TOWN COUNCIL MEETING
MINUTES
November 6, 2007

The Town Council met in regular session on Tuesday, November 6, 2007 at 6:30 P.M. at Town Hall, 500 S. Highway 5, Fairview, Texas. Those present were Mayor Sim Israeloff, Mayor Pro Tem Carolyn Sommers, Council Members Jim Cunningham, Ron Kasian, Michael Pezzulli, Anton Mattli and Mary Price, and Town Manager John Godwin; Town Engineer James Chancellor; Planning Director Alan Efrussy; Special Projects Coordinator Matt Donnell; and Town Secretary Michelle Lewis Sirianni.

Mayor Israeloff called the meeting to order at 6:30 p.m. and declared a quorum was present.

EXECUTIVE SESSION: At 6:33 pm the council recessed into executive session to discuss: McKinney versus Fairview, Economic Development, Real Estate and Personnel – Town Manager.

At 7:43 pm Mayor Israeloff reconvened into the regular session and requested everyone to stand for the Pledge of Allegiance.

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) Approve minutes of the September 27, 2007 special council meeting. B) Approve minutes of the October 2, 2007 council meeting. C) Approve minutes of the October 16, 2007 special council meeting. D) Approve a final plat for the Park's Place Addition. E) Award Bid for 16" Water Main from Hart Road to Stacy Road.

Mayor Israeloff stated that in regards to consent item E, the Bid for 16" Water Main from Hart Road to Stacy Road is awarded to JT Dershner, Inc. The bid amount was $ 915,957.50.

Councilwoman Price made a motion to approve items A, C and E. Mayor Pro Tem Sommers seconded that motion, with all in favor.

Councilman Mattli asked to pull items B and D. Councilman Mattli stated that in regards to item B that the statement was incorrect. Councilman Mattli asked to change the wording on page 5, fourth paragraph from the bottom to state the following: "Councilman Mattli questioned why drugstore and convenience store without fuel pumps were changed to a SUP with restricted hours. Councilman Mattli recommended keeping these two uses as Special Use Permits without restricted hours."

Councilwoman Price made a motion to approve item B as amended. Councilman Mattli seconded that motion, with all in favor.

Councilman Mattli stated that in regards to item D that the language 'Park and Recreation Area' be removed from under where it states 'Lot 4'.

Councilman Mattli made a motion to approve item D as amended. Councilman Pezzulli seconded that motion, with all in favor.

SALINAS PROPERTY: Conduct a public hearing and consider zoning the Salinas property to RE-2.

Mr. Donnell introduced this item stating that the Future Land Use Plan within the Comprehensive Plan indicates that this subject property is classified as Residential Estate. Mr. Donnell stated that the Future Land Use Plan can be amended at a later date to illustrate any changes that have been made. The zoning recommendation on this property is RE-2.

Mayor Israeloff opened discussion to the public. No comments were made and the public hearing was closed.

Mayor Israeloff opened discussion to council members. No comments were made.

Councilman Kasian made a motion to approve the zoning of the Salinas property to RE-2. Mayor Pro Tem Sommers seconded that motion, with all in favor.

RICCARDI PROPERTY: Conduct a public hearing and consider zoning the Riccardi property to RE-2.

Mr. Donnell introduced this item stating that the total contiguous property ownership is 10.9 acres, so the RE-2 zoning district can accommodate the two said acres. Mr. Donnell stated that the Future Land Use Plan can be amended at a later date to illustrate any changes that have been made.

Mayor Israeloff asked if there were any structures on the property that could become a non-conforming use. Mr. Donnell replied that there currently is a small barn located on the property.

Mayor Israeloff opened discussion to the public. No comments were made and the public hearing was closed.

Mayor Israeloff opened discussion to the council members. No comments were made.

Councilman Pezzulli made a motion to approve the zoning of the Riccardi property to RE-2. Councilman Mattli seconded that motion, with all in favor.

ENVIRONMENTAL ADVISORY COMMITTEE: Consider appointment of individuals to serve on the environmental management advisory committee.

Mr. Godwin stated that since the last appointment, there have been two new applicants: Carolee Cross and Charles Watson.

Councilman Pezzulli stated that he is fine with both applicants and would move to appoint both applicants to the committee. Councilman Kasian seconded that motion, with all in favor.

MUNICIPAL COURT ANNUAL REPORT: Receive annual municipal court report.

Teresa Jordan, the town's Municipal Court Administrator, touched on the following:

- Duties: She currently maintains court records, traffic court, trials, prepares warrants, processes payments, general office work, and prepares monthly reports for the state.

- Certification: Level I working on Level II

- Recent Changes: split court docket times in order to process people faster, added window for security and accessibility, credit card processing, added computer in council chambers, added receipt printer to avoid hand written receipts, and added printer with a lan connection for processing forms and faster copies.

- Future Changes: Adding an online payment option and Kay Shields working on Level I certification.

TOWN SECRETARY ANNUAL REPORT: Receive annual town secretary report.

Michelle Lewis Sirianni, the Town Secretary touched on the following:

- Positions: Town Secretary, Utility Clerk/Customer Service, Provide Assistance to Permits, and Assist with Various Town Departments.

- Responsibilities:

  Town Secretary: Maintain Records/Ordinances, Public Information Requests, Council and P&Z Meetings, Web Site updates, Special Projects, Park Reservations, General Office Work.

