TOWN COUNCIL
MEETING MINUTES
AUGUST 6, 2019

The Town Council met in regular session on Tuesday, August 6, 2019 at 6:00 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; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; 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 6:00 p.m. and declared a quorum was present.

At 6:00 p.m., the Council then adjourned into executive session regarding a consult with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:35 p.m., Mayor Lessner reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT:

Marcia Muller, 430 Plumwood, expressed her thoughts related to leash laws.

Cheryl Sinacola, 1061 Country Tr, expressed her thoughts related to drainage.

Peter Romo, expressed his thoughts related to drainage at Country Trail.

John Harkins, 411 Oak Ridge, expressed his thoughts related to Town services.

Leland Payne, 398 Park Village, expressed his thoughts related to the EDC/CDC.

Roy Serpa, 412 Saddleback, expressed his thoughts related to the EDC/CDC.

PRESENTATIONS:

Lovejoy ISD Superintendent Dr. Michael Goddard gave a presentation regarding Lovejoy ISD.

DART Vice President, Mr. Todd Plesko gave a presentation related to the transportation program.

Mayor Pro Tem Doi inquired about the cost per trip. Mr. Plesko stated the cost per trip is 12.00.

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

Councilmember Mattei made a motion to authorize the Town Manager to renew the Town's agreement with DART. Councilmember Doi seconded the motion and the motion was approved unanimously.

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 8, 2019 regular Council meeting; B) Approve the minutes of the July 16, 2019 special Council meeting; C) Approve the minutes of the July 29, 2019 special Council meeting; D) Approve an Interlocal Agreement with the Collin County Sheriff's Office regarding child abuse investigation services.

Councilmember Henkle noted an amendment to the July 16 meeting minutes.

Councilmember Feldman asked to pull consent agenda item D.

Councilmember Feldman made a motion to approve the consent agenda items A – C with noted amendments to item B. Councilmember Henkle seconded the motion and the motion was approved unanimously.

Councilmember Feldman inquired about agenda item D. Ms. Couch discussed the agreement.

The Council postponed consent agenda item D to the September regular meeting to await additional information from Chief Tolliver.

PUBLIC HEARING – CUP2019-03 – KERICO ACCESSORY STRUCTURE: Mayor Lessner introduced agenda item 7(a), conduct a public hearing, and consider approval of an ordinance on a request for approval for an accessory structure (barn). The site is located on the west side of the intersection of Orr Road and Fitzhugh Mill Road and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Dan Anderson representing owners Ted and Ruth Kerico.

Mr. Roberts gave a staff report on this item. He stated the accessory structure will be located at the back corner of the existing lot and the required setbacks have been met. He indicated the structure will be utilized for equipment storage and the second level will be a utilized for hay storage. He indicated a building height variance has been requested. He indicated that at the July Planning and Zoning meeting the commission did recommend approval.

Mr. Dan Anderson, applicant representative, was present.

Councilmember Mattei inquired if there was any resident opposition to this request. Mr. Roberts stated there has been none.

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

Mayor Lessner opened the public hearing.

John Harkins, 411 Oak Ridge, expressed his thoughts related to structure size.
Cheryl Sinacola, 1061 Country Tr, inquired about the location of the structure.
Resident, expressed thoughts related to notification area.

Mayor Lessner closed the public hearing.

Councilmember Doi made a motion to approve a request for an accessory structure (barn) at the site located on the west side of the intersection of Orr Rd and Fitzhugh Mill Rd. Councilmember Mattei seconded the motion and the motion was approved unanimously.

PUBLIC HEARING – MAJOR WARRANT – 7-ELEVEN: Mayor Lessner introduced agenda item 7(b), conduct a public hearing, and consider approval of an ordinance on a request for approval of a major warrant to allow additional height for a monument sign along Stacy Road for 7-Eleven. The site is located at the northeast corner of Highway 5 and Stacy Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Transition Sub-district.

Mr. Roberts gave a staff report on this item. He stated with the reconstruction of Stacy the original monument sign was removed but the foundation remains. He stated the CPDD sign regulations along Stacy limit monument sign height to 9 feet; the applicants are requesting a monument sign height of 12 feet. He stated the regulations do allow for a 2-foot berm. He indicated in May the applicants went before the ZBA, acting as the sign board, seeking a variance of the height and the request was denied. He indicated recently the mall received approval of major warrants for a 30-foot tall monument signs along Stacy as well as Racetrac received approval for a 20-foot monument sign. He indicated fourteen adjacent property owners were notified and one letter of support was received. He indicated at the July Planning and Zoning meeting the commission recommended approval.

Mr. Brad Roberson, applicant representative, provided additional information related to the request.

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

Mayor Lessner opened the public hearing.

