

**TOWN COUNCIL
MEETING MINUTES
MARCH 5, 2019**

The Town Council met in regular session on Tuesday, March 5, 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, and Roland Feldman. Councilmember Mattei arrived later. 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 7:32 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

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 5, 2019 regular Council meeting.

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

F.M. 1378 PUMP STATION & GROUND STORAGE BID AWARD: Mayor Culbertson introduced agenda item 5(a), Discuss and take any necessary action to award a bid and initiate financing for F.M. 1378 Pump Station and Ground Storage Reservoir No. 1.

Mr. Chancellor reviewed the bid process of the pump and metering station. He stated at the September regular meeting Council authorized staff to advertise bids for a new ground storage/water pump station and an upgraded metering station, with a larger meter that would be needed in the near future as an added alternative. He stated at the February 7 bid opening deadline five bids were received; the lowest combined bid was submitted by Crescent Constructors in the amount of \$5,997,000 with a contract timeline of 365 days, which includes the construction of the metering station; and the next lowest bid was submitted by Red River Construction for \$6,440,090 with a contract timeline of 390 days for the pump station and 420 days to include the construction of the metering station. He indicated that Red River Construction submitted the contract timeline after the opening deadline. He stated the lowest bid amount for the construction of just the pump station was received from Red River, however the lowest construction cost for the pump and metering station was submitted by Crescent Construction.

Mr. Chancellor stated staff is recommending to proceed with the construction of the project with the larger meter as part of the project.

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Mr. Chancellor stated staff is recommending to proceed with the construction of the project with the larger meter as part of the project.

Mayor Culbertson asked Mr. Chancellor if this station was operational at the time of the water main break what would that have meant for the residents. Mr. Chancellor stated the pumps located at 1378 could have been activated to send water to the west side of town and preventing the drop in pressure, to zero, avoiding a boil water notice.

Councilmember Feldman inquired about the construction process of the new pump station and the downtime, if any, for residents. Mr. Chancellor stated the new pump station and ground storage tank would be constructed next to the current pump station; the current pump station will be kept in service throughout the process. He stated once the station is complete and ready for service the current station will be switched off, during non-peak hours, and the intake would be moved to the new station.

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

Mayor Culbertson inquired of the need, if any, to upgrade the pump station in the future. Mr. Chancellor stated based on the Town's master plan the west side is upgraded to its maximum and the east side recommended project includes 1 of 2 ground storage tanks and the installation of 3 of the ultimate 4 pumps.

Councilmember Brugge inquired about the cost of just the pump station. Mr. Chancellor outlined that the original estimate for the ground storage and pump station did not include the additional larger lines needed to also install the larger meter. He indicated that in order to add the meter as an alternate, the additional lines were also added, which increased the base cost of the ground storage and pump station. He stated the low bid from Crescent for only the pumping station and ground storage tank without the larger meter was \$4,903,750 and their bid for the metering station was \$1,093,250.

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

Mayor Pro Tem Hendricks inquired about state requirement for physical security the facility. Mr. Chancellor stated there are state requirements related to securing the public water supply and there will be security fencing to prevent public access.

The Council, staff and attendees had an extended discussion related to this matter.

Ms. Couch discussed Town debt. Ms. Couch indicated this year an annual debt payment of approximately \$300,00 of water and sewer debt has been fully paid off with an additional \$380,000 to roll off in 3 years. She stated the intention is to replace the satisfied debt with the new debt payment with a phased in approach such that the payment for the first three years would be \$300,000, in accordance with the recently rolled off debt; and would then increase to \$430,000 at the third year. Staff is recommending Council authorization for the issuance of the certificates of obligation for this amount.

Councilmember Brugge inquired what debt was rolling off. Mayor Culbertson stated it is water debt that is rolling off. She inquired what were the funds used for. Ms. Couch stated it was utilized for water and sewer improvements.

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

Councilmember Mattei inquired about the difference in the cost of \$4.3M and \$6.0M. Mr. Chancellor stated the difference in cost is due to the \$4.3M does not include the metering station or the required additional underground piping.

Councilmember Feldman inquired about the size of the tanks. Mr. Chancellor stated the tank is 1.5 million gallons. There was additional discussion regarding Town utility needs.

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

Councilmember Lessner made a motion to authorize staff to proceed with the issuance of certificates of obligations in an amount not to exceed \$5.997 million for the improvements; and award the bid to Crescent Contractors. Councilmember Nicol seconded the motion and the motion was unanimously approved.

