

**TOWN COUNCIL
MEETING MINUTES
FEBRUARY 1, 2022**

The Town Council met in regular session on Tuesday, February 1, 2022, at 7:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Henry Lessner; Mayor Pro Tem Ricardo Doi and Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Staff present included Town Manager, Julie Couch; Planning Manager, Israel Roberts; Police Chief, Granver Tolliver; Fire Chief, Jeff Bell; Town Engineer, James Chancellor; Interim EDC Manager, Dave Quinn; CFO, Steven Ventura; Town Secretary, Tenitrus Bethel; and Town Attorney, Clark McCoy. Staff present via RingCentral was Assistant to the Town Manager, Adam Wilbourn.

Mayor Lessner called the meeting to order at 6:00 p.m. and declared a quorum was present.

At 6:01p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Lessner called the regular session to order at 7:32 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT

Jim Themis, 376 Fairlanding, expressed his thoughts related to parking and increased traffic in Villages of Fairview.

Rick Hickman, 1200 Camino Real, inquired about the public hearing item.

Leland Payne, 398 Parkvillage, expressed his thoughts related to parking and increased traffic in Villages of Fairview.

Cynthia Brugge, 960 Patrician, expressed her thoughts related to road projects.

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 4, 2022 Regular Council meeting; B) Approve an ordinance calling the May 7, 2022 General Election and authorizing the Town Manager to execute a joint agreement with Collin County for the provision of election services; C) Consider approval of an Amending Plat of Lot 16 of the River Oaks 2 Addition. The 1.4-acre site is located at 371 Forest Oaks Drive and is zoned for the (RE-1) One-acre Ranch Estate District. Owner/Applicant: Zachary Bergholtz.

Mayor Lessner requested to pull consent agenda item C for discussion.

Ms. Bethel informed the Council of an amendment to the minutes submitted by Councilmember Connelly.

Mayor Pro Tem Doi made a motion to approve consent agenda items A and B with the noted correction to the January minutes. Councilmember Logsdon seconded the motion, and the motion passed unanimously.

The Council and staff discussed consent agenda item C.

Mayor Pro Tem Doi made a motion to approve consent agenda item C. Councilmember Hubbard seconded the motion and the motion passed unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly and quarterly financial reports.

Chief Tolliver reviewed the monthly police report and officer recognition award.

Chief Bell reviewed the monthly fire report.

Mr. Chancellor provided a construction update.

PUBLIC HEARING – CUP – 1200 HARPER LANDING: Mayor Lessner introduced agenda item 7(a), continue a public hearing and consider approval of an ordinance for a conditional Use Permit (CUP) for a multi-use sports court. The 2.0-acre site is located at 1200 Harper Landing and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Luke Morrow.

Mr. Roberts gave a staff report related to this request and reviewed the history of the project, court setbacks, maximum lot coverage, historical approval of sport courts, proposed landscape plan and photometrics. He stated the applicant is requesting 6 – 20 ft lights.

The Council and staff had an extended discussion related to accessory structures, sport courts, and setbacks.

Mayor Lessner opened the public hearing.

Luke Morrow, applicant, addressed the Council.

Rich Hickman, 1220 Camino Real, expressed his concern related to construction without a permit and his opposition to the installation of lights.

John Francois, 240 Stacy, expressed his thoughts related to lighted sport courts and setbacks.

Lisal Jones, 521 Kentucky, expressed her opposition to the installation of lights.

Holly Parsons, 480 Home Pl, expressed her concerns related to drainage and the size of the court.

Mayor Lessner closed the public hearing.

The Council and staff had an extended discussion related to the sport court request process, compliance and setbacks.

Councilmember Hubbard motioned to approve the request for a conditional use permit for a multi-use sport court located at 1200 Harper Landing with the conditions of shielded lights, 0 ft. candle at property line, maximum 20 ft light pole height, hours of use 7:00 am – 10:00 pm.

Mayor Pro Tem recommended the added condition of no additional impervious areas allowed on the site. This condition was accepted.

The Council had a discussion related to setbacks.

