TOWN COUNCIL
MINUTES
JANUARY 9, 2007

The Town Council met in regular session on Tuesday, January 9, 2007 at 6:30 P.M. at Town Hall, 500 S. Highway 5, Fairview, Texas. Those present were Major Sim Israeloff, Mayor Pro Tem John Fraser, Council Members Carolyn Sommers, Jim Cunningham, and Mary Price and Town Manager John Godwin. Councilman Michael Pezzulli was absent.

Mayor Israeloff called the meeting to order at 6:30, declared a quorum was present, and convened the work session to discuss the five-year Capital Improvements Plan, including a possible new fire station and bond sale. John Godwin made a presentation on future capital projects and their funding. The council discussed a possible bond sale for a fire station and certain road improvements. Staff will prepare the needed documents for formal council action on February 6.

At 7:35 Mayor Israeloff convened the regular meeting and requested everyone to stand for the Pledge of Allegiance.

CITIZEN INPUT: Mayor Israeloff stated that anyone wishing to speak at this time to state their name and address for the record and to remember that no formal discussion or action may be taken on these items at this meeting. Ron Pitman, 60 Affirmed Lane, expressed concern on drainage issues; had corresponded with James Chancellor and was looking for alternative measures, but were not happy with follow through by the Town and wanting a better resolution. Charles Marks, 81 Affirmed Lane, brought pictures to Council of yards regarding their drainage and ditches. He expressed further concern regarding the problem. Gloria Marks, 81 Affirmed Lane, concerned about the steep ditches and being able to mow yard, the standing water it causes and the possibility of raising the culverts. Richard Martin, 70 Affirmed Lane, asked for an agreeable solution. Joanie Power, 90 Affirmed Lane, brought up the safety issues and possible installment of reflectors.

Mayor Israeloff asked James Chancellor to make a short presentation. James stated that the ditches are set at the minimum ordinance guidelines. He understands their concerns and looked at all angles to fix in an appealing way for the residents on that street.

John Fraser asked for further factual/expert data to assist on appropriately looking at their concerns.

Mayor Israeloff asked to put on next month's agenda for Council to discuss. In the meantime, Carolyn Sommers and Jim Cunningham will meet on site with the neighborhood.

Steve Sweeney lives in Hawkswood subdivision and is also a builder. He would like the sign ordinance to be changed to permit larger site signs. Alan Efrussy stated that he or Ron Clary would address this issue with Mr. Sweeny at a later date.

CONSENT AGENDA: All items listed under Consent Agenda are considered to be routine by the Council and will be acted on by one motion. The following items were on the consent agenda: A) Accept the annual financial audit for 2005-06. B) Approve a final plat for Harper's Addition, comprising 6.14 acres and two lots, zoned Two-Acre Ranch Estate (RE-2) and located at the northeast corner of Stacy Road and Kentucky Lane. A motion was made by Carolyn Sommers to approve. Seconded by Mary Price, with all in favor.

PUBLIC HEARING: The zoning of property that is annexed but unzoned, commonly known as the Meyer property, consisting of 1.24 ± acres, to One-Acre Ranch Estate (RE-1). Mayor Israeloff opened the public hearing and stated anyone wishing to speak should state their name and address for the record. Matt Donnell explained the background of the property. Rachel Harris and her mother, current resident and owner of the property, would like to see the property zoned light commercial due to future Stacy Road widening and current traffic flow. Mayor Israeloff asked if there were any further questions or comments. Mayor Israeloff closed the public hearing.

ORDINANCE ZONING: The zoning of property that is annexed but unzoned, commonly known as the Meyer property, consisting of 1.24 ± acres, to One-Acre Ranch Estate (RE-1). Alan Efrussy stated the question of notice to the property owner was delayed. He stated that they use the Central Appraisal District to properly send out Legal Notices to owners to notify of any changes that are occurring.

John Fraser, asked if the property was ever commercial. It was not ever used as commercial. Mayor Israeloff stated that it was common consensus that there will be no commercial property east of Highway 5. Town Council discussed location and other concerns keeping it residential and/or commercial property.

