TOWN COUNCIL
MEETING MINUTES
MARCH 7, 2023

The Town Council met in regular session on Tuesday, March 7, 2023, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi; Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Staff present included Town Manager, Julie Couch; Police Chief, Granver Tolliver; Fire Chief, Jeff Bell; CFO, Steven Ventura; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Town Attorney Clark McCoy; Town Secretary, Tenitrus Bethel; and Assistant Town Manager, Adam Wilbourn.

Mayor Lessner called the meeting to order at 6:02 p.m. and declared a quorum was present.

At 6:03 p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Lessner called the regular session to order at 7:30 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

PRESENTATIONS
The Lake Highlands High School AP Environmental Science students gave a presentation on a land study performed on the undeveloped Billingsley property.

CITIZENS INPUT
John Frasier, 810 Quail Rise, expressed his thoughts related to the McKinney airport expansion.
Lee Moore, 1840 Hammerly Dr, expressed his thoughts related to the McKinney airport expansion.
Resident, 1791 Ridgemoor, expressed their thoughts related to the McKinney airport expansion.
Jim Grayson, 320 Hampton Ct, expressed his thoughts related to the noise ordinance.
Katherine Ponder, 970 Foxdale, expressed her thoughts related to the McKinney airport expansion and the Oakwood plat.
Carolyn Sommers, 1346 Ranch House, expressed her thoughts related to the McKinney airport expansion.
Maryanne Simonson, 980 Patrician, expressed her thoughts related to the McKinney airport expansion.
Mary Price, 579 Meandering, her thoughts related to the McKinney airport expansion.
Leland Payne, 398 Parkvillage, expressed his thoughts about the widening of Highway 5.

Councilmember Hubbard asked if the discussion item, 8A, regarding the McKinney Airport expansion could be moved up and discussed at this time.

DISCUSSION – MCKINNEY AIRPORT EXPANSION: Mayor Lessner introduced agenda item 8(a), Discuss and consider approval of a Resolution related to the McKinney Airport expansion and take any necessary action.

Mayor Lessner provided an update of the community grassroots efforts opposing the expansion of the McKinney airport.

The Council had an extended discussion related to this item.

Mayor Pro Tem Doi made a motion to approve the resolution opposing the airport expansion, with noted amendments, subject to legal form. Councilmember Hubbard seconded and the motion passed 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 February 7, 2023 Regular Council meeting; B) Approve an ordinance cancelling May 6, 2023 General Election; C) Approve an Amending Plat of Lots 31A, Block A of Oakwood Estates, Phase 1 and Lot 5A, Block A of Oakwood Estates Phase 2. The 2.1-acre site is located at 840 Quail Rise and 760 Elk Ridge Drive and is zoned for the (RE-1) One-acre Ranch Estate District; D) Approve a resolution authorizing continued participation with the Oncor Cities Steering Committee and payment of assessed dues for 2023; E) Approve a resolution authorizing continued participation with the Atmos Cities Steering Committee and payment of assessed dues for 2023.

Councilmember Connelly asked to pull consent agenda item C for discussion.

Councilmember Logsdon made a motion to approve consent agenda items A, B, D and E. Councilmember Connelly seconded and the motion passed unanimously.

Councilmember Connelly inquired about consent agenda item C. Mr. Roberts addressed the Council and reviewed the staff report. The Council and staff had a brief discussion on this item.

Councilmember Connelly motioned to approve consent agenda item C. Councilmember Hubbard seconded and the motion passed unanimously.

REPORTS FROM STAFF:
Mr. Ventura reviewed the monthly financial report.
Chief Tolliver reviewed the monthly police report and the annual Racial Profiling report.
Chief Bell reviewed the monthly fire report.
Mr. Chancellor provided a construction update.

DISCUSSION – WATER WELLS: Mayor Lessner introduced agenda item 8 (b), Discuss, and consider approval of an amended ordinance related to water wells.

Mr. Chancellor reviewed the amended ordinance and the requirements for water wells, including: a 2-acre lot minimum is required, not used for potable water, must be permitted through the Town; and if a well house is over 120 sq. ft. it will be considered an accessory structure and must meet setback requirements.

