TOWN COUNCIL
MEETING MINUTES
MAY 7, 2019

The Town Council met in regular session on Tuesday, May 7, 2019 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, Tony Mattei and Roland Feldman. Staff present included Town Manager, Julie Couch; Fire Chief, Jeff Bell; Police Chief, Granver Tolliver; Town Engineer, James Chancellor; CFO, Steven Ventura; Assistant to the Town Manager, Adam Wilbourn; Town Secretary, 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 6:00 p.m., the Council then adjourned into executive session regarding a consult with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:39 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance and he invited the attendees from Cornerstone Ranch to lead the pledge of allegiance and the Texas State pledge.

PRESENTATIONS & REPORTS:
Lovejoy High School student Surya Manikhandan gave a presentation on the topic of "S.A.F.E.R.".

PROCLAMATIONS, RECOGNITION AND AWARDS:
Mayor Culbertson presented a proclamation to Blacksheep Motorcycle Club declaring May 2019 as Motorcycle Safety Awareness Month.

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 April 2, 2019 regular Council meeting; B) Approve the minutes of the April 4, 2019 town hall meeting; C) Approve the minutes of the April 9, 2019 town hall meeting; D) Approve a resolution denying Oncor Electric Delivery Company's Application for Approval of a Distribution Cost Recovery Factor; E) Approve resolution for Soest property acquisition; F) Approve a resolution approving the Town's written investment policy regarding funds for the Town of Fairview; and providing an effective date.

Councilmember Nicol made a motion to approve the consent agenda. Councilmember Hendricks seconded the motion and the motion was unanimously approved.

PUBLIC HEARING – CUP2019-02 – FAITH CHURCH OF COLLIN COUNTY: Mayor Culbertson introduced agenda item 7(a), Conduct a public hearing and consider a request for approval of a revised Conditional Use Permit for the Faith Church of Collin County. The 2.9-acre site is located at the southwest corner of Highway 5 and Murray Road and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Josh Hamilton, HP Civil Engineering, representing Faith Church of Collin County.

Mr. Roberts gave a staff report related to this item. He stated the original request for approval was submitted in 2014 which included three phases of various buildings. He stated in 2018 the revision process of the CUP initiated at which time it was found the original phasing plan did not include elevation plans for the fellowship hall. He presented the revised plan and reviewed the phase 1 construction plan. He indicated in 2014 the applicant agreed to include a berm with plantings in the however this condition was not included into the codification of the original ordinance; the revised layout proposes to relocate the berm between the street and the detention pond with the potential to extend the full length if granted approval from Atmos Gas. He reviewed the original and revised elevations as well as the proposed elevations for the fellowship hall, pavilion and signage.

Mr. Roberts stated at the April PZ meeting the commission recommended approval with the added conditions.

Councilmember Hendricks inquired about hours of operation for the bell tower. Mr. Roberts stated the ordinance did not specify the hours of operation.

Councilmember Lessner inquired about lighting around the facility. Mr. Roberts stated the lighting plan has been reviewed by the Town engineers and the plan meets the dark skies requirements.

Mayor Culbertson opened the public hearing.

Josh Lincoln with HP Civil engineering, applicant representative, reviewed the plans of the future facility.

Tom Lowry, 481 Murray, expressed his thoughts related to building height and orientation.

Carol Lowry, 481 Murray, expressed her thoughts related to building height and orientation.

Keith Lovelace, 441 Horseshoe, his thoughts related to the building orientation.

Matt Richardson, 581 Bluebonnet, expressed his opposition to the revised plan.

Claudia, 590 Cactus Ln, expressed her opposition to the revised design plan.

John Harkins, River Oaks, expressed his thoughts related to the building height and lights.

Mr. Lincoln addressed resident questions related to building height and lighting.

Paul Weyandt, 601 Bluebonnet, expressed his thoughts related to the building orientation.

Bruce Weed, 590 Cactus, expressed his opposition of the revised plan.

Edward Roberts, church member, expressed his support of the revised plan.

Mayor Culbertson closed the public hearing.

The Council provided their feedback related to the revision of the request.

Mayor Culbertson set a continuation of the public hearing to a date certain of June 4, 2019 at 7:30 p.m.

ISSUE CO'S FOR WATER PUMP STATION: Mayor Culbertson introduced agenda item 8(a), consider approval of an ordinance authorizing the issuance and sale of Town of Fairview, Texas, combination tax and limited surplus revenue certificates of obligation, series 2019; levying an annual ad valorem tax and providing for the security for and payment of said certificates; approving an official statement; providing an effective date; and enacting other provisions relating to the subject.

Ms. Couch reviewed the process steps and stated the bids were opened this morning. She invited Mr. Boyd London with Hilltop Securities to present the results.

Boyd London stated this morning the bids were opened and the bonds were sold this morning. He stated the top bid was submitted by SWBC Investment Services with a rate of 2.636%. He reviewed the bond buyer index and factors that attribute to the Town's AA+ bond rating. He stated his recommendation to Council for consideration.

The Council and Mr. London had an extended discussion on the Town's bond rating.

Councilmember Brugge made a motion to approve an ordinance authorizing the issuance and sale of Town of Fairview certificates of obligation. Councilmember Hendricks seconded the motion and the motion was approved unanimously.

AWARD BID FOR SLOAN CREEK CONNECTOR TRAIL: Mayor Culbertson introduced agenda item 8(b), discuss and take any necessary action to award a bid for Sloan Creek Connector trail.

