TOWN COUNCIL
MEETING MINUTES
JULY 3, 2018

The Town Council met in regular session on Tuesday, July 3, 2018 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson; Mayor Pro Tem Paul Hendricks; Councilmembers Bill Nicol, Henry Lessner, Cynthia Brugge, Anthony Mattei and Roland Feldman. Staff present included Town Manager, Julie Couch; Planning Manager, Israel Roberts; Economic Development Manager, Ray Dunlap; Fire Chief, Jeff Bell; Police Chief, Granver Tolliver; Town Engineer, James Chancellor; CFO, Steven Ventura; Assistant to the Town Manager, Adam Wilbourn; Executive Assistant, Tenitrus Bethel; and Town Attorney, Clark McCoy.

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

At 6:01 p.m., the Council then adjourned into executive session regarding a consult with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:45 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

PROCLAMATIONS, RECOGNITION AND AWARDS: Mayor Culbertson recognized Cadet 3rd Class Connor Spencer of the United States Air Force Academy.

APPOINTMENTS AND REPORTS:
John Thomas, Collin County Commissioner, gave a presentation on the Collin County Bond Election.

There was in depth discussion regarding timeframe, cost, funding and future impact to the Town.

Craig Chambers, Area Manager, with CoServ gave an update on the utility relocation with the Stacy Road project. He stated due to safety concerns the previous target date of completion has been extended. He indicated the process should be completed next week at the latest due to the holiday.

Mayor Culbertson discussed his recent meeting with TxDOT and gave an update.

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 June 5, 2018, regular Council meeting. B) Approve the minutes of the June 14, 2018 special Council meeting. C) Approve Interlocal Agreement with the City of Wylie regarding dispatch services.

Councilmember Nicol made a motion to approve the consent agenda items A and C. (item B was pulled as they were not ready). Councilmember Lessner seconded the motion and the motion was unanimously approved.

PUBLIC HEARING – CUP – 1041 THREE OAKS DR & 1050 THREE OAKS DR:
Agenda item 6(a), consider and take action on a request for approval of a conditional use permit (CUP) for a sports court. The 2.26-acre site is located at 1041 Three Oaks Drive and is zoned for the (RE-1) One-Acre Ranch Estate District.

Agenda item 6(b), consider and take action on a request for approval of a conditional use permit (CUP) for a sports court. The 2.09-acre site is located at 1050 Three Oaks Drive and is zoned for the (RE-1) One-Acre Ranch Estate District.

Mayor Culbertson indicated that due to the applicants being unable to attend, the public hearing will continue to date certain August 7, 2018.

Mayor Culbertson opened the public hearing for item 6(a).

Gary Carter, 1000 Timber Ln, expressed his thoughts regarding lighting designs.

Barbara Isaacs, 811 Beechwood, expressed her thoughts regarding the planned size of the court.

Rich Connelly, 980 Foxdale, expressed his thoughts regarding the planned size of the court.

Councilmember Brugge expressed her thoughts regarding the construction of the court.

Mayor Pro Tem Hendricks made a motion to continue the public hearing of the application for a conditional use permit 1041 Three Oaks Drive to a date certain of August 7, 2018, at 372 Town Place. Councilmember Lessner seconded the motion and the motion was unanimously approved.

Mayor Culbertson opened the public hearing for item 6(b).

Gary Carter, 1000 Timber Lane, expressed his thoughts regarding lighting designs.

Councilmember Lessner made a motion to continue the public hearing of the application for a conditional use permit 1041 Three Oaks Drive to a date certain of August 7, 2018, at 372 Town Place. Councilmember Hendricks seconded the motion and the motion was unanimously approved.

INTERIM SOLUTIONS FOR FIRE STATION 1: Mayor Culbertson introduced agenda item 7(a), interim solutions for facilities for Fire Station 1/Public Works. He reminded Council that two years ago the fire station 1 report was reviewed and when the approval was given to add a modular building and vacate the kitchen area there was discussion about temporarily relocating the fire staff. He stated the relocation plan was rejected by fire staff due to the significant impact it would have on response levels.

Chief Bell presented a review of a plan to demolish the existing two fire buildings to provide space to add an additional modular building in order to move the fire personnel out of the existing building. He outlined the timeline and the work to be completed and he indicated that the process could be scheduled to be completed by the end of September.

Councilmember Mattei inquired if a project manager or general contractor would be necessary to assist with the project. Chief Bell stated he has been involved throughout this process and hiring someone to manage the project, at this point, could result in delays. Ms. Couch stated the current staff is able to manage the project.

Councilmember Brugge inquired how long the new arrangement would last. Chief Bell stated the new solution would last a couple of years.

