

**TOWN COUNCIL
MEETING MINUTES
MARCH 3, 2020**

The Town Council met in regular session on Tuesday, March 3, 2020 at 5:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi; Councilmembers Charlie Henkle, Cynthia Brugge, Tony Mattei, Ken Logsdon and Roland Feldman. Staff present included Town Manager, Julie Couch; Sergeant, Troy Nesbitt; Fire Chief, Jeff Bell; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; CFO, Steven Ventura; Town Secretary, Tenitrus Bethel; Assistant to the Town Manager, Adam Wilbourn, and Town Attorney, Clark McCoy.

Mayor Lessner called the meeting to order at 5:00 p.m. and declared a quorum was present.

At 5:00 p.m., the Council then adjourned into closed session regarding the Town Manager evaluation.

Mayor Lessner 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 7:30 p.m., Mayor Lessner reconvened back into regular session and invited the residents of Cornerstone Ranch to lead everyone in the Pledge of Allegiance and the Texas State pledge.

PROCLAMATIONS, RECOGNITION AND AWARDS: Mayor Lessner presented a proclamation to Cornerstone Ranch declaring the month of March Developmental Disabilities Month.

Mayor Lessner presented awards in recognition of newly ranked Eagle Scouts.

PRESENTATIONS AND REPORTS: Steven Ventura introduced John DuBurro and Claire Wooten, with Weaver and Tidwell, presented the results of the annual independent audit for fiscal year ending September 30, 2019.

CITIZENS INPUT:

Cheryl Sinacola, expressed her thoughts related to drainage.

Rich Connely, 980 Foxdale, expressed his opposition to emergency easement in Kingdom Estates.

Jerrice Pratt, 1051 Country Tr, expressed her opposition to emergency easement in Kingdom Estates.

John Harkins, 411 Oak Ridge, expressed his thoughts related to water rates and the local option petition.

Roy Serpa, 142 Saddleback Dr, expressed thoughts related to Town staffing.

Ben White, 536 Michelle Way, expressed his thoughts related to flood study.

Brandon Bush, 611 Redwood, expressed his thoughts related to the emergency easement in Kingdom Estates.

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 January 7, 2020 Regular Council meeting; B) Approve the minutes of the February 4, 2020 Regular Council meeting; C) Approve a resolution approving the Town's written investment policy; D) Approve a resolution authorizing continued participation with the Atmos Cities Steering Committee and payment of assessed dues for 2020; E) Approve a resolution authorizing continued participation with the Oncor Cities Steering Committee and payment of assessed dues for 2020.

Mayor Pro Tem Doi made a motion to approve the consent agenda. Councilmember Mattei seconded the motion and the motion was approved unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly financial report and budgeting for salaries. The Council and staff had an extended discussion related to budgeting and salaries.

Chief Bell reviewed the monthly fire report.

Sergeant Nesbitt reviewed the monthly police report and annual racial profiling report. The Council and Sgt. Nesbitt had a general discussion related to the topic.

Mr. Chancellor reviewed current Town construction projects.

DISCUSSION – LEXINGTON HEIGHTS PRELIMINARY PLAT: Mr. Roberts introduced agenda item 9(a), consider, discuss and take necessary action on a request for approval of a Preliminary Plat of the Lexington Heights Addition (formerly Chamberlain Place, Ph. 2). The 16.8-acre site is located west of Stoddard Road, south of Country Club Drive and is zoned for the (RE-1) One-acre Ranch Estate District. Applicant: Mark Cope, Cope Equities, LLC., representing owners Sam and Donna Price.

Mr. Roberts gave a staff report related to this item. He reviewed the history of the development. He stated the preliminary plats for Phase I and II of Chamberlain Place were approved in 2015 however Phase II did not receive final approval. He stated the approval for Phase II expired 6 months from the date of the original approval. He stated a new developer has gained rights to Phase II and have renamed it to Lexington Heights. He stated as a part of the original approval the developer agreed to a cash in lieu of parkland payment of \$35,908.00. He stated the request meets the design standard requirements and PZ recommended approval in February.

Mr. Chancellor discussed the drainage and water flow.

The Council and Mr. Chancellor had a general discussion related to this topic.

Mayor Pro Tem Doi made a motion to approve the preliminary plat for the Lexington Heights Addition. Councilmember Brugge seconded the motion and the motion was unanimously approved.