  Utility Clerk: Process New Applications, Process Payments, Service Order Requests, New Resident Packets, Update Forms, General Office Work, Assist Posting Alarm Permits, Commercial Water Meter Billing, and Police Reports.

- Projects/Goals: Improve Record Retention, Scanning all Ordinances/Resolutions, Completing the Texas Municipal Clerk's Certification Program, and Obtaining Master's Degree in Public Administration.

NEW FIRE STATION: Discuss and consider taking action regarding architectural services for the planned new fire station.

Mr. Godwin introduced this item stating that he and Chief Price have visited with five different firms. They have tried to look for firms with municipal experience and who have a specific understanding of fire station design and operation. At this time, they are recommending WHJ, which has a wealth of experience, having completed several fire stations.

The team of Wiginton Hooker Jeffry made a presentation to council in regards to what their experience entailed and their knowledge that would allow them to build a fire station tailored for the town.

Jim Wignton, Tony Jeffry, Duane Nichols and Linda Szpak presented the company's experience, current and past projects, and stations they have constructed in various phases. The "green" aspect was touched on by highlighting the various ways and aspects that can make the fire station more "green" and efficient. The company also communicated that they listen to the town's needs and build according to what they want. They factor in the placement of the building, design concepts the town wants portrayed as well as financial budget. Their overall goal is to provide the town with the commitment to design and service by listening to the town.

Mayor Pro Tem Sommers commented that she really likes how their buildings fit in with each community. Councilwoman Price asked what the process was in working with the architect and if they will get to see the plans. Mr. Godwin responded that there are key milestones and as they progress, the plans will be shown to council along with acquiring architectural recommendations and additional input along the way. Mr. Godwin also noted that council will be approving the final plans. Councilman Pezzulli stated that he would like to interface as much as possible on the environmental issues and would like to discuss the possibility of using natural cover on the roof for energy consumption. Councilman Mattli asked what the maximum level of achievement was with LEED. Ms. Szpak responded that realistically silver is the highest, but platinum can be reached, but finances tend to hinder this due to the cost of some materials.

Councilwoman Price made a motion to conclude and execute an agreement with Wiginton Hooker Jeffry. Councilman Kasian seconded that motion, with all in favor.

COUNCIL RETREAT: Discuss a possible council retreat.

Mr. Godwin introduced this item stating that council has periodically conducted "retreat" meetings in order to spend more time addressing various issues and priorities than can be done in regular council meeting session. Possible retreat topics might include goal setting, capital projects, the town's upcoming 50th anniversary, scheduling a town hall/community meeting, etc.

Consensus of the council was to aim for an early December meeting on a Saturday for a half day or no later then the end of January. Tentative date of December, 15th is being discussed, but no affirmative date has been set at this time.

CODE ENFORCEMENT OPERATIONS/POLICIES: Discuss code enforcement operations and policies.

Mr. Godwin introduced this item stating that code enforcement is becoming a more important area of the town and the source of an increasing number of service calls. There are a number of areas that council may wish to make changes in ordinances and/or operational procedures. Mr. Godwin noted that they may discuss these tonight or possibly at the retreat held next month.

Councilwoman Price stated that she would like to see the tree ordinance change the height from 12' back to 14'. Councilwoman Price noted that the 14' would allow for vehicles that may be larger in height due to something being placed on top. Councilwoman Price asked the town manager to research regulations in other towns. Mayor Pro Tem Sommers stated that in her opinion it should go no higher than 14'.

Councilman Kasian asked in regards to Notification, what was the maximum number of days to come into compliance. Mr. Godwin responded that the town currently allows a violator ten day to come into compliance and the state law now allows us to give as few as seven days if the council would like to change this. However, depending on what type of violation it is, the town can be flexible to allow sufficient time for the violator to come into compliance.

The council agreed to bring Code Enforcement issues back for discussion in December and at the retreat.

DEVELOPMENT PROJECTS & ORDINANCES: Receive town manager's monthly report on development and ordinances.

Mr. Godwin highlighted the following topics:

- Town Engineer was asked to attend a Forum regarding road concerns. Mr. Godwin stated that this forum is being held by a private group and is non-town related.
- Flood Hazard Zoning – The Planning and Zoning department has been discussing flood hazard zones; an overlay zone and cluster zoning have also been discussed.
- LISD – The Middle and Elementary school construction is still on-going and anticipating an August 2008 opening.
- Williams tract (red barn site) – Developer met with P&Z on October 25 to discuss retirement housing plan; to P&Z for action in December.

CITIZENS 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.

John Klepac, 92 Stone Hinge, asked what the process is when the town picks an architect for a project. Mr. Klepac stated that he was disturbed that he didn't know the location or candidates for the fire station project.

Mayor Israeloff thanked Mr. Klepac for his comment.

EXECUTIVE SESSION: At 9:07 pm the council reconvened back into executive session to finish their discussions.

At 10:13 pm council reconvened back into regular session.

ACTION NECESSARY FROM EXECUTIVE SESSION:

Councilman Cunningham made a motion to award a bid from Lloyd Investments for $4,202,000 for the purchase of town-owned land. Councilman Pezzulli seconded that motion, with the motion passing 7-0.

Councilman Kasian made a motion to withdraw the review of EA. Mayor Pro Tem Sommers seconded that motion, with the motion passing 7-0.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 10:16 p.m.

TOWN OF FAIRVIEW

SIM ISRAELOFF, MAYOR

ATTEST:

Michelle Lewis Sirianni

Michelle Lewis Sirianni, Town Secretary