FAIRVIEW POLICE RACIAL PROFILING REPORT: Chief Tolliver discussed agenda item 5(b), Fairview Police Department's annual racial profiling report.

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

Councilmember Nicol made a motion to accept the Fairview Police Department annual racial profiling report. Councilmember Mattei seconded the motion and the motion was approved unanimously.

BOND ELECTION PLANNING & UPCOMING TOWN HALL MEETINGS: Ms. Couch introduced agenda item 5(c), Discuss planning for the May bond election and future Town Hall meeting dates.

Ms. Couch reviewed the bond communication plan to educate residents. She proposed utilizing the Fairview Town News magazine April and May issues, a brochure mailing, submission of an electronic version of the brochure to the HOA's, create a bond election page on the town website and Nixel alerts. She stated a draft version of the brochure will be submitted to Council for review prior to final submission; and the goal is to have the brochures mailed by March 22.

Councilmember Lessner suggested adding a graphic on the homepage banner that contains the date and time information for the Town Hall meetings.

Ms. Couch stated another communication option could be to add an insert into the water billing statements that would direct residents to the website for more information. She stated the goal is to have all of the information compiled for review in the next two weeks in order to meet publication deadlines.

Councilmember Brugge asked what will be the message in the publications. Ms. Couch stated the information contained in all publications, by law, it can only contain facts related to the bond issue. She stated the bond council attorney has review the information before distribution to ensure the materials are not promoting the bond.

The Council and staff discussed potential dates for the upcoming Town Hall meetings.

Ms. Couch stated the available dates at Heritage Ranch are March 25 & 27 and April 8.

The Council agreed on March 27 and April 8 for the meetings at Heritage Ranch with meeting times at 3:30 p.m. and 7:00 p.m.; and April 4 and 11 at Town Hall with both meetings being held at 7:00 p.m. Ms. Couch stated the April 11 meeting may be moved to Noah's due to the monthly Planning and Zoning meeting being held on the same date.

Ms. Couch stated the meeting information will be sent out to the CRG for feedback.

Councilmember Brugge discussed the option of council members volunteering to give presentations for HOAs.

Ms. Couch suggested moving the April 11 meeting to April 9. The Council agreed.

CITIZENS INPUT:

Ben Brown, 717 Mustang, gave his thoughts related to posting information in a timely manner and discussed the detail of minutes.

Councilmember Mattei expressed his thoughts regarding the bond language and architect selection. The Council and staff had an extended discussion related to this topic.

Councilmember Mattei made a motion that the Council consider alternate architects to discover a cost reduction. The motion failed for lack of a second.

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

Councilmember Brugge requested to amend the approved minutes of the February regular meeting. Mr. McCoy stated as a point of order the minutes were motioned and adopted. She asked if a vote would be required. Mr. McCoy stated yes.

Councilmember Brugge proposed a review of the minutes to ensure the language related to the approval of the bond.

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

Mr. McCoy advised Council that a motion would need to be made to rescind the approval of the minutes and direction given to the town secretary to review the tape recording and make any necessary revisions.

Councilmember Lessner made a motion to rescind the approval of the February regular meeting minutes and direct the town secretary to review the audio recording for the exact language of the motion made related to the approval of the calling of the bond; to be reviewed at the next regular council meeting. Councilmember Feldman seconded the motion.

Councilmember Brugge requested her statement following the bond approval be noted in the official minutes.

The motion was unanimously approved.

Councilmember Feldman made a motion for the Town Manager to investigate the architect and costs with the Desoto Town Manager, independent of Brinkley Sargent, and without terminating or binding the Brinkley Sargent contract. Councilmember Brugge seconded the motion was unanimously approved.

Gary Carter, 1000 Timber Ln, expressed his thoughts related to the new turn lane on East Stacy.

John Harkins, gave his thoughts related to the fire facilities.

Mike VanNatta, 5141 Stream Crest, gave his thoughts related to the cost of the new fire facility.

Ben Brown, 717 Mustang, again, gave his thoughts related to consultant costs.

Mary Price, 579 Meandering Way, gave her thoughts related to the cost of the new fire facility.

REPORTS FROM STAFF:

Mr. Chancellor gave an update on the Stacy Road project.

Attendees and staff had discussion related to this item.

Mr. Ventura presented the Monthly Financial report period ending January 31, 2019.

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

Mayor Culbertson adjourned the meeting at 10:27 p.m.


Darion Culbertson, Mayor


Tenitrus Bethel, Town Secretary