Mr. Chancellor gave a staff report related to this item. He stated the trail will be 4,300 feet and will include a pedestrian bridge; it will connect to the trail currently under construction at the Sorrel Apartments. He indicated the funding of the trail and bridge will come from a $385,000 grant awarded by Collin County and $396,000 from the Sorrel Apartments. He stated 4 bids were received with the highest bid at $894,967 and the lowest bid submitted by HQS for $645,830. He stated staff is recommending awarding the bid to HQS.

Mayor Culbertson stated the remaining costs will be funded from the Park Dedication Fund.

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

Councilmember Lessner made a motion to award a bid for the Sloan Creek connector trail to HQS in an amount not to exceed $645,830. Councilmember Hendricks seconded the motion and the motion was approved unanimously.

NEW FIRE TRUCK FINANCING: Mayor Culbertson introduced agenda item 8(c), discuss Town Park and trail plan, including update process, current components of the plan and funding.

Ms. Couch stated at the August regular meeting Council authorized the construction of a new fire engine and the process initiated the following month; the truck has been completed and is ready for delivery. She stated the financing would be completed by the issuance of a 10-year short term note at 3.09% APR. She stated as previously discussed, next year a short-term debt payment will be expiring and the payments for the new engine will replace that of the rolled off debt. She indicated the annual debt payment would be $84,500 and the Town will not incur an issuance fee. She stated staff is recommending awarding the purchase financing to BB&T for the new fire engine.
The Council and staff had and extended discussion related to this item.

Councilmember Nicol made a motion to approve a resolution for financing the purchase of the new fire truck. Councilmember Brugge seconded the motion and the motion was approved unanimously.

MUNICIPAL MOSQUITO CONTRACT: Mayor Culbertson introduced agenda item 8(d), consider, discuss and take necessary action on the 2019 Municipal Mosquito contract.

Mr. Wilbourn reviewed the staff report related to this item. He stated in 2016 the Town entered into a 4-year agreement with Municipal Mosquito; 1-year contract with an annual renewal option for the latter 3 years. He indicated this request for renewal will be the final of the 3-year extensions. He reviewed the minimum requirements and standards set forth in the executive summary. He indicated the executive summary was sent to vendors for proposal submission; of the potential vendors only 1 other currently services municipalities. He stated the price quote received from VDCI was $34,679 which is 46% higher than our current agreement with Municipal Mosquito. Staff is recommending renewing the Municipal Mosquito contract.

Patrick Prather, Municipal Mosquito owner, discussed and reviewed the program process, controls and prevention management.

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

Councilmember Mattei made a motion to authorize the Town Manager to contract with Municipal Mosquito for the mosquito abatement program in the of amount of $23,390.00. Councilmember Feldman seconded the motion and the motion was approved unanimously.

CDC AND TIF DISCUSSION: Mayor Culbertson introduced agenda item 8(e), discuss CDC and TIF participation in funding for the proposed Fire Station #1.

Councilmember Brugge inquired about the CDC participation in the funding of the new fire station.

Mayor Culbertson reviewed his discussion with Sim Israeloff related to the EDC and CDC fund participation.

Mr. Roy Serpa expressed his thoughts related to the participation of the CDC and EDC in the funding of the new fire station.

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

SLOAN CREEK ADDITION: Mayor Culbertson introduced agenda item 8(f), discuss and consider any necessary action on a public trail in the Sloan Creek Addition

Ms. Couch stated there has been an ongoing discussion between the Town and the Sloan Creek HOA in regards to the Town bearing a portion of the responsibility for the trail; the trail is owned and maintained by the Sloan Creek HOA however the Town has an easement within the trail. She stated the Park Board was asked by Council to consider the request when revising the park and trail plan and the board determined this would be carry a financial impact the Council may want to review. She reviewed a possible course of action to include: Council to direct Town staff and the Town attorney in conjunction with the Sloan Creek HOA to develop a current and future cost and liability risk assessment, goals and shared responsibilities and identify the timeline to report findings.

Mayor Culbertson inquired about the cost associated with maintaining the trail. Mr. Mike VanNatta stated the cost was minimal.

Mayor Pro Tem Hendricks inquired about the condition of the trail. Mr. VanNatta stated the trail is in good condition however there are issues with the creek itself.

Mayor Culbertson stated his thoughts related to the maintenance and liability of the trail.

John Klarquist, Sloan Creek HOA president, expressed his thoughts related to the connector trail and increased resident liability.

The Council and residents had an extended discussion related to this item. Staff was asked to proceed with the outlined course of action.

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

The Council deferred this item to the June Council meeting.

DESOTO FIRE STATION DISCUSSION: Mayor Culbertson introduced agenda item 8(h), discuss boards & commissions and take any necessary action.

Ms. Couch stated this item was carried over from the April regular meeting. She discussed the costs related to the construction of the Desoto fire station and identified additional costs that were funded outside of the bid amount. She stated upon comparison of the Desoto final bid against the Fairview station rough estimate the difference in cost was less than $500,000.

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

CITIZENS INPUT:
Mark Brugge, 960 Patrician Ct, inquired about the bidding process.

Ben Brown, 717 Mustang, expressed his thoughts related to the bidding process.

Mike VanNatta, 5141 Stream Crest, expressed his thoughts related to the bidding process and expressed his thanks to the Mayor.

Randy Smith, resident, expressed his thoughts related to PAC registrations.

Ricardo Doi, 361 Spring Meadow, expressed his thoughts related to the bidding process.

Mary Price, 579 Meandering Way, expressed her thoughts related to PAC registration.

REPORTS FROM STAFF:
Mr. Chancellor provided a Stacy Rd update.

Chief Bell thanked the Council and Town for the support of the fire department.

Mayor Culbertson adjourned the meeting at 11:10 p.m.

Darion Culbertson, Mayor

Tenitrus Bethel, Town Secretary

TOWN OF FAIRVIEW