A motion was made by John Fraser to approve the zoning of the Meyer property to One-Acre Ranch Estate (RE-1). Seconded by Councilman Jim Cunningham, with all in favor.

PRELIMINARY PLAT FOR HAWKS WOOD PHASE II: A subdivision comprising 16.8 acres and twelve single family lots. Planning Director Alan Efrussy stated that the Planning & Zoning Commission had reviewed and approved the plat, with notes allowing a variance to the maximum length of a cul-de-sac, and also requiring a public safety easement to contiguous property immediately to the south.

It was noted that the southern property line would feature a solid wall, with a gate for the public safety access easement. Carolyn Sommers inquired about the possibility of using a wrought-iron fence with landscaping in lieu of the wall.

Marty Brown, John Goodman and Steve Sweeney were in attendance representing the subdivision. Mary Price inquired if the public safety easement on lots 10 & 11 would be useful as a possible pedestrian connection to Stacy Road, consistent with the Park Master Plan. Since the easement will enter onto the back of a future commercial lot, it was agreed not to require a pedestrian access.

A motion was made by Carolyn Sommers to approve the preliminary plat of the Hawks Wood II subdivision comprising 16.8 acres and twelve single family lots. Seconded by Mary Price, with all in favor.

STREET AND TRAIL LIGHTING FOR FAIRVIEW PARKWAY: Town Engineer James Chancellor discussed proposed street and trail lighting for Fairview Parkway. He stated that in order to promote safe pedestrian traffic along the parkway and on the trail, that the project engineer had proposed an alternative lighting plan that would increase the height and number of light fixtures. This alternative plan would be a varaiance to the CPDD ordinance, but still in compliance with the town's Outdoor Lighting Ordinance and with IESNA guidelines to reduce glare and light trespass. P&Z Chair Bill Wells and John Godwin provided additional explanation. It was noted that the P&Z had reviewed and approved this recommended lighting plan. A motion to approve the plan as presented was made by John Fraser and seconded by Jim Cunningham, with all in favor.

OUTDOOR WARNING SYTEM WITH ACOUSTIC TECHNOLOGY: John Godwin advised the council that ATI was the lowest responsible bidder for an outdoor warning system, and recommended award of contract in an amount not to exceed $89,520. Fire Chief Dick Price passed out maps to show where the three poles will be located. He stated the system will be set to the City of Allen's system and will benefit them as well by updating their software system. There will little to low maintenance on the concrete poles as well as no annual cost. The Allen Fire department is responsible for setting off the system as well as Chief Price and Chief Tolliver may call in if they see an imminent threat. There will be about a two day testing period once installed. Mayor Israeloff requested to place this information into the newsletter to inform residents, and/or other mechanisms to notify residents once the system is in place. The motion was made by Mary Price and seconded by Jim Cunningham, with all in favor.

2006-07 BUDGET AMENDMENT: John Godwin recommended a budget amendment including four items: additional funding in the amount of $90,000 for the outdoor warning system and $4,200 for certain protective clothing paid for by an unbudgeted grant in the fire department's budget; $10,000 to pay for additional software in the municipal court budget; and $73,750 to pay the last quarter of EMS invoices from the 2005-06 budget to AMR. A motion was made by Carolyn Sommers and seconded by Jim Cunningham, with all in favor.

MANAGER'S DEVELOPMENT REPORT: John Godwin made a brief report on ordinance, development, and zoning, advising the council of activity relevant to the Stover tract and two planned new LISD schools.

EXECUTIVE SESSION: At 9:10 the council recessed into executive session to discuss: McKinney v. Fairview, Lawler v. Fairview, economic development, and real property. The council reconvened into open session at 10:36.

ACTION NECESSARY FROM EXECUTIVE SESSION:
No action required or taken.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 10:37 p.m.

SIM ISRAELOFF, MAYOR

ATTEST:

TOWN OF FAIRVIEW

John Godwin, Town Manager