff her recommendation is to not reopen at this time. Mayor Lessner expressed his agreement with Ms. Couch.

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

DISCUSSION – FAIRVIEW TOWN CENTER MAINTENANCE: Mayor Lessner introduced agenda item 9(g), discuss status of maintenance in Fairview Town Center.

Ms. Couch stated staff has been in contact with Lincoln Properties management to address the issues brought forth at the last meeting. She indicated they are currently in their budgeting process and they are reviewing the list of concerns and will be following up with staff. She stated the issue of the overgrown grass has been remedied and those issues which pose a safety concern will be addressed immediately.

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

DISCUSSION – TIF: Mayor Lessner introduced agenda item 9(h), discuss components, projects, funding and operation of the Tax Increment Financing district.

Ms. Brugge discussed this item.

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

DISCUSSION – UPCOMING MEETING DATES:

Mayor Lessner proposed to hold the joint meeting with the EDC-CDC on September 16. The Council had a brief discussion related to the meeting date and agreed on the date of September 17 at 6:00 p.m.

The Council and staff had a discussion related to possibly moving the October regular meeting.

The Council and staff had a discussion related to an upcoming drainage meeting and agreed on the date of September 29 from 6:00 p.m. – 8:00 p.m.

Mayor Lessner adjourned the meeting at 12:13 a.m.


Tenitrus Bethel, Town Secretary


Henry Lessner, Mayor

