TOWN COUNCIL
MEETING MINUTES
JUNE 1, 2021

The Town Council met in regular session on Tuesday, June 1, 2021, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi and Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. 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; and Town Attorney, Clark McCoy.

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

At 6:01 p.m., the Council then adjourned into executive session regarding a consult with legal counsel, evaluate applicants for appointment of non-advisory boards and commissions and appointment of members of all non-advisory boards and commissions.

Mayor Lessner called the regular session to order at 7:33 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

APPOINTMENTS
Ms. Bethel administered the oaths of office for newly elected council members Rich Connelly, Seat 1; Ricardo Doi, Seat 3; Henry Lessner, Mayor; and Ken Logsdon, Seat 5.

APPOINTMENTS
Mayor Lessner made a request for nominations for the position of Mayor Pro Tem. Councilmember Custer nominated Councilmember Doi. There were no further nominations.

Councilmember Custer made a motion to appoint Councilmember Doi as Mayor Pro Tem. Councilmember Little seconded the motion, and the motion was unanimously approved.

CITIZENS INPUT:
Cynthia Brugge, 960 Patrician, expressed her thoughts related to drainage.
Philip D'Amico, 501 Stonebrook, expressed his thoughts related to drainage and fire station 1.
Barbara Isaacs, 811 Beechwood, expressed her thoughts related to Stoddard Farms.

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 May 4, 2021, Regular Council meeting; B) Approve the minutes of the May 11, 2021, Special Council meeting; C) Approve an Ordinance approving a Settlement Agreement with Coserv regarding rates; D) Approve a resolution authorizing the Town Manager to apply for a Collin County Parks and Open Space grant.

Mayor Pro Tem Doi requested to pull item D.

Councilmember Logsdon made a motion to the approve consent agenda items A and B. Councilmember Custer seconded the motion, and the motion was 6-0 unanimously. Councilmember Connelly abstained.

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

Council and staff discussed consent agenda item D.

Mayor Pro Tem Doi made a motion to approve consent agenda item D. Councilmember Logsdon seconded the motion, and the motion was unanimously approved.

REPORTS FROM STAFF:
Mr. Ventura reviewed the monthly financial report.

Chief Tolliver reviewed the monthly police report.

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

Mr. Chancellor reviewed current Town construction projects.

PUBLIC HEARING -TRIPLE CROWN ESTATES: Mayor Lessner introduced agenda item 9(a), continue a public hearing and consider approval of an ordinance granting a request to rezone a 28+/- acre tract of land to a new (PC) Planned Center District for a potential single-family subdivision. The site is located on the north side of Stacy Road, west of Kentucky Lane. Owner/Applicant: Justin Jinright, JDRP Fairview Derby Development.

Mr. Roberts gave a staff report related to this item. He stated the request is to rezone the tract from PC with RE-2 design standards to PC with RE-1.5 and RE-3 design standards. He reviewed the proposed layout and stated the tract would be broken into 2 tracts, tract A and B. He stated tract B is a 10.7-acres with an existing home size and 2 accessory structures. He stated tract B would not be included in the future subdivision if approved; and the tract would be zoned PC with RE-3 design standards with a minimum lot size of 10-acres. He stated tract A is a 17.3-acre that would contain 10 residential lots sized from 1.5 acres to 1.9 acres; with proposed zoning of PC with RE-1.5 standards with revised setbacks. He stated the proposed front setbacks would be increased to 40 feet and the rear would be 50 feet; the applicant is also requesting a reduction in the side setbacks from the required 50 feet to 35 feet. He further reviewed drainage and driveway relocation.

Mr. Roberts stated the PZ recommended approval; and 6 letters of support and 4 letters of opposition were received.

The Council and staff had an extended discussion related to stormwater and other development matters.

Justin Jinright, applicant, was present and addressed the Council. The Council and Mr. Jinright had a discussion related to the request.

Mayor Lessner opened the public hearing.

D. Wilcox, expressed thoughts related to 1.5-acre zoning.
Barbara Isaacs, 811 Beechwood, expressed her support for the request.
Cynthia Brugge, 960 Patrician, expressed her support for the request.