DISCUSSION – PARK & OPEN SPACE IRRIGATION: Mayor Lessner introduced agenda item 9(b), discuss and take any necessary action on maintenance and irrigation of parks and open space and related matters.

Ms. Couch reviewed recent requests received from Fairview Meadows and Bridlegate for consideration of waiving the top tier billing for irrigating Town owned open space. She stated currently all HOA's are charged the standard residential rate for water usage. She indicated the Villas of Fairview submitted a similar request to the Council a few years ago and the request was approved. She stated her recommendation would be to remove the top tier billing for the two requesting HOA's. She reviewed information that detailed Town owned parks and park land and the party responsible for maintenance.

Councilmember Mattei inquired about the associated cost if this request were to be approved. Mr. Ventura discussed the cost impact.

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

Mayor Pro Tem Doi made a motion to waive the top tier fee for HOA's for water service. Councilmember Henkle seconded the motion.

Councilmember Brugge inquired about HOA detention. Ms. Couch addressed the concern related to detention.

The motion was approved unanimously.

Ms. Couch stated staff would prepare an ordinance for the Council review at the next regular meeting.

Mayor Lessner recessed for a 5-minute break.

Mayor Lessner called the meeting back into session.

DISCUSSION – WELL WATER: Mayor Lessner introduced agenda item 9(c), consider, discuss and take any necessary action on the approval of an ordinance amending the water well guidelines.

Mr. Chancellor gave a staff report related to this item. He stated the current ordinance allows for the construction of a water well for irrigation purposes on residential property sites of 7 acres or greater or for an HOA. He stated the proposed ordinance would reduce the requirement to 1 acre. He and Mr. Roberts collaborated to address the concern of a well house being considered an accessory structure; he stated a well house of 240 sq. ft. or smaller would not be considered an accessory structure with standard setback requirements.

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

Mayor Pro Tem Doi made a motion to continue this item to the April 7, 2020 meeting. Councilmember Mattei seconded the motion and the motion was unanimously approved.

DISCUSSION – GOLF CART OPERATION: Ms. Couch introduced agenda item 9(d), discuss and take any necessary action on the town regulations regarding the operation of golf carts in Town.

Mr. Wilbourn gave a staff report related to this item.

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

Mayor Lessner proposed continuing the discussion to the April meeting.

DISCUSSION – KINGDOM ESTATES EMERGENCY ACCESS EASEMENT: Ms. Couch introduced agenda item 9(e), discuss and take any necessary action on emergency access easement in Kingdom Estates.

Mr. Chancellor gave a staff report related to this item. He indicated staff received a set of building plans for a dual driveway for a lot in Kingdom Estates; one drive connecting to the main road and the other connecting to an emergency access easement that provided emergency access into Oakwood. He indicated that originally driveway access to the emergency access easement was denied however, subsequently the Fire Chief indicated the Fire Department would have no issues with the use of the easement if the area is properly signed and striped for no parking. He indicated with that determination regarding use of the emergency easement, the permit application for the driveway was approved as there was no legal justification for denying it. He addressed concerns related to pedestrian access.

Councilmember Henkle inquired about drainage. Mr. Chancellor discussed drainage and water flow.

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

Councilmember Feldman inquired about the orientation of the driveway. Mr. Brandon Bush discussed the driveway orientation.

Mr. Rich Connelly expressed his concerns related to driveway access to the access easement.

The Council, Mr. McCoy, staff and Mr. Connelly had an extended discussion related to this item.

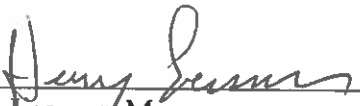
There was no action taken related to this item.

BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 9(f), discuss boards & commissions and take any necessary.

Mayor Pro Tem Doi made a motion to reappoint Sim Israeloff, Jeff Rutherford, Carlo Strippoli, Don Braun and Nancy Lewis to the EDC/CDC board; and appoint John Brown to the EDC CDC board. Councilmember Henkle seconded the motion and the motion was unanimously approved.

Mayor Pro Tem Doi made a motion to appoint Laura Lester to the Public Art Committee with a term expiration date of 2021. Councilmember Henkle seconded the motion and the motion was unanimously approved.

Mayor Lessner adjourned the meeting at 11:26 p.m.


Henry Lessner, Mayor


Tenitrus Bethel, Town Secretary

