

**TOWN COUNCIL
MEETING MINUTES
JANUARY 4, 2022**

The Town Council met in regular session on Tuesday, January 4, 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; Town Engineer, James Chancellor; Town Secretary, Tenitrus Bethel; and Town Attorney, Clark McCoy.

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

CITIZENS INPUT

Cynthia Brugge, 960 Patrician, expressed her thoughts related to development.

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 December 7, 2021 Regular Council meeting,

Councilmember Logsdon made a motion to approve the consent agenda. Councilmember Hubbard seconded the motion, and the motion was unanimously approved.

REPORTS FROM STAFF:

Chief Tolliver reviewed the monthly police report.

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), hold 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 as staff report on this item. He stated the request is for a 60'x120' lighted sport court. He reviewed the background of the sport court installation stating the construction of the court was halted by the building official due to no permit having been issued. He stated notifications were sent out and 10 letters of support were received; 7 within the notification area and no letter of opposition were received. He stated the PZ recommended approval with the following added conditions: maximum height of light poles 20 feet and restrict the use of court lights from 7am – 10pm.

The Council and staff had an extended discussion related to drainage, lighting and noise.

Tony Prutch, applicant, addressed the council regarding lighting and landscaping.

The Council, applicant and staff had a discussion related to setbacks and landscaping.

Mayor Lessner opened the public hearing.

Tina Hardison, 1280 Camino Real, expressed her opposition to the request.
 Holly Parsons, 480 Home Pl, expressed her thoughts related to drainage and lighting.
 Cynthia Brugge, 960 Patrician, expressed her thoughts related to lighting.
 Rich Hickman, 1220 Camino Real, expressed his opposition regarding the lighting.
 Lisal Jones, 521 Kentucky, expressed her opposition to the lighting.
 Justin Jinright, 571 Kentucky, expressed his opposition to the lighting.

Mayor Lessner closed the public hearing.

The Council, applicant and staff had an extended discussion related to lighting and drainage.

Mayor Pro Tem Doi made a motion to table discussion of this item to the February 1, 2022 regular council meeting. Councilmember Custer seconded the motion and the motion passed unanimously.

PUBLIC HEARING – BLUE GRASS FARMS: Mayor Lessner introduced agenda item 7(b), conduct a public hearing and consider approval of an ordinance to amend the zoning to reflect a revised development plan for a portion of the Blue Grass Farms subdivision. The 6.4-acre site is located at 431 and 451 Kentucky Lane and is zoned for the (PC) Planned Center District. Applicant: Jinright Development representing owners Marvin Molodow and Jinright Development.

Mr. Roberts gave a staff report related to this item. He stated the request is to subdivide two lots to create 3 total lots. He reviewed the requirements for zoning amendments and PC district standards. He stated notifications were sent out and one letter of opposition was received; PZ recommended approval as presented.

Mayor Lessner opened the public hearing.
 Justin Jinright, applicant, addressed the council regarding the request.
 Mayor Lessner closed the public hearing.

The Council and staff had a discussion related to drainage.

Councilmember Logsdon made a motion to approve an ordinance to amend the zoning to reflect a revised development plan for a portion of the Blue Grass Farms subdivision. Councilmember Connelly seconded the motion and the motion passed unanimously.

DICUSSION – FAIRVIEW TOWNHOMES: Mayor Lessner introduced agenda item 8(a), consider and discuss a request for approval of a Preliminary Plat of the Fairview Townhomes Addition. The 15.2-acre sites are generally located on both sides of Fairview Parkway, north of the Fairview Village Road/Latham Drive intersection and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Justin Cooley, Range Water Development LLC representing Travis Parker Associates, LTD.

Mr. Roberts reviewed previous discussions related to the proposed development. He stated the Council previously approved the build to zone request and the request meets approved major warrants and zoning requirements.

Councilmember Logdson made a motion to approve the preliminary plat for the Fairview Townhomes Addition. Councilmember Hubbard seconded the motion.

Mayor Pro Tem Doi requested to discuss related to the flood plain and surface elevation. The Council and staff had a discussion related to this flood plain and surface elevation.

The motion passed unanimously.

DICUSSION – BILLINGSLEY DEVELOPMENT: Mayor Lessner introduced agenda item 8(b), consider, discuss and take any necessary action an ordinance for various Major Warrants regarding a revised Framework Plan, Public Art, design standards, street sections, signage, and land uses. The 239+/- acre tract of land generally located on the east side of US 75 and south of Frisco Road. The subject site zoned for the (CPDD) Commercial Planned Development District with the Urban Village sub-district.

Mr. Roberts reviewed prior discussions regarding the development, reviewed the amendment changes and additional proposed language related to mixed residential major warrants.

The Council and applicant had an extended discussion related to gravel driveways, sidewalk widths, major and minor warrants related to specific land uses, and ADA compliance.

The Council and staff had an extended discussion related to holding a work session to review the requested major warrants.

Councilmember Logdson made a motion to approve an ordinance for various major warrants regarding a revised framework plan, public art, design standards, street sections, signage, and land uses as written with the following amendments: upgrade warrant type from minor to major for shopping center 75,000 sq ft to 149,000 sq ft, shopping center over 150,000 sq ft, and farmers market; and to reference the ordinance as it pertains to the maximum number of multi-family units on the use matrix. Councilmember Little seconded the motion and the motion passed 5-2. Mayor Pro Tem Doi and Councilmember Connelly opposed.

DICUSSION – IMPACT FEE STUDY: Mayor Lessner introduced agenda item 8(c), hear a presentation from Kimley-Horn regarding the 2021 Impact Fee Study.

Mr. Chancellor discussed the state requirements related to impact fees and the process to amend them.

Kimley Horn representatives gave a presentation and reviewed the following: impact fee basics, benefits, recoverable & non-recoverable costs, fee calculations, land use assumptions, capital improvement plans, service units, roadway impact fees, water & wastewater fees, fee comparisons and next steps.

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

No action was taken.

DICUSSION –TOWN CHARTER: Mayor Lessner introduced agenda item 8(d), consider, discuss, and take any necessary action on amendments to the town charter including adoption of an ordinance calling an election on said amendments and/or take any other necessary action.

The Council and staff had an extended discussion related to the proposed charter amendment and the deadline for calling the election.

No action was taken.

DICUSSION – TXDOT HWY 5: Mayor Lessner introduced agenda item 8(e), consider, discuss and take any necessary action on the approval of an Interlocal Agreement for park funding.

Mr. Chancellor stated TxDOT would be holding a public meeting on January 25, 2022 to discuss the widening of Highway 5. He reviewed the phase 1 schematic of the project.

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

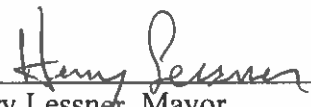
No action taken.

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

Ms. Couch indicated the surge of new variants of the virus have affected staffing at town hall as well as those in public safety. She stated staff is currently updating the COVID-19 policy based on new guidelines set out by the CDC. She stated staff has been speaking with consultants to assist with federal compliance for the utilization of the American Rescue Funds; and staff will be preparing recommendations to present to the Council within the next two months.

Mayor Lessner adjourned the meeting at 11:28 p.m.


Tenitrus Bethel, Town Secretary


Henry Lessner, Mayor