Mayor Lessner closed the public hearing.

Mayor Lessner recommended continuing the public hearing to the next regular meeting to ensure adjacent neighbors have an opportunity to provide feedback. The Council and staff had a discussion related to this item.

Mayor Lessner reopened the public hearing.

Mayor Pro Tem Doi made a motion to continue the public hearing to a date and time certain of July 6, 2021, at 7:30 p.m.

The Council provided direction to staff regarding deed restrictions and the plat layout.

Councilmember Connelly seconded the motion, and the motion was approved unanimously.

DISCUSSION –DANIELLE'S CROSSIING PRELIMINARY PLAT: Mayor Lessner introduced agenda item 10(a), discuss and consider a request for approval on a request for a Preliminary Plat of the Danielle's Crossing Addition. The 10.4-acre tract of land is located on the north side of art Road, east of Stoddard Road and is zoned for the (RE-1.5) One-and-one-half acre Ranch Estate District and the (RE-1) One-acre Ranch Estate District. Applicant: Tony Prutch, J. Anthony Properties, LLC representing owner Michael Pezzulli.

Mr. Roberts gave a staff report and presentation related to this item. He stated the proposed preliminary plat is a cul de sac that will contains 6 lots within two zoning districts; 4 southern lots are zoned RE-1.5 and 2 northern lots are zoned RE-1. He reviewed the preliminary plat process, previous zoning, criteria for approval and open space criteria. He stated PZ recommended approval of this request.

Mayor Lessner discussed the extension of the trail along Hart Rd that would be done with the development in lieu of park land dedication.

Mayor Pro Tem Doi made a motion to approve the preliminary plat of the Danielle's Crossing Addition. Councilmember Custer seconded the motion, and the motion was approved unanimously.

DISCUSSION – STODDARD FARMS PRELIMINARY PLAT: Mayor Lessner introduced agenda item 10(b), consider, approval on a request for a Preliminary Plat of the Stoddard Farms Addition. The 31.0-acre tract of land is located at 930 Country Club, on the south side of Country Club, east of Stoddard Road and is zoned for the (PC) Planned Center District. Applicant: Keith Hamilton, Hamilton Duffy, PC representing North Texas Select Materials, LLC.

Mr. Roberts gave a staff report on this item. He stated a condition of the zoning approval required a landscape buffer along Hart Rd. He stated there is a gated emergency access easement from Hart Rd to the end of the cul de sac; with no other access points to Hart Rd. He stated all lots are a minimum of 2 acres with lot accessibility from the interior cul de sac; and the main cul de sac access from Country Club Rd. He indicated the zoning ordinance has a trail construction requirement as a part of the development; and in lieu of park land dedication a fee of just over $41,000 will be collected. He stated the PZ recommended approval.

Mr. Chancellor addressed the council and addressed drainage concerns. The Council and staff had an extended discussion related to drainage.

Mayor Pro Tem Doi made a motion to approve the preliminary plat of the Stoddard Farms Addition. Councilmember Hubbard seconded the motion, and the motion was approved unanimously.

DISCUSSION – HAWKSWOOD ADDITION PRELIMINARY PLAT: Mayor Lessner introduced agenda item 10(c), discuss and consider approval on a request for a Preliminary Plat of the Hawkswood Addition, Phase 2. The 16.2-acre site is located on the north side of Stacy Road, at the end of Broadwing Drive and is zoned for the (RE-1) One-acre Ranch Estate District. Applicant: Warren Corwin, Corwin Engineering representing Dave Wilcox, Liberty Bankers Life Insurance Company.

Mr. Roberts gave a staff report on this item. He stated the request is for an extension of Broadwing Dr to a cul de sac for 13 single family lots. He indicated all lots meet the RE-1 minimum design standards and lots will have access only from Broadwing Dr. He stated staff is recommending collection of the cash in lieu of park land dedication which would be $38,900. He stated PZ recommended approval.

Mr. Chancellor addressed the council and discussed drainage.