Ms. Couch reviewed the guidelines considered in developing a cost effective interim solution as was tasked to staff by Council. She presented two options, A and B, for consideration; Option A would consist of leasing of 2 modular buildings and a backup generator with an initial cost of $300,000 and an annual cost of $93,000; Option B would consist of the lease for 1 modular building with an initial cost of $200,000 and an annual cost of $32,000, while utilizing the existing lift station generator and a staff constructed addition to the Public Works facility. She indicated the solution would be funded from the General Funds Reserve.

Ms. Couch proposed, in addition to the options presented, Council consider authorizing the long term solutions of correcting the electrical issues and sewer replacement. In regards to the electrical system, she stated the items identified in the Huitt-Zollars report would be addressed and remedied and the cost of the electrical improvements would be just under $50,000. In regards to the sewer replacement, she stated the system is old and currently does not connect the east and west sides of Highway 5. She indicated the design of the system would be completed by the Town engineer and due to the estimated cost of the project it would have to be bid. She indicated the sewer project would be funded through the Utility Construction Fund.

Ms. Couch stated staff is recommending Option B with funding from the General Fund reserves.

Councilmember Lessner inquired if the staff is comfortable with the generator considering previous connection issues. Ms. Couch stated currently there is no generator and it is critical that communications and IT are online in the event of a power outage.

Councilmember Mattei inquired about the $38,000 setup costs and what it covered. Ms. Couch stated that is the turnkey delivery of the building from the vendor. Chief Bell stated that $20,000 of the setup fee is a refundable security deposit. Councilmember Mattei asked if the sewer extension was a necessity and if it needed to be done now. Ms. Couch stated it is a necessity and replacing it now will solve the issue on a long term basis for the interim structure and the future facility.

Ms. Couch addressed concerns for the lack of a hardened shelter in the event of inclement weather. She stated Chief Bell had identified a storm shelter that can be placed onsite with no construction necessary. She stated staff is recommending this as well. Chief Bell stated it is a 6 person FEMA approved F5 rated tornado shelter that is prebuilt and would be anchored.

Mayor Pro Tem Hendricks inquired about the reliability difference between the options and the cost effectiveness of the repurposed generator. Ms. Couch stated the annual lease for a generator would cost $27,000. Chief Bell discussed the associated costs and labor.

Councilmember Feldman inquired if a generator could be purchased by estimating the load required. Ms. Couch stated without having a building design or layout she would not recommend the purchase as it may not be equipped to meet the needs.

Councilmember Lessner made a motion to authorize Town staff to proceed with an interim plan for fire and public works operations utilizing Option B to be allocated from the general fund discretionary account and the extension of the sewer with funds allocated from the utility construction fund as a temporary solution for the public works and public safety officials. Councilmember Nicol seconded the motion.

Mayor Culbertson asked if there was any further discussion on this item.

Ms. Couch requested clarification that this would not include the electrical work in the existing building as it would be torn down. Mayor Culbertson stated it would not include that electrical work.

The Council approved the motion unanimously.

PLANNING FOR FUTURE TOWN FACILITIES & FUTURE WORK SESSION DATES: Ms. Couch discussed agenda item 7(b) and (d), planning for future town facilities, including the citizen committee process recommendations and future work session dates. She reviewed the last Council meeting with Council authorizing staff to move forward with Brinkley Sargent to provide a new design and cost estimates based on the approved options for fire station 1 and Huitt-Zollars to repurpose the metal building for public works. She stated this process is currently in progress and it will take approximately 3-4 weeks for Huitt-Zollars to complete the analysis.

Ms. Couch discussed the timeline for upcoming Council work session dates and stated she would be sending an email out on Thursday requesting dates of availability. She stated the budget workshop will be on July 30 beginning at 9:00 a.m.

WATER PUMP STATION/GROUND STORAGE PROJECT FUNDING: Ms. Couch discussed agenda item 7(c), potential funding sources for the water pump station/ground storage project. She reviewed the discussion from the last Council budget meeting if CDC funds could be utilized for the funding of water supplies. She stated legally the funds can be utilized in compliance with the authorizations in the statute detailing how 4B funds can be utilized.

Ms. Couch stated a goal of the Council for the past 5 years was to shift water expenses to the water & sewer fund. She stated historically the Town's water and sewer debt expenses were funded through the issuance of CO's which were paid for by the general fund. She reminded the Council that new debt would be replacing existing debt that is expiring. She stated a water rate study is currently underway and will be presented to Council at a future meeting for review.

