TOWN COUNCIL
MEETING MINUTES
FEBRUARY 7, 2023

The Town Council met in regular session on Tuesday, February 7, 2023, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Mayor Pro Tem Ricardo Doi was absent. 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 6:00 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.

Mayor Lessner called the regular session to order at 7:31 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT

Herman Tafoya, 1170 Red Oak, expressed his thoughts related to drainage.

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 3, 2023 Regular Council meeting; B) Approve a vacating plat for Lots 17A-21A, Block A of the Harper Landing Addition. The 15.05-acre site is located at 501 Michelle Way; 1181, 1191, 1201 and 1211 Harper Landing and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/applicant: Salim Family Enterprises, LTD; C) Approve the terms of a grant from Collin County, Texas of a Special Warranty Deed with Conditional Reverter and authorize the Mayor to execute; D) Approve an ordinance calling the May 6, 2023 General Election and authorizing the Town Manager to execute a joint agreement with Collin County for the provision of election services; E) Approve a resolution and authorize the Chief of Police to apply for the Bullet Resistant Shield Grant, and accept if awarded.

Mayor Lessner asked to pull agenda item A.

Ms. Bethel advised the Council that consent agenda item E required not action taken as staff was made aware that the police department was not eligible for the grant.

Councilmember Connelly asked to pull agenda item B.

Councilmember Hubbard motioned to approve consent agenda items C and D. Councilmember Custer seconded and the motion passed unanimously.

Mayor Lessner stated he was not in attendance at the January regular meeting and would abstain from voting on the minutes.

Councilmember Connelly made a motion to approve consent agenda item A. Councilmember Logsdon seconded and the motion passed 5-0. Mayor Lessner abstained.

Councilmember Connelly inquired about consent agenda item B. 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 B. Councilmember Hubbard seconded and the motion passed unanimously.

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

DISCUSSION – FFR CITIZENS SURVEY: Mayor Lessner introduced agenda item 7(a), Consider, discuss and take any necessary action on the Fairview Fire and Rescue citizens survey and any related items.

Chief Bell reviewed the staff report, the process and implementation of the survey.

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

DISCUSSION – FRISCO RD BID AWARD: Mayor Lessner introduced agenda item 7(b), Consider, discuss and take any necessary action to award a bid for the construction of Frisco Road.

Mr. Chancellor reviewed the staff report for this item. He stated the Town was awarded a $3,000,000 EDA Grant and will receive $1,700,000 from Medical City McKinney as funding towards the construction of this project. He stated a request for bids for the project was issued and staff received six contractor bids. He reviewed the submitted bids and stated the lowest bid received was for $7,437,000 from Mario Sinacola & Sons Excavating. He reviewed process of preparing the engineering estimated cost of the project and discussed the recommended project deductions. He stated the base bid after the removal of the deductions is $6,811,000. He stated staff is recommending awarding the bid to Mario Sinacola & Sons Excavating in the amount of $6,811,767.59.

Councilmember Logsdon made a motion to award a bid in the amount of $6,811,767.59 to Mario Sinacola and Sons for the construction of Frisco Road. Councilmember Custer seconded and the motion passed unanimously.

DISCUSSION – BOUNDARY ADJUSTMENT AND AGREEMENT FOR ROAD CONSTRUCTION: Mayor Lessner introduced agenda item 7(c), Discuss and consider action on corporate limit boundary adjustment agreement with the City of McKinney along Frisco Road and agenda item 7(d), Discuss and consider action on interlocal agreement with the City of McKinney for public roadway construction and funding.

Ms. Couch reviewed the staff report related to the boundary adjustment. She stated due to the alignment change that will occur along Frisco Road the boundaries between Fairview and McKinney need to be adjusted. She reviewed the parcels that would be included in the swap and she stated the Frisco Rd right-of-way will remain in the Fairview town limits. She indicated the City of McKinney has approved this agreement at their meeting tonight and staff is recommending approval of the agreement as well.

Ms. Couch also reviewed the proposed interlocal agreement for roadway construction and funding with the City of McKinney. She stated the hospital has an agreement with the City of McKinney to pay a portion of the cost for the expansion of Frisco Road. She indicated funds generally in the amount of $1,170,000 would be placed in escrow to be utilized towards the construction of Frisco Road and the Town would receive funds based on the percentage of completion of the project. She stated the City of McKinney has approved the agreement and staff is recommending the approval of the interlocal agreement.

The Council and staff had a discussion related to the boundary adjustment and the construction funding.

Councilmember Logsdon made a motion to approve the boundary adjustment agreement with the City of McKinney. Councilmember Connelly seconded and the motion passed unanimously.

Councilmember Logsdon made a motion to approve the interlocal agreement with the City of McKinney for public roadway construction and funding of Frisco Road. Councilmember Hubbard seconded and the motion passed unanimously.

DISCUSSION – ILA ETJ AT SHARON RD: Mayor Lessner introduced agenda item 7(e), Discuss and consider action on an interlocal agreement with the City of McKinney regarding extraterritorial and jurisdictional boundaries related to a 7.0+/- acre tract of land located north of the termination of Sharon Road.

Ms. Couch stated the 7.0 acre parcel at the end of Sharon Rd is located either in the city limits or ETJ of the City of McKinney. She indicated that the City of McKinney is unable to provide services to the parcel and they are in agreement with the area being transferred to the Town. She stated the land owner is requesting for the parcel to be transferred to the Fairview ETJ which will provide for the future ability of annexation into the Town as well as the opportunity for future development of the land.

The applicant was present.

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

Councilmember Hubbard made a motion to approve the interlocal agreement with the City of McKinney regarding the extraterritorial and jurisdictional boundaries related to a 7.0+/- acre tract of land located north of the termination of Sharon Road. Councilmember Connelly seconded and the motion passed unanimously.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Lessner introduced agenda item 7(f), Discuss Boards, Commissions, and other Officer appointments and take any necessary action.

No action was taken.

EXECUTIVE SESSION ACTIONS:

Councilmember Custer made a motion to approve the Town Manager evaluation and salary increase. Councilmember Logsdon seconded and the motion passed unanimously.

Mayor Lessner adjourned the meeting at 8:35 p.m.

Tenitrus Bethel, Town Secretary

Henry Lessner, Mayor