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

Councilmember Logsdon made a motion to approve the preliminary plat of the Hawkswood Addition. Councilmember Hubbard seconded the motion, and the motion was unanimously approved.

DISCUSSION – SOLID WASTE SOLUTIONS: Mayor Lessner introduced agenda item 10(d), Lynn Lantrip with Solid Waste Solutions to give a presentation on solid waste contract and consider approval of Republic Services contract renewal and take any necessary action.

Mr. Ventura reviewed previous discussions related to solid waste and he introduced Lynn Lantrip with Solid Waste Solutions and Rick Bernas with Republic Services.

Mr. Lantrip gave a presentation related to solid waste and reviewed the Town needs and proposal options. His recommendation was option 3; residents will continue to use the current carts, Republic Services will be responsible for replacement receptacles and continuation of the monthly 12 yards of brush pickup at a cost of $19.00 per month.

The Council and Mr. Lantrip had an extended discussion related to cart size, special pick up and pink tags.

Mr. Bernas address the council and addressed questions related to brush pickup. The Council and Mr. Bernas had an extended discussion related to this topic.

Mr. Lantrip continued his presentation and provided recommendations for a new contract.

The Council and staff had a discussion related to the renewal contract.

Councilmember Little made a motion to accept proposed option 3 and approve the solid waste contract renewal with Republic Services, subject to approval as to legal form by the Town's legal counsel. Councilmember Hubbard seconded the motion, and the motion was approved unanimously.

DISCUSSION – TOWN DRAINAGE: Mayor Lessner introduced agenda item 10(e), discuss Town drainage system policies and regulations and take any necessary action.

Mr. Chancellor reviewed previous discussions and reviewed the policy recommendations provided for nuisance drainage issues within the Town. He outlined that the draft policy would set aside a set amount for nuisance drainage locations in Town with the following requirements: the request must be property owner initiated, property owner contributes 50% of the total cost upfront and a maximum of $4,000 per project would be contributed from the Town. He stated this recommendation does not include prioritization; it would be on a first come first serve basis. He indicated at the last meeting Council expressed concern related to misuse of the program and stated staff prepared a draft project agreement for Council to review.

The Council and staff had an extended discussion related to this item. The Council indicated that while they appreciated the staff effort at developing the proposal, they were concerned with such a policy and its implementation. There was no interest in continuing consideration of such a policy.

DISCUSSION – COVID UPDATE: Mayor Lessner introduced agenda item 10(f), discuss COVID-19 activities and actions and take any necessary action.

Ms. Couch stated Town Hall has fully reopened and the flooring work in the lobby and council chambers has been completed. She stated staff has not received an update related to the American Rescue Funds. She indicated the Town is estimated to receive $1.9MM in funding; half this year and half next year. She stated the Town is a non-entitlement city; as such, federal funds disbursed for non-entitlement cities are released to the state and the state then distributes those funds. She stated the dollars would be utilized to fund capital projects or one-time projects. She discussed the Frisco Rd project and stated the initial meetings have taken place.

DISCUSSION – UPCOMING SPECIAL MEETINGS: Mayor Lessner introduced agenda item 10(g), discuss upcoming special meetings and take any necessary action.

Ms. Couch discussed the proposed dates for upcoming work sessions.

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

The Council agreed upon the following dates; Budget Work Session on June 22 from 4:30p.m. – 6:30 p.m.; Joint Meeting with PZ and EDC-CDC on July 12 at 6:00 p.m. at Creekwood UMC; Budget Retreat July 28 at 12:00 p.m.; and August 16 at 3:00 p.m. and August 31 at 6:00 p.m. if needed.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 10(h), discuss boards and commissions and take any necessary action.

Mayor Pro Tem Doi made a motion to appoint Jonathan Cocks and Lakia Works to the Planning and Zoning Commission, with terms effective immediately, expiring August 2022. Councilmember Hubbard seconded the motion, and the motion was unanimously approved.

Mayor Lessner adjourned the meeting at 11:15 p.m.

Henry Lessner

Henry Lessner, Mayor

Tenitrus Bethel

Tenitrus Bethel, Town Secretary

TOWN OF FAIRVIEW