TOWN COUNCIL
MEETING MINUTES
AUGUST 3, 2021

The Town Council met in regular session on Tuesday, August 3, 2021, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Pro Tem Ricardo Doi and Councilmembers Charlie Henkle, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Mayor Henry Lessner was absent. Staff present included Town Manager, Julie Couch; Planning Manager, Israel Roberts; Town Engineer, James Chancellor; Town Secretary, Tenitrus Bethel; Police Chief, Granver Tolliver; Fire Chief, Jeff Bell; CFO, Steven Ventura; Assistant to the Town Manager, Adam Wilbourn; Interim EDC Manager, Dave Quinn; and Town Attorney, Clark McCoy.

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

At 6:01p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Pro Tem Doi called the regular session to order at 7:36 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT:
Cynthia Brugge, 960 Patrician Ct, expressed her thoughts related to development and budget.
Mike VanNatta, 5141 Stream Crest, expressed his thanks to the fire department.

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 6, 2021 Regular Council meeting; B) Approve the minutes of the July 12, 2021 Special Council meeting; C) Approve the minutes of the July 19, 2021 Special Council meeting; D) Discuss and consider a contract with Medical City of Plano regarding medical control, and take any necessary action; E) Approve an ordinance approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2021 rate review mechanism filing.

Councilmember Logsdon made a motion to the approve consent agenda. Councilmember Hubbard seconded the motion, and the motion was approved unanimously.

REPORTS FROM STAFF:
Mr. Ventura reviewed the monthly and quarterly financial reports.

Chief Tolliver reviewed the monthly police report.

Chief Bell reviewed the monthly fire report. and provided an update on station 1 construction.

Mr. Chancellor provided an update on Town construction projects.

PUBLIC HEARING -CUP-SPORT COURT: Mayor Pro Tem Doi introduced agenda item 7(a), hold a public hearing and consider approval of an ordinance granting a request for approval of a Conditional Use Permit (CUP) for a multi-use sports court. The 2.3-acre site is located at 1240 Stacy Road and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Francis Ngapout.

Mr. Roberts gave a staff report and presentation related to this item. He stated the request is for a 66 x 44 concrete pad for the construction of a multi-use sport court to be located at the southwest corner of the site. He indicated the request meets the design standards for the RE-2 zoning district, the court would be enclosed in a ball containment fence and there will be no lighting. He stated the proposed landscaping along the full length of the west and south elevations would include a hedge row of Nelly R Stevens with a minimum height of 5 feet at the time of planting. He stated one letter of opposition was received. He stated the PZ recommended approval with the added conditions of the prohibition of lighting and the screening.

The Council and staff had a discussion related to the pedestrian walkway and minimum lot sizes.

Francis Ngapout, applicant, addressed the Council regarding the request.

Mayor Pro Tem Doi opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Doi closed the public hearing.

Councilmember Logsdon made a motion to approve an ordinance for the conditional use permit for a multi-use sport court. Councilmember Connelly seconded the motion, and the motion was unanimously approved.

PUBLIC HEARING –SALAD & GO: Mayor Pro Tem Doi introduced agenda item 7(b), hold a public hearing and consider approval of an ordinance granting a request for approval of Major Warrants for a restaurant with a drive-thru for Salad & Go. The 1.3-acre site is generally located on the north side of Stacy Road, west of Highway 5 and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Karis Smith with Jones & Carter, representing Village FV LTD.

Mr. Roberts gave a staff report and presentation related to this item. He stated the restaurant provides service by way of drive thru or walk-up service; there is no interior seating or service. He stated drive-thru's are not permitted within the commercial district under the current code which requires a major warrant request. He discussed commercial district design standards, major and minor warrants; and he reviewed the requested major warrants which included a reduction in the window and canopy requirements, block standards and main entry. He further discussed the building design, layout and open space requirements. He stated the trail along Stacy Rd provides the applicant with the necessary open space requirement. He stated the PZ recommended approval.

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

Karis Smith, applicant representative, was present.

Mayor Pro Tem Doi opened the public hearing.

Cynthia Brugge, 960 Patrician, expressed her thoughts related to development.

Mayor Pro Tem Doi closed the public hearing.

The Council and staff had a general discussion related to signage, lighting and driveway access.

Councilmember Connelly made a motion to approve the requests for major warrants for the proposed development of a restaurant with a drive. Councilmember Custer seconded the motion, and the motion was approved unanimously.