John Harkins, 411 Oak Ridge, inquired about sign location.

Mayor Lessner closed the public hearing.

Councilmember Feldman made a motion to approve the request for a major warrant to allow additional height for a monument sign along Stacy Rd for 7-Eleven. Councilmember Logsdon seconded the motion and the motion was unanimously approved.

PUBLIC HEARING – ZA2019-03 – REZONE 11.2-ACRE TRACT: Mayor Lessner introduced agenda item 7(c), conduct a public hearing, and consider approval of an ordinance on a request for approval to rezone an 11.2-acre tract of land from the (AG) Agriculture District to the (RE-2) Two-acre Ranch Estate District. The site is located at the northwest corner of E. Stacy Road and Orr Road.

Mr. Roberts gave a staff report on this item. He stated the request to rezone to RE-2 will allow the construction of four-2 acre lots; however, the current plan is to construct a residence for the land owners. He stated the request meets the intent of the comprehensive plan and corresponds with the recent rezoning of the property just north. He stated one letter of opposition was received. He indicated at the July Planning and Zoning meeting the commission recommended approval.

Mr. Tony Purtch, applicant representative, was present.

Mayor Lessner inquired if what was presented is the final version. Mr. Purtch stated what is present is a conforming plan however it has not been finalized; and the intended future use of the remaining land is to construct homes for family members.

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

Mayor Lessner opened the public hearing.

John Harkins, 411 Oak Ridge, inquired about the opposition letter.

Mayor Lessner closed the public hearing.

Councilmember Brugge expressed her thoughts related to land use.

It was noted that the owners of the property were not in attendance and available to answer questions of the Council. Councilmember Feldman made a motion to continue the public hearing to a date certain of September 3, 2019 at 7:30 p.m. Councilmember Brugge seconded the motion and the motion was approved 4-3.

COLLIN COUNTY AMENDED ILA FOR ANIMAL SERVICES: Mayor Lessner introduced agenda item 8(a), discuss and consider authorizing the Town Manager to execute an amendment to the First Amended Interlocal Agreement with Collin County animal control and shelter services.

Mr. Wilbourn gave a staff report related to this item.

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

Councilmember Logsdon made a motion to authorize the Town Manager to execute an amendment to the first amended interlocal agreement with Collin County related to facility construction and use of an animal shelter. Councilmember Mattei seconded the motion and the motion was unanimously approved.

FISCAL YEAR 2019-20 BUDGET: Ms. Couch discussed agenda item 8(b), discuss budget process, meeting dates, and other related matters.

Ms. Couch stated she sent an email to the Council regarding availability for a work session to discuss the EDC and CDC proposed fiscal year 2019-20 budget.

The Council and Ms. Couch had an extended discussion related to this item. The Council agreed upon a meeting date and time of Thursday, August 22 at 4:30 p.m.

Ms. Couch recapped the upcoming meeting dates for the upcoming tax rate and budget public hearings. She stated the first public hearing on the fiscal year 2019-20 proposed tax rate would be held on Tuesday, August 13 at 6:00 p.m.; and the second public hearing for the proposed tax rate and the proposed budget would be held on Tuesday, August 20 at 6:00 p.m.

OAKWOOD AND KINGDOM ESTATES: Mayor Lessner introduced agenda item 8(c), discuss status of development between Oakwood and Kingdom Estates and related matters.

Councilmembers Brugge and Feldman submitted item.

Mr. Chancellor discussed the historical factors of the development as it relates to water and drainage and the water issue at 1061 Country Trail.

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

Mayor Lessner stated members of staff and council will meet on Friday morning to survey the property.

The Council, staff and residents had an extended discussion related to the emergency access grasscrete located between Kingdom Estates and Oakwood Estates.

BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 8(d), discuss boards & commissions and take any necessary.

The Council postponed discussion until the September meeting.

Ms. Couch requested for Council to review agenda item 6(d) as Chief Tolliver was present and could provide information to the Council regarding the child abuse investigation program.

CONSENT AGENDA ITEM D – CHILD INVESTIGATION SERVICES: Chief Tolliver discussed agenda item 6(d), approve an Interlocal Agreement with the Collin County Sheriff's Office regarding child abuse investigation services.

Councilmember Feldman made a motion to approve the interlocal agreement with Collin County Sheriff's office regarding child abuse investigation services. Councilmember Mattei seconded the motion and the motion was approved unanimously.

REPORTS FROM STAFF:
Mr. Chancellor gave an update on Town construction projects.

Mayor Lessner discussed collecting peanut butter for the North Texas Food Bank,

Mayor Lessner adjourned the meeting at 10:59 p.m.

Henry Lessner, Mayor

TOWN OF FAIRVIEW

Tenitrus Bethel, Town Secretary