



**NOTICE OF A REGULAR COUNCIL MEETING
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE
FAIRVIEW, TEXAS
TUESDAY, JANUARY 3, 2023
7:30 P.M
AGENDA
****RESULTS******

NOTICE IS HEREBY GIVEN the Town of Fairview Town Council will conduct its Regular Meeting scheduled at 7:30 p.m. on Tuesday, January 3, 2023, located at Fairview Town Hall, 372 Town Place, Fairview, TX 75069 by telephone or video conference. The meeting will be accessible through in person or virtual attendance. The use of masks or face coverings is recommended.

This notice and meeting agenda will be posted online at fairviewtexas.org.

The telephonic/video meeting is hosted through RingCentral. To access the meeting via telephone/video conference click the below link:

<https://webinar.ringcentral.com/j/1489959296>

The public will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting.

1. Call to Order **7:30 p.m.**

2. Pledge of Allegiance

3. Texas Pledge

4. Citizen's Comment **No Comments**

At this time, any person may address the Council regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time, any person may address the Council regarding an item that is not on this meeting agenda. Each person will have up to five minutes. No discussion or action may be taken at this meeting on items not listed on this

agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

5. Consent Agenda **Approved**

- a. Approve the minutes of the December 6, 2022 Regular Council meeting.

All items listed under the Consent Agenda are considered routine and will be 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 considered separately.

6. Reports from Staff, including any updates on project tracking reports and department activities **Discussion Only**

- a. Monthly Financial Report – Period ending November 30, 2022
- b. Monthly Police Report – Period Ending December 31, 2022
- c. Monthly Fire Report – Period Ending December 31, 2022
- d. Town construction projects

7. Public Hearings

- a. Hold a public hearing to consider approval of an ordinance granting a conditional use permit (CUP) to accommodate an additional accessory structure for a garden shed. The 2.0-acre lot is located at 530 Kentucky Lane and is zoned for the (PC) Planned Center District. Owner/applicant: Michael Schepers. **Approved**
- b. Hold a public hearing to consider approval on a request for an amendment to the (CPDD) Commercial Planned Development District regarding smoking establishments. Applicant: Martin Corboy. **Approved**
- c. Hold a public hearing to consider approval of an ordinance granting a Major Warrant for a smoking establishment/cigar lounge. The site is located within the Fairview Town Center at 352 Town Place and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village sub-district. Applicant: Martin Corboy. **Approved**

8. Council Action/Discussion Items

- a. Discuss regulations regarding water well requirements and take any necessary action. **Council provided staff direction**
- b. Discuss Boards & Commissions and take any necessary action. **No action taken**

9. Receive reports from staff or the Town Council about items of community interest.

Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements

involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

CLOSED SESSION (EXCEPTIONS) Under Tex. Gov't Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the following exceptions to the Open Meetings Act under Texas Government Code:

Section 551.071 – to consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; drainage matters; town ordinances.

Section 551.072 - discuss or deliberate the purchase, exchange, sale, lease, or value of real property; acquisition of right-of-way, easements, or land.

Section 551.074 Personnel - appointment of other officers and members of all non-advisory boards and commissions.

Section 551.087 – to discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the Town of Fairview has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Fairview and with which the Town is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). Proposed commercial/retail developments.

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

10. Adjourn **8:29 p.m.**

I, Tenitrus Bethel, Town Secretary, hereby certify that notice of the above-named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily accessible to the public at all times, on the 29th day of December 2022 at or before 5:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Tenitrus Bethel, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, Ext 4234 or by fax at 972-886-4203.