DISCUSSION – TWIN OAKS FINAL PLAT: Mayor Pro Tem Doi introduced agenda item 8(a), discuss and consider approval on a request for approval of a Final Plat of the Twin Oaks Addition. The 16.81-acre site is located on the south side of Country Club Road, east of Stoddard Road and is zoned for a (PC) Planned Center District with modified (RE-1.5) One-and-one-half-acre Ranch Estate District standards. Applicant: Tim Jackson, Tim Jackson Custom Homes representing owners Robert and Shannon Kelly.

Mr. Roberts gave a staff report on this item. He stated the plat reflects the development of 10 single family lots: 1 existing lot, 9 new lots and 2 common area lots. He stated accessibility will be via an internal road with a split entry from Country Club and a gated pedestrian access easement will be installed north of Puster Elementary. He stated the Council approved cash in lieu fee of $28,923 has been received by staff. He stated the PZ recommended approval as presented.

Bruce Kelly, applicant, was present.

The Council and staff had a discussion related to drainage.

Councilmember Logsdon made a motion to approve the final plat of the Twin Oaks Addition. Councilmember Hubbard seconded the motion, and the motion was approved unanimously.

DISCUSSION – MINOR FINAL PLAT: Mayor Pro Tem Doi introduced agenda item 8(b), discuss and consider approval on a request for approval of a Minor Final Plat of the Bankston Addition. The 3.3-acre tract of land is located at 651 Meandering Way and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: David Surdukan, Surdukan Surveying, representing owner Dawn Bankston.

Mr. Roberts gave a staff report on this item. He stated this request is to divide a 3-acre parcel into three 1-acre lots and the request meets the criteria for a minor final plat. He reviewed the layout of the lots; and he stated the request meets the design standards of the RE-1 design district. He stated staff recommended a park land cash in lieu fee of $8,977; and the fee has already been collected. He stated the PZ recommend approval.

David Surdukan, applicant representative, was present.

Councilmember Hubbard made a motion to approve the office building replat for the dedication of easements. Councilmember Logsdon seconded the motion, and the motion was unanimously approved.

DISCUSSION – KIMLEY HORN AMENDMENT: Mayor Pro Tem Doi introduced agenda item 8(c), discuss and consider approval an amendment to Kimley-Horn professional services agreement for Frisco Rd final design.

Mr. Chancellor reviewed the background of this project including funding and design. He stated this request is to amend the original contract from 30% design level to 100%; with a net increase of $330,500. He indicated the final design would be completed by the end of the year.

The Council and staff had a general discussion related to remote access to meetings for residents.

Councilmember Logsdon made a motion to approve the amendment to the Kimley-Horn professional services agreement for Frisco Rd final design. Councilmember Little seconded the motion and the motion was unanimously approved.

DISCUSSION – FAIRVIEW ZIP CODE: Mayor Pro Tem Doi introduced agenda item 8(d), discuss Town efforts toward US Postal Service consideration of a Fairview zip code.

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

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

DISCUSSION – BUDGET DISCUSSION: Ms. Couch introduced agenda item 8(e), discuss budget process, meeting dates, and other related matters.

Ms. Couch inquired if the Council had any additional questions or concerns related to the budget for staff to address prior to the next budget meeting scheduled for August 16. She stated the tax rate calculations were received from the county tax office; and she reviewed the rate types and the state requirements. She stated staff is proposing to set the tax rate at the voter approval rate of $0.345580; which will generate approximately $22,000 less than projected. She stated at the August 16 meeting the Council will need to take action to set the date for the tax rate public hearing; which could be held the same date as the budget public hearing on August 31.

Ms. Couch stated the Mayor requested to move the time of the August 16 meeting from 3:00 p.m. to 1:00 p.m. to accommodate those who would be attending the Governor Abbott event at Heritage Ranch.

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

DISCUSSION – COVID UPDATE: Mayor Pro Tem Doi introduced agenda item 8(f), discuss COVID-19 activities and actions and take any necessary action.

Ms. Couch provided an update to the Council regarding activities related to COVID-19. She stated the Governor recently approved an order related to personal responsibility as it pertains to the use of masks.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Pro Tem Doi introduced agenda item 8(g), discuss Boards & Commissions, and take any necessary action.

No discussion or action was taken on this item.

Mayor Pro Tem adjourned the meeting at 9:21 p.m.

Ricardo Doi, Mayor Pro Tem

Tenitrus Bethel

Tenitrus Bethel, Town Secretary

TOWN OF FAIRVIEW