

**TOWN COUNCIL
MEETING MINUTES
JANUARY 3, 2023**

The Town Council met in regular session on Tuesday, January 3, 2023, at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Pro Tem Ricardo Doi; Councilmembers Rich Connelly, Gregg Custer, Larry Little, Ken Logsdon and John Hubbard. Mayor Henry Lessner 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 Pro Tem Doi called the meeting to order at 6:01 p.m. and declared a quorum was present.

At 6:02 p.m., the Council then adjourned into executive session regarding a consult with legal counsel.

Mayor Pro Tem Doi called the regular session to order at 7:30 p.m. and invited everyone to stand for the Pledge of Allegiance and the Texas State pledge.

CITIZENS INPUT

No one came forward to speak.

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 6, 2022 Regular Council meeting.

Councilmember Connelly made a motion to approve the consent agenda. Councilmember Custer seconded and the motion passed unanimously.

REPORTS FROM STAFF:

Mr. Ventura reviewed the monthly financial report.

Chief Tolliver reviewed the monthly police report.

Chief Bell reviewed the monthly fire report.

Mr. Chancellor provided a construction update.

PUBLIC HEARING – CUP – 530 KENTUCKY: Mayor Pro Tem Doi introduced agenda item 7(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.

Mr. Roberts gave a staff report in this item. He stated the request is for a 472 sq. ft. garden shed. He indicated in 2013 the applicant received approval of a 2,100 sq. ft. accessory structure which exceeds the allowance for this zoning district. He stated the request meets all design standards. He stated notices were sent and staff received 4 letters of support and 1 in opposition. He stated the PZ recommended approval.

Mayor Pro Tem Doi opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Doi closed the public hearing.

Councilmember Connelly made a motion to approve a conditional use permit for a garden shed accessory structure to be located at 530 Kentucky Ln. Councilmember Hubbard seconded the motion and the motion passed unanimously.

PUBLIC HEARING – CPDD AMENDMENT FOR SMOKING ESTABLISHMENTS:

Mayor Pro Tem Doi introduced agenda item 7(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.

Mr. Roberts gave a staff report on this item, reviewed the Council action taken in January amending the Town's smoking regulations and reviewed the process.

Mayor Pro Tem Doi opened the public hearing.

Martin Corboy, applicant, spoke to the Council regarding the request.

No one came forward to speak.

Mayor Pro Tem Doi closed the public hearing.

Councilmember Connelly expressed his thoughts related to this request.

Councilmember Logsdon made a motion to approve an amendment to the CPDD regarding smoking establishments. Councilmember Little seconded and the motion passed 5-1. Councilmember Connelly opposed.

PUBLIC HEARING – MW- SMOKING ESTABLISHMENTS: Mayor Pro Tem Doi introduced agenda item 7(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.

Mr. Roberts reviewed the staff report on this item. He stated the with the approval of the text amendment and the approval for the allowance of a smoking establishment within the CPDD the major warrant request would all the requestor to occupy the 7,200 sq ft space as a smoking establishment.

The Council and staff had a discussion related to the major warrant request and finish out requirements.

Mayor Pro Tem Doi opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Doi closed the public hearing.

Councilmember Logsdon made a motion to approve a major warrant for a smoking establishment/cigar lounge to be located at 352 Town Pl. Councilmember Hubbard seconded and the motion approved 5-0. Councilmember Connelly abstained.

DISCUSSION – WATER WELL: Mayor Pro Tem Doi introduced agenda item 8 (a), Discuss regulations regarding water well requirements and take any necessary action.

Mr. Chancellor reviewed the staff report on this item. He stated the current ordinance allows for water wells on sites that are 7 acres or more. He reviewed the regulations and stipulations for water wells.

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

The Council directed the staff to draft a well water ordinance with respect to 2-acre minimum lots.

DISCUSSION – BOARDS & COMMISSIONS: Mayor Pro Tem Doi introduced agenda item 8 (b), Discuss Boards, Commissions, and other Officer appointments and take any necessary action.

No action was taken.

Mayor Pro Tem Doi adjourned the meeting at 8:25 p.m.


Tenitrus Bethel, Town Secretary


Ricardo Doi, Mayor Pro Tem