The Council and staff had an extended discussion related to the amended ordinance and a suggested amendment that wells located in front yards must be underground.

Mayor Pro Tem Doi made a motion to approve the amended water well ordinance with noted amendments and subject to legal form. Councilmember Logsdon seconded and the motion passed unanimously.

DISCUSSION – ROAD NAMING: Mayor Lessner introduced agenda item 8(c), Discuss and consider action on an ordinance naming a road to be constructed between US75 and Hwy 5.

Ms. Couch reviewed previous discussion related to this topic. She stated this road is a regional road with access off of 121 and Spur 399. The sign for the exit that currently reads Frisco Rd will be replaced with the new name; and it also connects to US75, SH5 and 1378. She indicated in previous discussions the name Fairview Crossing was suggested.

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

Councilmember Connelly made a motion to approve the ordinance renaming the portion of Frisco Rd between US75 and Hwy 5 to Fairview Crossing. Councilmember Custer seconded and the motion passed unanimously.

DISCUSSION – FRISCO RD ROW RELEASE: Mayor Lessner introduced agenda item 8(d), Discuss and consider action on the approval of the release of excess right of way in conjunction with the construction of Frisco Road.

Mr. Chancellor reviewed the staff report and stated the Town has already received right-of-way from Collin County and Billingsley for road construction and there is an excess that is no longer needed.

The Council and staff had an extended discussion related to releasing the ROW to Collin County. Ms. Couch advised the Council that no action has to be taken, at this time, on the county parcel.

Mayor Pro Tem Doi made a motion to approve the ordinance releasing the excess right-of-way, said portions being 0.3060-acre and 1.1842-acre parcel, to CB Sloan Creek 75, Ltd. Councilmember Hubbard seconded and the motion passed unanimously.

DISCUSSION –FIRE EQUIPMENT: Mayor Lessner introduced agenda item 8(e), Discuss and consider action on an amendment to the FY22-23 budget related to Fairview Fire equipment.

Chief Bell stated the department currently has two jaws of life pieces of equipment; one located at each station. He stated this piece of equipment is on a 10-year replacement cycle and the department currently has one that is 13 years old. He stated he reached out to the Friends of Fairview and they agreed to contribute 50% and the funds from the water bill donation account could be utilized for funding as well. He stated the estimated cost is $31,000.

The Council and staff had an extended discussion related to budget and funding.

Mayor Pro Tem Doi made a motion to approve an amendment to the FY22-23 budget in the amount of $32,000 for the purchase of fire equipment to be funded from the general fund. Councilmember Hubbard seconded and the motion passed unanimously.

DISCUSSION – SHORT TERM RENTALS: Mayor Lessner introduced agenda item 8(f), Discuss and take any necessary action on Town regulations regarding short term rentals and related matters.

Mr. Roberts reviewed the staff report related to this item and stated information was gathered from several municipalities in the metroplex to provide a perspective of how short-term rentals are handled.

Mayor Lessner stated his suggestion is to direct staff to draft an ordinance banning short term rentals and amenities within the Town.

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

Mayor Lessner made a motion to direct staff to draft an ordinance to disallow short-term rentals or amenities in the town. Councilmember Little seconded and the motion passed 6-0. Mayor Pro Tem Doi abstained.

DISCUSSION – COUNCIL RETREAT: Mayor Lessner introduced agenda item 8(g), Discuss and consider setting a date for a Council staff retreat.

The Council and staff had a discussion related to proposed dates for an upcoming council-staff retreat.

The Council agreed to hold the retreat on Tuesday, March 28 at Accasia's.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 8(h), Discuss Boards, Commissions, and other Officer appointments and take any necessary action.

Mayor Lessner made a motion to nominate Darion Culbertson to the EDC and CDC. Mayor Pro Tem Doi seconded, and the motion passed unanimously.

Mayor Lessner adjourned the meeting at 10:40 p.m.

Henry Lessner

Henry Lessner, Mayor

Tenitrus Bethel

Tenitrus Bethel, Town Secretary

TOWN OF FAIRVIEW