Ms. Couch discussed the current uses of CDC funds include paying the 380 Agreement with the town center and operational expenses related to EDC/CDC programs. She stated shifting the funds would require a joint discussion between Council and the EDC/CDC Board.

Mayor Culbertson discussed allowable 4B sales tax uses, alternative funding sources for the fire station and the 380 agreement. He recommended and use of CDC funds should be for the new fire station and not the water fund.

Councilmember Lessner expressed his thoughts about fire station funding and inquired about the sales tax revenue the Town receives from Oak Street Nursery and 7-Eleven as it relates to 4B. Ms. Couch stated the Town receives approximately $300,000 in non-town center tax annually.

There was general Council discussion on the matter.

Roy Serpa, 412 Saddleback, inquired about the current balances of the EDC and CDC funds.

Gary Carter, 1000 Timber, expressed his thoughts about the EDC website and the use of EDC/CDC funds. Mr. McCoy stated the 4A EDC corporation under recent legislation, which applies to municipalities within a specified population range, has the ability to participate in any project the CDC can. He added that the population is based on the most recent census.

FAIRVIEW FIRE CAPITAL EQUIPMENT: Ms. Couch discussed agenda item 7(e), Fairview Fire capital equipment.

Ms. Couch reviewed the discussion from last month's Council meeting regarding the replacement of capital items, one being the replacement of a fire apparatus. She stated there is currently a rescue vehicle that is no longer functional and the department has an opportunity to sell it and utilize the funds received to offset the cost of a new engine. She indicated a city in Minnesota has expressed interest in the vehicle and has offered to purchase it. She indicated the vehicle is a 2004 and was purchased for $250,000; the department interested offered to pay $125,000.

Ms. Couch stated in order to sell the vehicle staff would require authorization from Council to declare the item as surplus.

There was general discussion between Council and staff.

Councilmember Mattei made a motion to designate the rescue vehicle as surplus and to authorize the sale the vehicle directly to another fire department. Councilmember Feldman seconded the motion and the motion was unanimously approved.

PUBLIC MEETING LIVE STREAMING: Ms. Couch introduced agenda item 7(f), research methods for providing video for Town Council meetings. Ms. Couch stated this presentation is an overview of perspective and cost with continued research being done.

Bill Baxter with Baxter IT gave a presentation on Swagit Productions and discussed the specifications, cost and advised Council of his recommendations.

There was general discussion on this item.

380 AGREEMENT: Councilmember Feldman discussed agenda item 7(g), review of the 380 agreement with Fairview Town Center.

Mayor Culbertson suggested having a workshop near the end of the budget season to discuss the 380 and TIF agreements. Ms. Couch stated she would reach out to Jeff Gulbas, the town's bond council, at attend as well.

JULY BUDET WORKSHOP: Councilmember Mattei discussed agenda item 7(h), and presented his thoughts for the budget process.

The Council and Ms. Couch discussed the budget process and the upcoming budget workshop. No action was taken.

COMMUNITY MEETINGS: Councilmember Feldman discussed agenda item 7(i), conducting council meetings in community settings.

There was general discussion between Council and citizens on this matter. No action was taken.

COUNCIL VOTING METHODS: Mayor Culbertson introduced agenda item 7(j), Council voting methods related to financial actions.

Mayor Culbertson reviewed the process by which Council votes and there was a general discussion between councilmembers. No action was taken.

STATE OF TEXAS PLEDGE: Mayor Culbertson introduced agenda item 7(k), incorporating the Texas state pledge to begin council meetings.

Council discussed and the general consensus agreed to incorporate the Texas pledge into future Council meetings.

MCKINNEY AIRPORT UPDATE: Councilmember Hendricks gave a presentation regarding agenda item 7(l), update of the McKinney Airport Master Plan and Layout Plan.

CITIZENS INPUT:
Rich Connelly, 980 Foxdale, expressed his thoughts regarding the budget process and funding for a new fire station.

Gary Carter, 1000 Timber Ln, expressed his thoughts regarding the future land use plan, TIF funds and the EDC/CDC website.

Tom Lester, 449 Sloan Creek Pkwy, expressed his thoughts regarding the budgeting process and his appreciation of the open dialogue.

Barbara Isaacs, 811 Beechwood, expressed her thoughts regarding council attendance and her appreciation of the open dialogue.

REPORTS FROM STAFF:
Mr. Ventura gave a presentation on agenda items 9(a), Monthly Financials ending May 31, 2018.

Chief Tolliver discussed the Fairview Police presence and coverage on the July 4th holiday.

Mayor Culbertson adjourned the meeting at 11:55 p.m.

Darion Culbertson, Mayor

Adam Wilbourn, Alternate Town Secretary

TOWN OF FAIRVIEW