Councilmember Logsdon seconded the motion and the motion passed 5-2. Mayor Lessner and Councilmember Connelly opposed.

PUBLIC HEARING – IMPACT FEE STUDY: Mayor Lessner introduced agenda item 7(b), Hold a public hearing to consider approval of the 2021 Impact Fee Study.

Mr. Chancellor introduced the item and reviewed the status of the impact fee study.

Lisa Barber with Kimley-Horn gave a presentation and reviewed the following: land use assumptions, summary of growth projections, roadway impact fee CIP, maximum assessable fee per service unit, water and wastewater impact fees, impact fee comparisons and next steps.

The Council, Kimley-Horn representatives and staff had an extended discussion related to impact fees.

Mayor Lessner opened the public hearing.

No one came forward to speak.

Mayor Lessner closed the public hearing.

The Council and staff had an extended discussion related to holding a work session to further discuss impact fees.

Councilmember Logsdon motioned to accept the 2021 Impact Fee study as presented.

The Council continued the discussion related to holding a work session.

The motion failed for lack of a second.

DICUSSION – PINNACLE ESTATES PRELIM PLAT: Mayor Lessner introduced agenda item 8(a), discuss and consider approval on a request for a Preliminary Plat of Pinnacle Estates Addition. The 44.1-acre tract of land is located on the north side of East Stacy Road, east of Heritage Ranch and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Warren Corwin, Corwin Engineering representing owner JA Pinnacle Development, LLC. Applicant: Justin Cooley, Range Water Development LLC representing Travis Parker Associates, LTD.

Mr. Roberts gave a staff report related to this item. He stated the request is for the development of 18 – 2 acre lots, and 3 common areas that will be HOA owned and maintained. He stated the lot minimum is 2 acres with a 200 ft frontage except for those lots in the cul de sac that have a minimum frontage of 90 feet. He stated staff is recommending a cash in lieu of parkland dedication in the amount of \$53,862. He stated the PZ recommended approval as submitted.

The Council and applicant had a discussion related to internet service.

Mayor Pro Tem Doi motioned to approve the preliminary plat of the Pinnacle Estates addition. Councilmember Connelly seconded and the motion passed unanimously.

DICUSSION – TRIPLE CROWN FINAL PLAT: Mayor Lessner introduced agenda item 8(b), discuss and consider approval of a Final Plat of the Triple Crown Estates Addition. The 28+/- tract of land is located on the north side of Stacy Road, west of Kentucky Lane and is zoned for a (PC) Planned Center District. Owner/Applicant: Justin Jinright, JDRP Fairview Derby Development.

Mr. Roberts gave a staff report, reviewed the zoning conditions and stated the request meets all design standards.

Mayor Pro Tem Doi motioned to approve the final plat of the Triple Crown Estates. Councilmember Custer seconded the motion and the motion passed unanimously.

DICUSSION –TOWN CHARTER: Mayor Lessner introduced agenda item 8(c), Consider, discuss and take any necessary action on the approval of an ordinance calling for a Charter Election to be held on May 7, 2022; as set forth in the ordinance as follows: *Shall the Town of Fairview, Texas Home-Rule Charter be amended to increase terms of office for Mayor and Council Members from two years to three years, decrease term limits from three terms to two terms, and provide for the manner of filling of vacancies?*

Councilmember Logsdon motioned to take no action on this item. Councilmember Connelly seconded the motion and the motion passed unanimously.

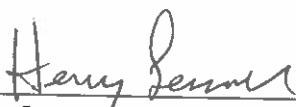
DISCUSSION – COVID-19 UPDATE: Ms. Couch introduced agenda item 8(f), discuss COVID-19 activities and actions and take any necessary action.

Ms. Couch reviewed the guidelines and fund use allowances for the American Rescue Funds and stated staff is reviewing proposals for a consultant to assist with the fund usage. She stated staff will present recommendations to the council for consideration.

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

Mayor Lessner adjourned the meeting at 10:12 p.m.


Tenitrus Bethel, Town Secretary


Henry Lessner, Mayor

